

Date of Hearing: June 21, 2017

ASSEMBLY COMMITTEE ON EDUCATION

Patrick O'Donnell, Chair

SB 455 (Newman) – As Amended April 5, 2017

SENATE VOTE: 36-0

SUBJECT: Pupil enrollment: military dependents

SUMMARY: Modifies residency requirements for school attendance for active-duty military families by deeming that a student meets residency requirements for school attendance in a school district if the student's parent is transferred or is pending transfer to a military installation that is within the state, instead of within the boundaries of the receiving school district. Specifically, **this bill:**

- 1) Modifies residency requirements for school attendance for military families by deeming that a student meets residency requirements for school attendance if the student's parent while on active-duty orders, is transferred or is pending transfer to a military installation that is within the state, in lieu of within the boundaries of the receiving school district.
- 2) Requires a parent to provide proof of residence in the school district within 10 days after the published arrival date provided on official documentation.
- 3) Requires any school district, in lieu of only those school districts with military installations located within its boundaries, to accept applications by electronic means for enrollment, including into a school, program or course for children of transferring military families.

EXISTING LAW:

- 1) Requires students to attend the public full-time day school or continuation school or classes in the school district in which the residency of either the parent or legal guardian is located.
- 2) Requires reasonable evidence of residency to be established by documentation showing the name and address of the parent or legal guardian within the school district.
- 3) Deems that a student meets residency requirements for school attendance if the student's parent is transferred to a military installation that is within the boundaries of the school district pursuant to an official military order and requires a school district to accept applications by electronic means for those students for purposes of enrollment and course registration. The parent must provide proof of residence within 10 days after the published arrival date provided on official documentation.
- 4) Defines "active military duty," to mean full-time military duty status in the active uniformed service of the United States, including the California National Guard and the State Military Reserve.
- 5) Defines "military installation" to mean a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense or the United States Coast Guard.

- 6) Prohibits a school district, regardless of whether an agreement for interdistrict attendance exists, from prohibiting the transfer of a student who is a child of an active military duty parent to a school district of proposed enrollment if the school district of proposed enrollment approves the application for transfer.
- 7) Establishes the Interstate Compact on Educational Opportunity for Military Children (Compact). With respect to enrollment of children of military parents, states that a special power of attorney is sufficient for the purposes of enrollment, that an LEA cannot charge tuition to a military student, and provides a right to remain enrolled in a school when a military child is placed in the care of a noncustodial parent who lives in a jurisdiction other than that of the custodial parent.

FISCAL EFFECT: According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

COMMENTS:

Need for the bill. According to the author, “Military service members are routinely reassigned to new duty stations around the country on a three- to four-year rotation. Typically, service members receive the official orders which detail their destination and timeframe of arrival in early to mid-spring for transfers occurring in the summer months.

Prior to this year, military families transferring on official military Permanent Change of Station (PCS) orders to California were not eligible to register their children for school until after they had actually moved and were physically located within a school district’s boundaries. As a consequence, the children of military families were often disadvantaged due to missed deadlines, which often led to students missing classes needed for graduation, ultimately leading to more summer school or even forcing the children of military parents to graduate later than their peers.

SB 1455 (Chapter 312, Statutes of 2016) established provisions for remote enrollment of military children. Unfortunately, a reference to language regarding school district boundaries caused the unintended consequence of limiting the scope of the provision to those school districts that overlap the service member’s military duty station. In effect, the current law only applies to about 40 of roughly 100 military-impacted districts, covering about one-third of military families in California. Broadening the language of the law will allow the provision to be available for all military families, as intended.

When school-age children of service members know which school they will be attending and have the assurance that they are registered for the appropriate classes, unneeded stress will be removed from the transition process while ensuring them opportunities for a better transition and smoother progression on their educational path.”

Number of students of military families in California. According to the Department of Defense, California is home to the largest number of active duty military in the country, with 155,000 active duty personnel, representing 13.5 percent of the national force. According to the State Department of Education’s task force report “Compact on Educational Opportunity for Military Children,” in 2012 there were 67,300 school-aged military children in California (ages 5–18). According to the San Diego Unified School District, there are approximately 13,000 military-connected students enrolled in that district.

Transiency of children of military families affects school completion. According to the Department of Defense (DOD), children from military families move an average of six to nine times during a school career, and these students frequently face challenges in meeting graduation requirements. A 2012 report by the Military Child Education Coalition for the U.S. Army found that “graduation requirements, tiered diplomas, prerequisite courses, grading variations, and state high stakes testing are all challenges to the student in transition.”

Identifying students from military families. To comply with the requirements of the Compact, school districts must identify students from military families. Both the San Diego Unified School District and the Los Angeles Unified School District, use a military and veteran identifier in their district-wide student information systems.

While a past legislative attempt to create a state-level military student identifier was unsuccessful (see prior legislation below), California may need to create one to comply with federal law. According to the Education Commission of the States, the federal Every Student Succeeds Act (ESSA) requires states to identify military students with a unique military identifier, which will allow military student data to be analyzed as a separate, self-contained subgroup. The identifier is intended to help assess military student performance, as well as help to understand the relationship between military life and dependent child development.

Interstate Compact on Educational Opportunity for Military Children. The DOD, in collaboration with the National Center for Interstate Compacts and the Council of State Governments, developed the Interstate Compact on Educational Opportunity for Military Children (Compact) to address educational transition issues of children of military families.

The goal of the Compact is to ensure that the children of military families are afforded the same opportunities for educational success as other children, and are not penalized or delayed in achieving their educational goals. States participating in the Compact work to coordinate graduation requirements, transfer of records, course placement, and other administrative policies. According to the DOD, all 50 States and the District of Columbia participate in the interstate compact. California adopted the Compact in state law in 2009.

The compact addresses a number of topics, including:

- Timely enrollment
- Transfer of school records
- School placement
- Eligibility for enrollment and participation in school programs, athletics, and extracurricular activities
- On-time graduation

With respect to enrollment, the Compact (as enacted in state law) states that a special power of attorney is sufficient for the purposes of enrollment, that an LEA cannot charge tuition to a military student, and provides a right to remain enrolled in a school when a military child is placed in the care of a noncustodial parent who lives in a different jurisdiction.

A 2014 CDE review of the implementation of the Compact in California found variations in implementation across districts. The report suggested that California undertake a more

comprehensive effort to ensure that school district personnel and military families are maximally familiar with the provisions of the Compact so that its provisions are applied consistently. The report also found that California's membership in the Compact has substantially aided both school districts and military families by alleviating many of the educational difficulties military children encounter in their frequent moves from a school in one state to a school in another state.

Residency requirements and remote registration. SB 1455 (Block) Chapter 312, Statutes of 2016 provided military families transferring to California the ability to start the school enrollment process as soon as a written military transfer order is given if the assigned military installation resided within boundaries of the receiving school district. Certain school districts are required to accept applications by electronic means for enrollment in a specific school or program within the school district and course registration for these students. Parents must provide proof of residence within 10 days after the published arrival date provided on official documentation.

SB 1455 (Block), Chapter 312, Statutes of 2016 allowed a student to apply for enrollment to a school remotely at the same time as their peers and within the school district that the student will eventually reside. Prior to SB 1455 (Block), Chapter 312, Statutes of 2016 families were not eligible to register until they were physically located within the district boundaries and as a result missed registration deadlines.

Because the duty station of a student's parent is not necessarily located in the school district in which the student resides and/or intends to enroll, current law excludes many students intended to be covered by SB 1455.

Knowledge gap on academic outcomes for students of military families. There is very little published data regarding the academic performance of students from military families. One area of inquiry has been the effect of long parental deployments on students' academic performance, and one study (Richardson, 2011) found that students whose parents have been deployed 19 months or longer have modestly lower scores, across all subjects and irrespective of the rank, component, seniority, or gender of the parent. Another study (Engel, 2010) of students in DOD schools found that long deployments and deployments during the month of testing had the most adverse effects, and that evidence suggests that these effects may persist for several years. A 2011 policy brief from the University of Southern California School of Social Work notes that "Living with fear that a parent – or another relative – serving in the military is in danger can traumatize a child to the point where it significantly affects their ability to function in the school environment."

Other research has focused on risk factors which are associated with poor academic outcomes. One study (Sullivan, 2015), using data from the 2013 administration of the California Healthy Kids Survey, found that students from military families had greater odds of experience with substance use, physical violence, nonphysical harassment than their peers. Another study (Gilreath, 2016) using the same data set found that California military-connected youth are at a higher risk for suicidal ideation, plans, attempts, and attempts requiring medical care because of suicidal behaviors.

Related and prior legislation. AB 365 (Muratsuchi) of this Session extends to students from military families certain rights regarding exemptions from local graduation requirements and acceptance of partial credit which are currently afforded to other groups of highly mobile students. AB 365 is pending in the Senate.

SB 1455 (Block) Chapter 312, Statutes of 2016 provides that a student meets residency requirements for school attendance if the student's parent is transferred to a military installation that is within the boundaries of the school district and requires a school district to accept applications for those students by electronic means for enrollment purposes.

AB 306 (Hadley), Chapter 771, Statutes of 2016, prohibits a school district of residence from prohibiting the transfer of a pupil who is a child of an active military duty parent to a school in any school district, if the school district to which the parents of the pupil applies approves the application for transfer.

AB 2341 (Quirk-Silva) of the 2013-14 Session would have added an indicator to the California Longitudinal Pupil Achievement Data System (CALPADS) to identify pupils of military families, and would have required LEAs to report enrollment of pupils of military families, as specified. This bill was held in the Senate Appropriations Committee.

AB 2202 (Block), Chapter 402, Statutes of 2012, extends the sunset from January 1, 2013 to January 1, 2014, for provisions related to the SPI reconvening a task force to review the impact of the Compact on school districts and students, and issue a final report to the Legislature.

AB 343 (Saldana) Chapter 237, Statutes of 2009, enacts the Compact, which addresses issues experienced by children of military families who frequently transfer between schools.

AB 2049 (Saldana) Chapter 589, Statutes of 2008, requires SPI to convene and support a task force to review and make recommendations regarding the Compact.

AB 1809 (Saldana) of the 2007-08 Session would have established the Interstate Commission on Educational Opportunities for Military Families and ratified the Interstate Compact on Educational Opportunity for Military Children. This bill was held in the Assembly Appropriations Committee.

AB 2102 (Saldana), Chapter 608, Statutes of 2006, establishes procedures, including requiring the CDE to establish a formal liaison with the United States Department of Defense and school districts that enroll military dependents, to facilitate and smooth the transfer of school-age military dependents and their school records.

REGISTERED SUPPORT / OPPOSITION:

Support

United States Marine Corps Installations West
Los Angeles County Office of Education
San Bernardino County District Advocates for Better Schools
One individual

Opposition

None on file

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