
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No: AB 2894 **Hearing Date:** June 13, 2018
Author: Gloria
Version: May 9, 2018
Urgency: No **Fiscal:** Yes
Consultant: Olgalilia Ramirez

Subject: Postsecondary education: students called to active military duty during an academic term.

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

SUMMARY

This bill provides postsecondary students an additional course of action when they are called to active military duty during an academic term and must withdraw from a course.

BACKGROUND

Existing law:

- 1) Establishes the California Community Colleges (CCC), the California State University (CSU), the University of California (UC), independent institutions of higher education, and private postsecondary educational institutions as the five segments of postsecondary education in this state. (Education Code § 66010 and 94858)
- 2) Establishes the California Military Families Financial Relief Act of 2005. Under the Act, any public or private postsecondary educational institution in which an enrolled student is granted academic leave of absence for military service, if requested and as elected by the student within a year after release from military service, is required to do one of the following:
 - a) Make arrangements to reasonably accommodate and assist the student so that he or she is able to meet any and all coursework requirements that he or she may have missed due to military service.
 - b) Refund the tuition and fees paid by the student for the academic term in which the student is required to report for military service regardless of whether the student was called to military service before the academic term had commenced or after the academic term had commenced. The refund shall equal 100 percent of the tuition and fee charges the student paid the institution for the applicable academic term. (Military and Veteran Code § 820 and 824)

ANALYSIS

This bill provides postsecondary students an additional course of action when they are called to active military duty during an academic term and must withdraw from a course. Specifically, it:

- 1) Specifies, subject to applicable federal, state, and institutional refund and withdrawal policies, that when a student is called to active military duty during an academic term, the student may choose one of the following options:
 - a) Withdraw from the institution, retroactively to the beginning of the academic term, with a full refund of tuition and fees in accordance with Section 824 of the Military and Veterans Code.
 - b) If at least 75 percent of the academic term has been completed, request that the faculty member assign a grade for the course based on the work a student has completed. The bill specifies that the faculty makes the final decision as to whether to grant the student's request.
 - c) If the faculty member assigns a grade of Incomplete for the student's coursework, the student is to have a minimum of four weeks after returning to the institution to complete the course requirements. Additional time may be granted if alternative arrangements are made with the faculty member, and provided that the alternative arrangements are consistent with the requirements of Section 824 of the Military and Veterans. An institution is to comply with the requirements under federal regulation, regarding the procedures and timelines for the readmission of military students.
- 2) Defines, for purposes of this chapter:
 - a) "Institution" to mean a campus of any of the California Community Colleges, the California State University, the University of California, independent institutions of higher education, and private postsecondary educational institutions, as defined.
 - b) "Student" to mean a person enrolled, or previously enrolled, at an institution.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "students who are deployed on active duty during the school term are subject to different processes and consequently face uncertainty about their grade options. While an "Incomplete," may be preferable and appropriate for students, the deadline that may be granted may not be sufficient for others. Military students do not have the option of refuse to report duty. The nature of their deployment may be dynamic and students may need to be away for unforeseen length of time and with limited access and time of technology for completing work while away. For these reasons, military students should be able to complete their remaining work when they return to their campus.

AB 2894 will afford military students who have successfully progress in classes, the protection to preserve those efforts while they serve. The option to grant a grade upon an active duty military withdrawal will be a new motion for most colleges and universities in the state, however, California State University (CSU) Los Angeles and postsecondary institutions in over 10 other states have already incorporated this option to address this particular circumstance. It is important to support military student in their academic achievements when called to service our country.”

- 2) **Existing policy.** Under current law postsecondary institutions are required to either; 1) accommodate and assist the student so that he or she is able makeup coursework missed due to military service or; 2) fully refund the tuition and fees paid by the student. This bill offers another path for completing coursework missed as a result of their deployment. Under this measure a student may request that a grade be assigned based on the work completed or have a minimum of four weeks to finish a class upon their return, as specified.
- 3) **Related legislation.** SB 1071 (Newman, 2018) requires the Office of the Chancellor of the California Community Colleges, in collaboration with the Academic Senate to develop a uniform policy for awarding course credit for prior military education, training and service. SB 1071 also requires each community college district to adopt and implement that policy. SB 1071 is pending hearing in the Assembly Higher Education hearing.

SUPPORT

AMVETS-Department of California
California Association of County Veterans
California State Commanders Veterans Council
California State Student Association
Service to School
Vietnam Veterans of American-California State Council

OPPOSITION

None received

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