



June 11, 2015

The Honorable Scott Fitzgerald
Senate Majority Leader
Room 211 South, State Capitol
Madison, WI

The Honorable Robin Vos
Assembly Speaker
Room 211 West, State Capitol
Madison, WI

The Honorable Alberta Darling
Senate Co-Chair, Joint Finance Committee
Room 317 East, State Capitol
Madison, WI

The Honorable John Nygren
Assembly Co-Chair, Joint Finance Committee
Room 309 East, State Capitol
Madison, WI

Dear Senator Fitzgerald, Senator Darling, Speaker Vos & Representative Nygren:

We, the undersigned organizations respectfully request that language in the Joint Finance Committee K-12 education omnibus motion relating to participation in school district sports and extra-curricular activities be removed from the state budget proposal.

School-based athletic programs are not community or recreational youth sports programs and are not designed to provide the general public with programming like a YMCA or community-based recreation program. Athletics and other extra-curricular activities offered in public schools (and in many private schools as well) are, as the name suggests, intended to supplement the school curriculum. In this regard, sports, music, forensics and other activities are viewed as an extension of the classroom and of the school day and are specific to each respective school or district.

Public schools provide athletics and other extracurricular activities because they have educational value and create incentives for students to enroll in and remain in public schools and perform well enough to remain eligible to participate in those activities. These opportunities reduce truancy, reduce discipline referrals, boost students' grades (GPA), increase graduation rates, and keep students engaged in school offerings and interested in their education. The budget provision adopted by the Joint Finance Committee would undercut these incentives by requiring all public school programs to give equal access to students regardless of their families' educational choice preferences.

The Joint Finance Committee proposal ignores that public schools exert institutional control (by requiring such things as school attendance, certain levels of academic standing or grade point averages, and adherence to codes of conduct) over who may participate in such activities and are accountable for how those activities are conducted. If this proposal were to become law, student-athletes who are enrolled in public schools and who violate conduct rules could be subject to a completely different and additional set of school-determined sanctions as compared with students who reside in the school district but are homeschooled or enrolled in other (e.g., private) schools. These sanctions extend far beyond merely being barred from participating in public-school-sponsored sports activities.

The state budget proposal would also prohibit a public school district from being a member of an athletic association (such as the WIAA) unless the association requires member school districts to permit home-based, private, charter and virtual charter pupils to participate in athletic activities in the district.

One of the primary reasons the WIAA, a voluntary association, was formed in 1896 by school principals as the nation's first state interscholastic athletic association was to address concerns about the practice of schools recruiting and using non-students (members of the community not enrolled in those schools) on their athletic teams and to regulate such practices and provide uniformity of rules and fairness for its member schools. This proposal would undercut that goal.

Annually, nearly 300,000 students who elect to attend an accredited public or private high school that are members of the WIAA, earn their eligibility and participation privileges by meeting their school's enrollment, attendance, good conduct and scholarship rule requirements. The process of earning eligibility is ongoing for students each semester. To statutorily provide eligibility for students electing home school without regard to accountability to the same educational standards is unfair to those nearly 300,000 students. Parents and students elect a homeschool option by choice. Like all choices that decision provides certain opportunities and eliminates others. We make no judgement about homeschooling except to point out there is no oversight, auditing, or accreditation of homeschooling in Wisconsin. To afford participation eligibility without regard to those same requirements is an injustice to nearly 300,000 Wisconsin students in grades 9-12 who are accountable to earn their eligibility.

Student athletes in WIAA member schools have to be enrolled full-time in the member school and meet a number of additional conditions to be eligible, including residency requirements, age and consecutive semester restrictions, amateur status stipulations, regularly maintained attendance, conduct conformity, satisfactory academic standing and physical fitness. Each school has the institutional responsibility for compliance with the rules of their membership, and in the absence of any other authority for state or local officials to regulate home-based education programs here in Wisconsin, athletic eligibility is not granted to anyone other than students enrolled full-time at a member school.

The WIAA has expanded opportunities and created eligibility for nontraditional school students while still preserving the most fundamental expectation: that students are enrolled full-time at the school they represent. Private schools were afforded a membership option in 2000; eligibility was afforded for students in charter schools whose chartering authority lies with a member school in 2009; virtual school

students counted as full-time at a member school are granted eligibility at their respective school of enrollment. In addition, small public and private schools have the option to combine and compete with another member school for selected sports. There are 530 sponsored co-op programs in 2014-15.

In tight economic times, the Joint Finance Committee proposal could diminish private schools' incentive to sponsor and sustain their own extra-curricular programs, which in turn could further limit roster space or participation opportunities for a public school's own students. The potential for those not enrolled in a public school to displace the public school's own students in extracurricular activities could drive a substantial wedge between public and private schools and between public schools and those who educate their children at home.

This proposal is also opposed by the Wisconsin Parent Association, which represents parents of homeschooled students, one of the major groups the provision purports to be aimed at helping because they do not want to trade their homeschooling freedoms for the possibility of a small number of homeschoolers participating in public school sports and fear that increased state regulation of homeschoolers who participate in public school sports would inevitably lead to increased state regulation of all homeschooled students.

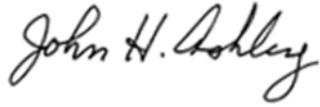
Most other states require more regulation of homeschoolers than Wisconsin, so those states that allow homeschooled students to participate in public school sports did not need to increase regulation. Those other states require standardized testing of homeschooled pupils, review and approval of curriculum, and/or reports to school officials (Wisconsin requires none of these) suggesting that the deep concerns of homeschooled parents about athletics and extra-curricular activities being the gateway by which regulation will come to them are not unfounded.

It should also be noted that in some parts of Wisconsin and in the many other states, where the rules of eligibility are similar to Wisconsin's, families that home-school their children are forming their own athletic associations.

Together, we urge that the provisions adopted by the Joint Finance Committee that would require school boards to allow homeschool students, virtual school students and private school students to participate in public schools' athletic and extracurricular programs and forbid districts from being a member of an athletic association unless the association permits such pupils to participate be removed from the state budget and approached in a more thoughtful manner that includes a public hearing and an opportunity for input by the public, by school boards, by school officials, and by parents of homeschooled students as well as parents of public school students.

Thank you for your consideration.

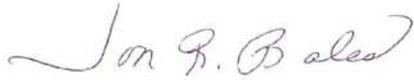
Sincerely,



John Ashley, Executive Director
Wisconsin Association of School Boards



Dave Anderson, Executive Director
Wisconsin Interscholastic Athletic Association



Jon Bales, Executive Director
Wisconsin Association of School District Administrators



Jim Lynch, Executive Director
Association of Wisconsin School Administrators



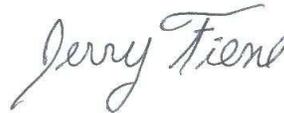
Gary Myrah, Executive Director
Wisconsin Council of Administrators of Special Services



John Hedstrom, Executive Director
Wisconsin Association of School Personnel Administrators



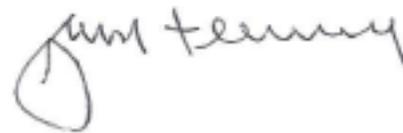
Woody Wiedenhoef, Executive Director
Wisconsin Association of School Business Officials



Jerry Fiene, Executive Director
Wisconsin Rural Schools Alliance



Brian Smith, Past President
Wisconsin Athletic Directors Association



Jack Fleming, President
Wisconsin Conference Commissioners Association



Michelle McGrath, Executive Director
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