
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: AB 306
Author: Hadley
Version: May 26, 2015
Urgency: No
Consultant: Olgalilia Ramirez
Hearing Date: July 1, 2015
Fiscal: Yes

Subject: Public schools: attendance alternatives: children of military personnel

SUMMARY

Establishes a new attendance alternative for children of military personnel if the parent with whom the student resides is on active military duty.

BACKGROUND

- 1) Existing law provides several means to authorize inter-district attendance of a pupil who resides in one school district but wishes to attend public school in another district. The primary authorization provides for inter-district attendance when both the district of residence and district of proposed attendance agree. Another authorization allows a pupil to attend school in a district where the pupil's parent or legal guardian is employed, rather than where the pupil and parent reside. The district where the parent is employed must agree to this alternative, and either district of residence or district of parental employment may prohibit the transfer under specified conditions. (Education Code § 46600 et seq. and § 48204.6)
- 2) Existing law also authorizes the governing board of a school board to declare themselves a school district of choice willing to accept a specified number of inter-district transfers. A school district of choice is required to select pupils through a random and unbiased process that prohibits enrollment based upon academic or athletic talent. As a condition of participating in the program, either the district of residence or district of choice may prevent a transfer if the transfer would exacerbate racial segregation. (EC § 48300 et seq.)
- 3) Existing law further authorizes a school district of choice to give priority to siblings of children already in attendance in the school district of choice and children of military personnel. (EC § 48300 et seq.)

ANALYSIS

This bill establishes a new attendance alternative policy for children of military personnel if the parent with whom the pupil resides is on active military duty. Specifically this bill:

- 1) Provides that a parent of a student enrolled in a school district of residence may submit an application for the student to attend a school in any school district provided that the parent with whom the student resides is on active military duty.

- 2) Requires the application for requesting transfer to be submitted to the military family school district of choice by January 1 of the school year proceeding the school year for which the student is requesting the transfer, unless the parent is relocated by the military, as specified.
- 3) Specifies that the student may enroll in the school district of choice immediately following the approval of his or her application and provides that the application may request enrollment of the student in a specific school or program within the military family school district of choice.
- 4) Requires a school district to establish a period of time for resident student enrollment before considering transfer applications pursuant to this article for purposes of providing priority enrollment opportunities for students residing in a military family school district of choice.
- 5) Requires the military family school district of choice to accept and approve a transfer application pursuant to this article provided that space is available at a school in the desired school district of choice and after the established period of time for resident student enrollment has concluded. Specifies that after approving applications for siblings of students already enrolled in the desired school, a lottery process shall be conducted to select students for the available spaces.
- 6) Authorizes a military family school district of choice to adopt written standards for acceptance of applicants, as specified.
- 7) Defines various terms for the purpose of this article including, “military family school district of choice” to mean a school district for which an application for enrollment has been submitted by the parent of a pupil requesting enrollment pursuant to Section 48318.1 of the education code. A military family school district of choice may include a school district in which the parent of a pupil resides or a school district other than the school district in which the parent of a pupil resides.”

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, military service personnel are required to live near or on base and are subject to frequent moves, as such, it is important for military parents to have options to choose which school districts their children attend. The author further contends that school districts with the ability to serve more students are often willing to accept military children but school districts of residence maintain veto power over those transfers. This bill attempts to create a new pathway for children of active duty military to transfer from the school district of residence to the desired school.
- 2) ***Effectuated School Districts?*** There are approximately 13 school districts currently identifying military students within their local data systems. These districts include: Travis Unified, San Diego Unified, South Bay Unified, Murrieta Valley Unified, Coronado Unified, Lakeside Union, Santee, La Mesa/Spring Valley, Lemon Grove, Chula Vista Elementary, Poway Unified, Los Angeles Unified, and Sweetwater Union High. It is unclear if any of the remaining school districts identify military children using internal resources. This bill would give active duty military family the option of

sending their children to the public school of their choice and would require the school district to accept inter-district transfers, in the desired school, if space is available and after the established period of time for resident student enrollment has concluded.

- 3) ***Existing Inter-district transfer policies.*** Current law provides several means to authorize inter-district attendance of a student who resides in one school district but wishes to attend public school in another district. The primary authorization provides for inter-district attendance when both the district of residence and district of proposed attendance agree. Another authorization allows a pupil to attend school in a district where the pupil's parent or legal guardian is employed, rather than where the pupil and parent reside. Current law also authorizes a school district to deem themselves a school district of choice willing to accept a specified number of inter-district transfers and authorizes a school district of choice to give priority to children of military personnel.

Although this bill includes the term "military family school district of choice," it is unrelated to the existing school district of choice authorization. The bill unnecessarily restates several requirements around inter-district transfer, potentially complicating the bill's provision. It may be more helpful and less confusing, to streamline the bill's provision with current law rather than creating new procedure for inter-district transfers. **Staff recommends** the bill be amended to insert the following language into Article 7 section 48301 of the Education Code related to inter-district transfers, "*A school district of residence shall not prohibit the transfer, pursuant to section 48301, of a child of an active duty military family,*" and in section 48300 insert the definition of active military duty and delete remaining provisions in the bill.

SUPPORT

AMVETS- Department of California
 City of El Segundo
 Gardena Valley Chamber of Commerce
 Jewish War Veterans
 Los Angeles County Board of Supervisors >
 Los Angeles County Business Federation
 Rolling Hills Estates
 So Cal Jobs Defense Council
 South Bay Cities Council of Governments
 The Military Officers Association of America- California Council
 The Veterans of Foreign Wars Department of California
 The Vietnam Veterans of America-California State Association of United States
 Torrance Area Chamber of Commerce

OPPOSITION

None received.

-- END --