

Thank you Senate Chairman and fellow Senators serving on this important committee.

I am Major Bart Droessler with the Wisconsin Army National Guard, currently serving as the State Education Officer.

I am here today to testify in support of SENATE BILL 334 which adds important protections for our Soldiers and Airman during short term mobilizations to support critical mission requirements. Many of you may remember back in the Fall 2017, when our Wisconsin Army National Guard was called upon to support a large statewide mobilizations to support Hurricane Irma. During this recent short term state mobilization approximately 2,600 Wisconsin Guardsman were called for duty. Many of these soldiers at that time were enrolled in various educational institutions. The break down for these soldiers during the Irma Mobilization were

167 - State University Colleges

108 - State Technical colleges

123 - Private colleges and apprenticeship Programs

These 398 soldiers represented approximately **15 percent of our mobilized force** to support Hurricane Irma operations. This ratio shows the significant need for additional education protections for our professional Soldiers and Airman so they don't have worry about **hurting their education when answering the call for state Duty.**

These measures will help our highly educated Soldiers and Airman maintain the highest level of Readiness to be ready whenever called upon.

Please consider these impacts and support SENATE BILL 334

Thank you.

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**AB 361/SB334 Testimony: Senate Committee on Universities, Technical Colleges,
Children & Families
25 September 2019
Maj. Brian Faltinson, Wisconsin National Guard**

I am Maj. Brian Faltinson, Deputy Director, Public Affairs of the Wisconsin National Guard (WING) and member of the Joint Staff, which is the planning group responsible for State Active Duty emergency operations by the Wisconsin National Guard. I live in Palmyra, Wisconsin, and have 30 years of service both as an officer and enlisted Soldier. I have deployed to Iraq and for multiple periods of state active duty within Wisconsin.

The 10,000 men and women of the Wisconsin National Guard have two primary missions. The first is as the primary combat reserve to the U.S. Army and Air Force. Since 9/11, the National Guard has transitioned from the role of strategic reserve to operational reserve, which means that it is part of the DoD's regular rotation of forces.

This means that the Wisconsin Air and Army National Guard now deploys on regular rotations in support of missions throughout the world – the active duty could not perform their missions without us. Deployments for these missions generally are planned in advance and range from six months to a year. We currently have 1,050 Guardsmen deployed and that number will rise to near 1,500 by the end of the year. While school protections for these missions generally are covered under current legislation, it is important to note that such deployments can and often delay our Guardsmen's education for long periods of time as they are deployed for months at a time.

The Wisconsin National Guard's second mission is as the first military responder within our state and nation and this is a mission unique to the National Guard. The governor can call the National Guard to State Active Duty to respond to flood, tornado and storm response missions, civil disturbances, and response to natural disasters. These missions have the most direct impact on the citizenry. These little-to-no-notice missions can be as short as a day or extend into weeks and can happen anywhere within Wisconsin. And under the auspices of Emergency Management Assistance Compacts they can happen anywhere in the United States. The response time to these missions can be immediate and without warning. For one state active duty emergency a few years ago, I was walking in my field at my farm in Palmyra and received a phone call that I had to report to my unit within 2 hours. I went to the house, changed into my uniform, said goodbye to my wife, grabbed my gear and drove to my armory.

Many State Active Duty responses are short, but there have been several prolonged periods of state active duty by the WING in recent history:

Floods in 2008 – response lasted about six weeks throughout southern Wisconsin.
Burlington flooding (2017) – three weeks
Hurricane Irma (2017) – 3000 Soldiers called to duty with 600 deployed to Florida for over two weeks at the start of the 2017 fall semester.
Madison flooding (2018) – three weeks
Debris clearance—Polk/Barron/Langlade counties (2019) – 3 weeks, nearly 200 personnel.

Our latest response occurred over Labor Day weekend. We mobilized 400 Soldiers and Airmen to deploy to Florida in anticipation to Hurricane Dorian as part of an EMAC response. Our troops reported to their armories less than 24 hours after notification for a potential two-week mission. Fortunately, the storm track changed and we were able to send our troops home after a single day of State Active Duty and without any impact to the upcoming college enrollment period. If Dorian had hit Florida with all its might, many of our troops would have missed college enrollment periods and the first few weeks of class.

The Soldiers and Airmen of the Wisconsin National Guard stand ready at a moment's notice to set their civilian lives on hold to serve their state and nation in times of need. The Guard's symbol is the Minuteman – a farmer setting aside his plow and picking up his rifle to defend his community. Today's men and women of the Wisconsin National Guard set aside their jobs, family and education so they can serve their state and nation in times of need. They can only accomplish these missions with the strong support of their family, employers, schools and communities. Deployments and State Active Duty missions are disruptive and require a Guardsmember's full focus. Worrying about school enrollment and potentially lost tuition cost while they perform their assigned mission is an unnecessary burden to place on our Soldiers and Airmen. I support this bill to ease that burden so our troops can stand ready to serve. Thank you for the opportunity to address this committee.

Mr. Chairman, members of the committee, I am COL John Oakley, Commander of the 32nd Infantry Brigade Combat Team, "RED ARROW", Wisconsin Army National Guard. I am here today to express my support for Assembly Bill 361, relating to requirements for colleges when student service members are called to duty.

As you know, current law allows for protections and considerations for students who are called into active duty military service for a period of 30 or more days. While that is and will remain an important protection, our student/service members currently have no protections when called into service in either active military or state active duty status for a period less than 30 days. This is a critical oversight that passing AB361 will make whole.

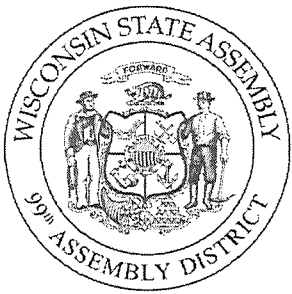
In today's volatile and uncertain world, shrinking budgets, and expanding global presence, our active duty military relies heavily on the National Guard and Reserves. Half of the entire U.S. Army inventory of combat formations are National Guard units. Some specific unit types such as the Maneuver Enhancement Brigades exist exclusively in the National Guard. Without the Reserves and National Guard, the Army as a whole cannot achieve its mission.

We live in a world marked by constant change and persistent low-grade conflict. Population migration, environmental changes, and emerging economic and military rivals create new and evolving threats. The uncertainty, frequency, and volatility of natural events continues to place a greater demand on our Soldiers and Airmen. This threat reaches across and beyond our State boundaries.

Your National Guard citizen soldiers have been called to duty on numerous occasions to provide humanitarian assistance and disaster relief. We responded to hurricanes Katrina, Sandy, Harvey, Irma, and most recently Dorian. Supported the Customs and Border Protection Agency along our southern border in 2007 and again more recently. Here in Wisconsin there has been no shortage of need. Flooding, severe storms, tornados, wild fires, and blizzards have all hit our State in the past year alone.

Sometimes it is possible to support these missions with volunteers but not always. This past Labor Day weekend, Florida requested 400 personnel in less than 48 hours with the expectation that the troops would stay for weeks. The assistance provided to northern Wisconsin this summer was immediate and expected to last 45 days. No matter the circumstance, the Wisconsin National Guard is prepared to respond at a moment's notice.

AB361 isn't about creating a protected or privileged class. It is about making whole the student/service member who responds when called. It is about providing assurances to both the student and institution. I urge this committee to approve AB361 and send it to the Assembly for a vote. Our National Guard and Reserve student/service members, our citizens, and the State need this bill.



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Senate Committee on Universities, Technical Colleges, Children and Families
Public Hearing, SB 334
September 25, 2019

Chairman Kooyenga and members of the Committee, thank you for holding a public hearing on SB 334, relating to requirements for colleges when service member students are called into active duty.

As I'm sure we can all agree, our military members make a lot of sacrifices in order to serve their country. Specifically, to our Reserve and National Guard force, these men and women find a way to navigate both a civilian and a military career, which can come with many challenges. As a state, we work hard to ensure these service members are taken care of and given the protections they deserve when called into active duty service. While current law protects their employment status, there are still some questions on the protections guaranteed to them as students enrolled in a college.

In Wisconsin, National Guard members may be called into state active duty to respond to natural disasters, public disturbances and other emergencies, at any time. If a call to active duty comes during the academic year, activated students risk potential financial loss since they are not always entitled to a refund of tuition or room and board fees. Current law allows for student protections if the active military service is "*at least 30 days*", but what about students who have orders for three weeks to help clean-up a natural disaster? Missing that much time in a class can greatly impact academic performance.

It is for this reason, Senator Duey Stroebel and I have introduced SB 334. This bill provides the protections necessary in order to help our National Guard and Reserve military members who are also students. These protections include:

- 1) Ensures protections apply to all calls to service not just 30 days or more;
- 2) Requires all institutions of higher education, trade and professional schools, and post-secondary schools in the state to give service members the option of a tuition refund and refund of pro-rated room and board fees (if applicable), or reenrollment for no additional cost in the next available offering of that class;
- 3) Holds students harmless for re-registration or re-enrollment; and
- 4) Requires institutions of higher education, trade schools and post-secondary schools to give service member students the chance to accelerate completion of a class if that class is scheduled to be concluded within 30 days of the initial call to active duty, within reason.

It is my hope that the Committee will support SB 334 in order to provide protections for military members who are also students.

Representative Cindi Duchow

SB 334

Chairman Kooyenga, Vice-chairman Nass, and ladies and gentlemen of the committee, good morning. My name is David Cefalu and I would like to thank you for allowing me to testify on behalf of Senate Bill 334.

I am currently a Captain assigned to the 128th Air Control Squadron, Volk Field, WI as an Air Battle Manager in the Wisconsin Air National Guard. I started my military service nearly 19 years ago when I enlisted in the Air Force Reserves, assigned to the 440th Airlift Wing when it was stationed at General Mitchell International Airport. I followed my father, who retired after 24 years in the Air Force as a 100% disabled veteran. In my military career, I have always remained a traditional reservist or drill-status guardsman.

The National Guard is the nation's primary combat reserve force. It has the unique role of fighting the nation's wars, defending the homeland on a humanitarian and military level, and building state partnerships with international partners. The guard fulfills these missions by being called to active duty by order of the president, but also responding to the call of the Governor's of the 54 states, territories, and District of Columbia. Each services' reserves make up the federal mission set and combined with the National Guard, constitute the Reserve Component of the United States military. Currently, there are about 15,000 National Guard and Reserve members assigned to units in Wisconsin.

In my full-time capacity, I have been a police officer for a city in Milwaukee County for nearly 14 years. This dual status as a citizen airman has afforded me some of the best experiences one could ask for. They have instilled a lifelong desire in me for knowledge and learning. As a result, I am currently a doctoral student at the University of Wisconsin-Whitewater where I am pursuing a Doctorate in Business Administration. Balancing a civilian, military, and educational career, along with most important, a personal life, has not been without its challenges. I have deployed seven different times for operational contingencies for various lengths of time. There have also been countless exercises and training schools that I have been called to active duty to support and attend as requirements for my combat mission ready status. Sometimes these events come with little to no forewarning, not allowing a student to adjust their educational plans.

This call to active duty, whether for contingencies, required training, or domestic operations, places not only students, but civilian employers in an unfavorable position. Guardsmen and reservists are put in a position that if their orders do not fall under the protections granted by the Uniform Servicemember's Employment and Reemployment Rights Act (USERRA), there is very little recourse they have in being made financially and administratively whole with respect to their educational institutions.

Civilian employers also can incur hardships from their military members during times of active duty service. As a police officer, I attended the police academy at Milwaukee Area Technical College. I have also attended numerous inservice trainings and specialized courses through the Wisconsin Technical College system as requirements for my civilian employment position. If a guardsman or reservist is called to active duty during any of these courses, it puts a burden on the military member, along with a potential financial and administrative burden for employers. This burden can strain the relationship between the military member and their civilian employers. This strain can further aggravate an already well-publicized recruiting and retention

issue within the armed forces, which includes the Wisconsin National Guard. I have witnessed firsthand members of my unit exit the National Guard because of the burden military service can place on their civilian education. Many more members, myself included, resolve to taking courses online, knowing they may be called away to serve. This severely limits education opportunities and experiences in exchange for ones service.

At a National Guard Conference earlier this month in Colorado, U.S. Army Chief of Staff, General James McConville was asked a question regarding the retention issues surrounding the Army. His response was to provide servicemembers with three things: "Purpose, sense of belonging, and a pathway to success." Within this bill you can find all three.

In closing, I find this legislation is truly important because it brings educational protections to Guardsmen and Reservists performing active duty service for any length, encourages educational development of Guardsmen and Reservists, provides a pathway to alleviate the strain that is incurred between a military member and their employer when that member is called to active duty, and helps to eliminate a hurdle in the recruitment and retention efforts of the National Guard and Reserves. It is because of these enhancements that I ask for your support of Senate Bill 334.

David Cefalu
Wauwatosa, WI



DUEY STROEBEL

STATE SENATOR • 20TH DISTRICT

Testimony on Senate Bill 334

September 25, 2019

Chairman Kooyenga and members of the Committee, thank you for the opportunity to testify in support of SB 334. I am proud to have worked with Rep. Cindi Duchow, who unfortunately couldn't make it today, and many others in bringing this legislation forward.

Approximately 10,000 men and women serve Wisconsin in both the Army National Guard and the Air National Guard. These individuals stand ready to be activated at a moment's notice to serve our country. In particular, members of the National Guard may be activated by the Governor to provide assistance to our communities in times of natural disaster.

Although state law includes robust protections for service members when it comes to leaving their job to serve, the protections for college students who must leave school are weaker. SB 334 contains several important changes to state law that will remedy this situation.

First, this bill eliminates the current requirement that orders to active duty must be 30 days or longer before protections kick in. When the National Guard is summoned to duty in response to an emergency, the very nature of the situation often precludes a specific end-date being established. Students should not be penalized for the open-ended and tentative nature of timelines associated with emergencies.

Second, this bill expands the option some students currently have to place a class on hold or obtain a tuition refund if they are called to active duty while taking classes. This provision currently only applies to certain schools in Wisconsin. Under SB 334 all post-secondary institutions would have to offer service member students the option of a tuition refund or placing the class on hold for completion at a later date.

Finally, if a student is required to leave school because they are called to active duty, this bill ensures that they are guaranteed re-enrollment in future classes. This means that a service member doesn't lose their "place in line" so to speak when it comes to re-enrolling at a specific school or in a specific class.

Wisconsin is home to some great educational institutions. With this bill we can work with them to give service members the peace of mind they need to continue to serve our communities state.

Testifying later are some members and officers of the Wisconsin National Guard to discuss the increasing frequency of shorter duration call-ups and their impact without this legislation.

Thank you.



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September 25, 2019

TO: Honorable Members of the Senate Committee on Universities, Technical Colleges, Children and Families

FROM: Ray Cross, UW System President

RE: Senate Bill 334 Testimony - For Information Only

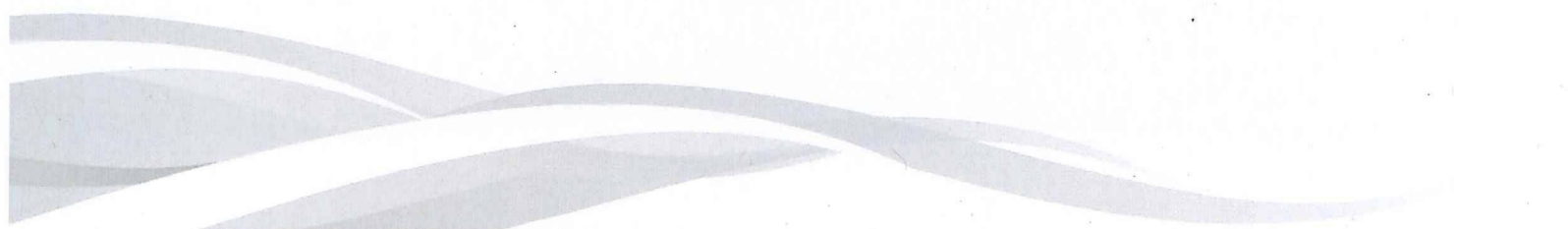
Thank you, Chairman Kooyenga and committee members, for holding this public hearing on SB 334, and thank you to Representative Duchow and Senator Stroebel for authoring this bill to support students who are in active duty service.

We estimate that there are about 141 active duty service members who currently attend UW System institutions. We owe it to these students who are serving our state and country to provide access to a quality education, and to provide the necessary support to them so they can succeed. The UW System offers a variety of services and benefits to students who are in active duty service or who are veterans. In addition, every institution has staff that specialize in providing support to these students. Our institutions promote awareness of these services and encourage students to use them if they are in need.

SB 334 puts into state statute protections for students who are called into active military service for any period of time, not just for 30 days or more. The bill not only requires an institution to ensure students are provided a reasonable opportunity to complete final projects and exams, but it also gives students the option to receive reimbursement of tuition and fees paid for courses that they must withdraw from, instead of receiving an incomplete for the course. In addition, these students can receive a prorated reimbursement for room and board.

While many UW System institutions already have policies in place with similar protections, and in some cases additional protections, this language will provide consistency across all institutions in the UW System.

I appreciate the opportunity to provide additional information on SB 334, and as a veteran myself, I appreciate any efforts to support those who are serving in our armed forces and attending our institutions to pursue their education.



Good morning, thank you for the opportunity to testify in favor of Senate bill 334. My name is SMSgt Zach Brewer, and I am the state recruiting and retention superintendent for the Wisconsin Air National Guard. In regards to recruiting, my team is responsible for bringing 200-250 new recruits into the Wisconsin Air Guard every single year to maintain our end strength of around 2300 members. Many of those 250 new recruits are students who will be directly affected by this bill.

In order to meet our recruiting numbers, close to 1000 appointments will be conducted in recruiting offices statewide every year. During those interviews, many different types of questions typically arise. From the mundane and expected... "what is basic training like?" or "will I have to get a haircut", to the specific "what job will I be guaranteed?" or "how does the GI Bill work." Inevitably the question of protection comes up. What happens if I have to deploy or go on state active duty? Can my employer fire me? (NO! USERRA) or will I have to drop out of college? Will I get my money back for classes I've already paid for? This new expanded bill will allow our applicants much greater clarity and understanding about their protections as students. It will show them that the state they are considering serving truly has their best interests at heart, and will not let their service become a burden towards completing their college education in a timely fashion. This bill may even be what sways some potential applicants' decisions to serve in the Air Guard or not, as the current law as written could deter some prospective guardsmen.

From a retention perspective, one of my jobs is to determine why our Airmen decide to leave the service. Every year, we lose about 10% of our Force. Some of this is due to retirements, moving out of state or even getting a better military opportunity elsewhere, but a lot of it is also due to airmen that just decide to separate sometime after their initial enlistment but before becoming retirement eligible. Each airman that leaves the WI Air National Guard is required to complete an exit survey upon separation. What we find over and over again is that the #1 reason that these airmen decide to leave is due to conflicts with work or school. Anything we CAN do to minimize these conflicts for the airmen and soldiers of the Wisconsin National Guard, we SHOULD do.

Thank you.