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## SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair  
2023 - 2024 Regular

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<b>Bill No:</b>	AB 1605	<b>Hearing Date:</b>	June 21, 2023
<b>Author:</b>	Gallagher		
<b>Version:</b>	April 17, 2023		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
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**Subject:** High schools: military services: United States Space Force.

**NOTE:** This bill has been referred to the Committees on Education and *Military and Veterans Affairs*. A "do pass" motion should include a referral to the Committee on *Military and Veterans Affairs*.

### SUMMARY

This bill further defines "Uniformed Services" and "military services" to include "Space Force" and prohibits a local education agency (LEA), county office of education (COE), and charter school offering instruction in any of grades 9 to 12 that provides on-campus access to employers from excluding access to the military services.

### BACKGROUND

Existing Law:

*Education Code (EC)*

- 1) Requires each school district to offer instruction in any of grades 9 to 12, inclusive, that provides on-campus access to employers, shall not prohibit access to the military services. (EC 49603(a))
- 2) Ratifies the Interstate Compact on Educational Opportunity for Military Children to, among other things, facilitate the enrollment, placement, advancement, and transfer of the academic records of the children of military families for 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. (EC 49701)
- 3) Defines "a pupil who is a child of a military family" as a school-aged child who is living in the household of an active duty service member. This is the same definition used in current law for purposes of the Interstate Compact on Educational Opportunity for Military Children. (EC § 49701, 51225.1, and 51225.2)
- 4) Requires LEAs, including charter schools, to exempt a student of a military family who transfers between schools any time after the completion of the student's second year of high school from all coursework and other requirements that are in

excess of state graduation requirements, unless the school district makes a finding that the student is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school. (EC § 51225.1)

- 5) Establishes the Interstate Compact on Educational Opportunity for Military Children, which addresses educational transition issues of children of military families. (EC § 49700, et seq.)

## ANALYSIS

This bill further defines "Uniformed Services" and "military services" to include "Space Force" and prohibits a LEA, COE, and charter school offering instruction in any of grades 9 to 12 that provides on-campus access to employers from excluding access to the military services.

## STAFF COMMENTS

- 1) **Need for the bill.** According to the author, "AB 1605 is a common-sense bill that updates California Education Code to include the U.S. Space Force. This will ensure that California students have access to all the opportunities the military offers, including unique STEM career paths, and that military families with Space Force members can fully benefit from the military interstate compact. This is a small but important step toward supporting our military and their families."
- 2) **What is Space Force?** According to the United States Space Force (USSF) website, "The U.S. Space Force was established on Dec. 20, 2019, when the National Defense Authorization Act was signed into law, creating the first new branch of the armed services since 1947. The establishment of the USSF resulted from widespread recognition that space is a national security imperative. When combined with the growing threat posed by strategic competitors in space, it became clear that there was a need for a military service focused solely on pursuing superiority in the space domain. While the Space Force is the newest service, the U.S. Air Force has been working in the space domain since 1982, when the Air Force Space Command was activated. It provided military-focused space capabilities with a global perspective to the joint warfighting team until the standup of the Space Force. Investments in space capabilities have increased the effectiveness of operations in every other domain. The U.S. military is faster, better connected, more informed, more precise and more lethal because of its ability to harness space effectively. The Space Force organizes, trains and equips personnel in order to protect U.S. and allied interests in space and to provide space capabilities to the joint forces. To that end, the Space Force manages space launch operations at the East and West Coast Space Launch Deltas. These bases provide services, facilities and range safety control to conduct DOD, NASA and commercial space launches"

*This bill updates the definition of "uniformed services" and "military services" to include "Space Force," a new branch that was officially established on Dec. 20, 2019.*

- 3) ***Students of military families in California.*** According to the U.S. Department of the Navy, California is home to the largest number of military children, with nearly 58,000 children. Further, the United States Department of Defense states that, “As military Service members and their families move from state to state, providing smooth educational transitions for their children is key to eliminating one of the largest concerns their parents face. Military families transfer duty stations, on average, every two to four years, resulting in military children changing school systems a total of six to nine times before they graduate.”
- 4) ***Interstate Compact on Educational Opportunity for Military Children.*** The United States Department of Defense, 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 Department of Defense, all 50 States and the District of Columbia participate in the interstate compact. California adopted the Compact in the state’s Education Code in 2009. The Compact addresses a number of topics, including:

- a) Timely enrollment.
- b) Transfer of school records.
- c) School placement.
- d) Eligibility for enrollment and participation in school programs, athletics, and extracurricular activities.
- e) On-time graduation.

The Compact does not speak generally to the right of students to remain in their schools of origin when their parents’ residence changes, but does state that a transitioning military child, placed in the care of a noncustodial parent or other person standing in loco parentis, who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which he/she was enrolled while residing with the custodial parent.

A 2014 review of the implementation of the Compact in California by the California Department of Education (CDE) 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.

**5) Related Legislation**

*AB 2949* (Gloria) Chapter 327, Statutes of 2018 requires that a student who is the child of a military family be allowed to remain in his or her school of origin and to matriculate with his or her peers in accordance with the established feeder patterns of school districts.

*AB 365* (Muratsuchi) Chapter 739, Statutes of 2017 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.

*SB 455* (Newman) Chapter 239, Statutes of 2017 establishes that a student whose parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order has complied with the residency requirements for school attendance in any school district.

*AB 2306* (Frazier) Chapter 464, Statutes of 2016 requires school districts to exempt former juvenile court school students who transfer into school districts after their second year in high school from local graduation requirements that exceed those of the state and requires a COE to issue a diploma of graduation to a pupil who completes statewide coursework requirements for graduation while attending a juvenile court school.

*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.

**SUPPORT**

None received

**OPPOSITION**

None received

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