

Date of Hearing: April 24, 2018

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 2894 (Gloria) – As Amended March 23, 2018

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

SUMMARY: Provides explicit grading policies for students enrolled in postsecondary institutions who are called to active military service. **Specifically**, this bill:

- 1) Provides that when a student is called to active military duty during an academic term, the student may choose one of the following options:
 - a) The student may 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 (MVC).
 - b) If at least 75 percent of the academic term has been completed, the student may request that the faculty member assign a grade for the course based on the work the student has completed. The faculty member shall make 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 shall have a minimum of two 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 MVC.
- 2) Establishes that, for purposes of this chapter:
 - a) "Institution" means a campus of any of the segments of postsecondary education, as that term is defined in Education Code (EDC) Section 66010.95; and,
 - b) "Student" means a person enrolled, or previously enrolled, at an institution.

EXISTING LAW:

- 1) Existing law 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. (EDC Sections 66010 and 94858)
- 2) Requires academic institutions, upon request by a student granted an academic leave of absence, 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. (MVC Section 824)

FISCAL EFFECT: Unknown

COMMENTS: *Need for the bill.* According to the author, “This bill will would provide students with an additional option that if at least 75% of the term has been completed, a request can be summited to the faculty member to assign a grade for the course based on the work the student has completed. Or, if the faculty member assigns a grade of Incomplete for the student’s coursework, the student has a minimum of two weeks after returning to the institution to complete the course requirements.”

“The option to grant a grade upon an active duty military withdrawal is already provided at colleges and universities in over ten other states and at CSU Los Angeles. Designating a minimum of two weeks after returning to the institution provides flexibility to the student, so that they can continue that pending work while they are back and acclimated to campus again. Both of these options would provide greater protections for military students’ academic success and would allow for military students to solely focus on serving and fulfilling their military responsibilities while away on deployment.”

Background. Currently, the UC, CSU and CCC have varying policies and processes concerning academic leaves of absence or withdrawal for students ordered into active military duty. The CSU memorandum ASA-2016-29 addresses readmission policies for CSU students called to military service, but not specifically grading policy. The memorandum notes that “Students must be readmitted to the same academic program, with the same academic standing, that they were in at the time the absence began.”

Title V of the California Code of Regulations Section 55024 lists the military withdrawal policy, which notes that the governing board of a district which decides to provide a withdrawal policy shall:

- 1) “Military Withdrawal” occurs when a student who is a member of an active or reserve United States military service receives orders compelling a withdrawal from courses. Upon verification of such orders, a withdrawal symbol may be assigned at any time after the period established by the governing board during which no notation is made for withdrawals. The withdrawal symbol so assigned shall be a “MW.”
- 2) Not be counted in progress probation and dismissal calculations.
- 3) Not be counted for the permitted number of withdrawals.
- 4) Not result in a student being assigned an “FW” grade. (FW refers to substandard academic work)

Committee staff was unable to find a specific systemwide policy from UC, but notes that all campuses have Veterans Resource Services Coordinators to help with coordinating the departure

and return to campus for military students. Staff was also unable to find a uniform policy for California's non-profit and proprietary institutions.

Committee comments. In recent years, it has become common to activate reserves for short periods of time to provide service to communities affected by natural or man-made disasters. While students ordered to federal active duty service may have enough advance notice to plan for and request a formal academic leave of absence, students called to state military active duty service are often called to service for shorter periods within a grading term and may not have sufficient notice to work out arrangements in advance with their instructors. Students in such situations may miss critical assignments or tests, which can delay their educational progress if their instructors do not allow the students to make up missed coursework.

Prior legislation. AB 636 (Knight), Chapter 293, Statutes of 2011, specifies that a student who withdraws prior to or during the academic term from an institution due to active military service may receive a full refund of tuition and fees paid, even if the withdrawal is after the normal withdrawal deadline

SB 1075, (Correa), Chapter 284, Statutes of 2010, required academic institutions to reasonably accommodate and assist students who are called to active military duty so they can meet any and all coursework requirements missed due to military service.

SB 361 (Runner), Chapter 351, Statutes of 2009, limited priority registration for enrollment at the CSU and UC to former military members who received an honorable discharge.

SB 272 (Runner), Chapter 356, Statutes of 2007, required the CSU and requested the UC to give priority registration for enrollment to former members of the Armed Forces, as specified.

REGISTERED SUPPORT / OPPOSITION:

Support

AMVETS-Department of California
California Association of County Veterans Service Officers
California State Commanders Veterans Council
Service to School
Vietnam Veterans of America-California State Council
1 Individual

Opposition

None on file

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