

Sponsor Testimony: HB 47

Chairman Brenner, Vice Chair Slaby, Ranking Member Fedor and members of the House Education and Career Readiness Committee. Thank you for allowing me the opportunity to provide sponsor testimony for HB 47, the Students to Soldiers Support Act (S3A), which would prohibit public and public schools from preventing a student from participating in any part of an extracurricular activity because of an absence due to military service.

As some of you may know, I am Commander of the Air Force Reserve 757 Airlift Squadron at the Youngstown Air Reserve Station. It was in performing my duties for the Reserves that I learned of a situation with a young, local recruit whose commitment to service was not given the protection and support that it deserved.

Senior Courtney Papic is a student and member of the girls' basketball team at West Branch High School who developed a desire to serve her country at an admirably early age. To put this wish into action, she made her way to the Youngstown Air Reserve Station and volunteered for upcoming duty in the Air Force Reserves upon graduation, joining a growing number of high school students interested in serving their country. One of her first steps was enrolling in the preparatory training program that new recruits are required to attend before leaving for 'boot-camp.' Unfortunately, one of these training sessions conflicted with one of Courtney's basketball practices, and so, after weighing her priorities, she chose to attend the mandatory training. Following team rules, the high school basketball coach benched her for the next game for missing the practice. However, he was unaware of the importance of the mandatory military formation that Courtney attended. When the community responded in uproar to what was viewed as his lack of respect and consideration of military service, the coach issued a public apology.

This incident highlighted a weakness in our military service protection laws. As a military reservist myself, I know that our civilian jobs are protected under federal and state law when we engage in voluntary and involuntary service with the US Armed Forces. This protection is provided under USERRA law, or the Uniformed Services Employment and Reemployment Rights Act of 1994. This law guarantees that uniformed service members are not disadvantaged or discriminated against in their careers as a result of military obligations. In essence, you can't be fired, demoted or deprived of career opportunities because of past, present or future military service. However, this statute only applies to employees who are paid for work, not students, even though individuals in college or high school are just as likely to undergo training or other activities as a part of their service obligations. In fact, the average enlistment age for both the Active Army and Reserves has been steadily decreasing over the past several years.¹ But these students have no protections in the school-related activities they may be involved in. So when young women and men like Courtney have to miss a team practice for mandatory training, they could very well lose privileges at that activity, or lose the opportunity to participate at the level that they want to. My bill attempts to correct this.

We should never put individuals serving or attempting to serve our country in a situation where they do not feel supported by their community. The Students to Soldiers Support Act would guarantee that high

¹ (average age in 2013 was 20.7 for Active Army and 19.9 for Reserves; in 2009 it was 22 and 21.4 respectively)
<http://www.usarec.army.mil/support/faqs.htm#demo>

school and college students participating in extracurricular and other school activities do not face any consequences for keeping their military obligations.

I am pleased to note that since its previous introduction in the last General Assembly, S3A has gained the support of all major veterans groups, including the VFW Department of Ohio, the American Legion, the Ohio State Association of County Veterans Service Officers and Service Commissioners, Sons of AMVETS, and Disabled American Veterans. This legislation also contains the same provision as last year that would ensure the language doesn't preempt any existing NCAA regulations, in response to a concern from higher education athletics officials. For all other extracurricular activities as defined in the Ohio Revised Code², schools would be prohibited from barring students from participating in that activity, or any part of that activity, because of an absence due to military service. Let's make sure our young recruits have the support and protection they deserve.

Thank you for the opportunity to provide sponsor testimony today and I welcome any questions you might have.

² **3313.537 Community school student participation in public school activities.** "Extracurricular activity" means a pupil activity program that a school or school district operates and is not included in the school district's graded course of study, including an interscholastic extracurricular activity that a school or school district sponsors or participates in and that has participants from more than one school or school district.