

## ASSEMBLY THIRD READING

AB 1605 (Gallagher)

As Amended April 17, 2023

Majority vote

**SUMMARY**

Requires each school district, county office of education (COE), and charter school offering instruction in any of grades 9 to 12, inclusive, which provides on-campus access to employers, to not prohibit access to the military services, including the United States Space Force (Space Force), and defines "uniformed services" to include the Space Force for the purpose of the Interstate Compact on Educational Opportunity for Military Children.

**Major Provisions**

- 1) Requires each school district, COE, and charter school offering instruction in any of grades 9 to 12, inclusive, that provides on-campus access to employers, to not prohibit access to the military services, including United States Army, the United States Navy, the United States Air Force, the United States Marine Corps, the United States Coast Guard, the Space Force or any reserve component of those federal forces, the National Guard, the State Guard, and the active militia.
- 2) Defines "uniformed services" to include the Space Force for the purpose of the Interstate Compact on Educational Opportunity for Military Children.

**COMMENTS**

*Key provisions of the bill.* Current law requires that if a school district provides on-campus access to employers through, for example, a job fair or other means then the school district cannot prohibit access to the military services. This bill adds the Space Force to the existing definition of military services, and adds COEs and charter schools. Further, current law ratifies the Interstate Compact on Educational Opportunity for Military Children to, facilitate the enrollment, placement, advancement, and transfer of the academic records of the children of military families for the purpose of removing barriers to their educational success due to the frequent moves and deployment of their parents. The compact defines "Uniformed Services" to mean the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration and the United States Public Health Services. The Space Force is the newest branch of the United States (U.S.) Armed Forces, and this bill ensures that all branches of the U.S. military are included in these requirements.

*The Space Force.* The Space Force was established on December 20, 2019, as part of the National Defense Authorization Act. The Space Force serves as the space service branch of the U.S. Armed Forces, which also includes the Army, Marine Corp, Navy, Air Force, Coast Guard, and National Guard.

The Space Force trains, organizes and equips personnel or "Guardians" to perform global space operations that improve how U.S. joint services fight, communicate and achieve national objectives. Operations include developing and defending communication satellites, engineering global cybersecurity networks, supporting rocket launches, tracking space debris and coordinating battlefield operations across all war-fighting domains. The Space Force consists of

approximately 8,000 Active Duty personnel. Unlike other military branches, the Space Force does not have a National Guard or reserve component. It consists of only full-time enlisted, officer and civilian personnel.

According to a 2020 RAND report, *A Separate Space: Creating a Military Service for Space*, the Space Force will need personnel with skills in space operations, space intelligence, space acquisition, and other science, technology, engineering, and mathematics disciplines relevant to space operations and acquisition. However, there will be significant challenges in building and sustaining small career fields and the Space Force will likely need to draw about half of its general officers from the Air Force or other services. The Space Force will, "need people skilled in space operations, space intelligence, space acquisition, and other STEM disciplines."

*NASA and the Space Force.* According to the USSF, both the National Aeronautics and Space Administration (NASA) and the Space Force work to improve our capabilities in space but with different directives. NASA is a civil agency that focuses on developing resources for education, exploration, innovation and research, while the Space Force is a military service centered on the capabilities needed to defend the United States' interests and freedom to operate in space.

*Federal requirement for LEAs to provide information to military recruiters.* In 2002, Congress passed two statutes that require LEAs receiving assistance under the ESEA to afford military recruiters the same access to secondary schools as they provide to postsecondary institutions or to prospective employers. These laws also generally require LEAs to provide secondary school students' names, addresses, and telephone listings to military recruiters, when requested. Under the statutes, parents may "opt out" of allowing schools to provide information about their children to military recruiters.

*Fewer youth joining the U.S. Armed Forces.* Annual recruitment targets are not are not being met for most branches of the armed forces. In 2002, the Army fell about 25%, or 15,000 soldiers short of its annual recruitment goal of 60,000. A Joint Advertising Market Research & Studies (JAMRS) conducted by the Department of Defense states youth perception of the military is declining due to a shrinking military footprint, years of prolonged overseas conflict, globalization, dwindling family ties, lack of knowledge, and a perception that service members are not "people like them." According to the U.S. Army Recruiting Command, in 2019 over 50% of youth admitted to knowing little to nothing about the military.

*Interstate Compact on Educational Opportunity for Military Children.* The Department of Defense, in collaboration with the National Center for Interstate Compacts and the Council of State Governments, has developed an interstate compact that addresses the educational transition issues of children of military families, including enrollment, placement, attendance, eligibility, and graduation. Currently all 50 States and the District of Columbia participate in the interstate compact that provide a uniform policy platform for resolving the challenges experienced by military children. AB 343 (Saldaña), Chapter 237, Statutes of 2009, joined the State of California as a member of the Compact.

It is estimated that the average military family moves three times more often than the average non-military family. These frequent moves can, for example, cause children to miss opportunities to participate in extracurricular activities or to face challenges in meeting graduation requirements. The Compact aims 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.

**According to the Author**

"The U.S. Space Force was established in 2019 as the first new branch of the armed services in over 70 years. Several sections of California Education Code referencing and defining military branches therefore fail to include the Space Force. The Space Force offers unique career opportunities, especially in STEM (Science, Technology, Engineering, and Mathematics) fields, and the Education Code should be updated to reflect this new and unique branch of our military."

**Arguments in Support**

None on file

**Arguments in Opposition**

None on file

**FISCAL COMMENTS**

According to the Assembly Appropriations Committee,

- 1) "Potential ongoing Proposition 98 General Fund costs to county offices of education and charter schools offering instruction in any of grades nine to 12 that provides on-campus access to employers, to allow access to campus to the military services. Costs could include coordinating campus visits, providing notifications, and meeting space to military services. The state has 58 county offices of education and over 1,000 charter schools.
- 2) Potential ongoing Proposition 98 General Fund costs to school districts, county offices of education, and charter schools offering instruction in any of grades nine to 12 that provides on-campus access to employers to allow access to the Space Force. Costs could include coordinating campus visits, providing notifications, and meeting space to military services. The state has over 1,000 school districts.
- 3) Unknown, ongoing Proposition 98 General Fund costs to school districts, county offices of education, and charter schools to facilitate the enrollment, placement, advancement, and transfer of the academic records of the children of Space Force members for the purposes of Interstate Compact on Educational Opportunity for Military Children.

Costs would depend on the number of school-age children with parents in the Space Force. However, the number of students would likely be low, as the Space Force consists of only about 8,000 members nationwide. Costs would increase if the number of Space Force members with school-age children grows.

If the Commission on State Mandates determines the bill's requirement to change the definition of "uniformed services" for purposes of the compact imposes additional duties on local educational agencies, the state would need to reimburse these costs or provide funding through the K-12 Mandate Block Grant."

**VOTES**

**ASM EDUCATION: 5-1-1**

**YES:** Muratsuchi, Juan Carrillo, Hoover, McCarty, Quirk-Silva

**NO:** Lee

**ABS, ABST OR NV:** Megan Dahle

**ASM APPROPRIATIONS: 15-0-1**

**YES:** Holden, Megan Dahle, Bryan, Calderon, Wendy Carrillo, Dixon, Mike Fong, Hart, Lowenthal, Mathis, Papan, Pellerin, Sanchez, Weber, Ortega

**ABS, ABST OR NV:** Robert Rivas

**UPDATED**

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