

Senate Bill No. 455

CHAPTER 239

An act to amend Section 48204.3 of the Education Code, relating to pupil enrollment.

[Approved by Governor September 11, 2017. Filed with
Secretary of State September 11, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

SB 455, Newman. Pupil enrollment: military dependents.

Existing law provides that each person between 6 and 18 years of age not exempted is subject to compulsory full-time education and requires a person subject to compulsory education to attend the public full-time day school or continuation school or classes in the school district in which the residence of the parents or legal guardian is located. Existing law states that a pupil complies with the residency requirements if the pupil's parent is transferred or is pending transfer to a military installation within the boundaries of the school district while on active military duty pursuant to an official military order, and requires a parent to provide proof of residence within 10 days after the published arrival date provided on official documentation.

This bill would instead provide that a pupil complies with the residency requirements if the pupil's 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, and would require a parent to provide proof of residence in the school district within 10 days after the published arrival date provided on official documentation. To the extent the bill imposes additional duties on school districts, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The people of the State of California do enact as follows:

SECTION 1. Section 48204.3 of the Education Code is amended to read:
48204.3. (a) For purposes of this section, the following definitions apply:

(1) "Active military duty" means full-time military duty status in the active uniformed service of the United States, including members of the California National Guard and the State Military Reserve on active duty orders pursuant to Title 10 or 32 of the United States Code or Part 1 (commencing with Section 100) of Division 2 of the Military and Veterans Code.

(2) "Military installation" means a base, camp, post, station, yard, center, home port facility for any ship, or other activity under the jurisdiction of the United States Department of Defense or the United States Coast Guard.

(3) "Parent" means the natural or adoptive parent or guardian of a dependent child.

(b) Notwithstanding Section 48200, a pupil complies with the residency requirements for school attendance in a school district, if he or she is a pupil 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.

(c) A school district shall accept applications by electronic means for enrollment, including enrollment in a specific school or program within the school district, and course registration for pupils described in subdivision (b).

(d) (1) The parent shall provide proof of residence in the school district within 10 days after the published arrival date provided on official documentation.

(2) For purposes of paragraph (1), a parent may use any of the following addresses as related to his or her military move:

(A) A temporary on-base billeting facility.

(B) A purchased or leased home or apartment.

(C) Federal government or public-private venture off-base military housing.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.