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Assembly Committee on Education

Testimony on Assembly Bill 51

Application of the Public Records and Open Meetings Laws to Interscholastic Athletic Associations May 1, 2025

Thank you, Chairman Kitchens, and members of the Assembly Committee on Education for holding a hearing on Assembly Bill 51, relating to participation in interscholastic athletics and application of the public records and open meetings laws to interscholastic athletic associations.

The Wisconsin Interscholastic Athletic Association (WIAA) is a non-profit organization that serves as the premier athletic association and sanctioning body for high school sports. The WIAA facilitates regular season and postseason athletic competitions for almost every high school sport in Wisconsin. Although the WIAA does not receive government funds directly, the majority of their funding comes from ticket sales paid for by taxpayers. Yet, because they are classified a private entity, the WIAA is not subject to open meetings and open records laws, even though the member schools are subject to those same laws.

This oversight grants the WIAA the ability to act as a judge, jury, and executioner on the rules they independently establish. No one knows how their meetings are conducted or why certain decisions are made, and schools have no other choice because there is no alternative association they could join.

Over the past couple of years, the WIAA has made some controversial rulings. One case I would like to highlight, that you might all be familiar with, is that of Josh Onwunili. At the time, a Campbellsport High School senior seeking to compete in track and field was not allowed to compete because his parents had not returned from a mission trip in Ghana before the season started. It took pressure from the media and legislators to overturn the initial ruling.

In Howards Grove the WIAA found the head volleyball coach in violation of their undue influence rule. So how exactly did he coerce a student to join the district? He helped the student's family, who had already decided to move to this school district, find housing. The superintendent came forward and said they made the decision to suspend the coach from participating the rest of the season out of fear of retaliation and more severe sanctions that would've been issued by the WIAA.

Other cases involve athlete eligibility, team post-season eligibility, and unfair disciplinary actions. To this day, there is no record of any of these meetings the WIAA held on these cases, nor is there a clear appeal process to challenge a decision. This lack of transparency should not be the default for the premier athletic association in Wisconsin. AB 51 requires the WIAA to abide by Wisconsin's public meetings and open records laws.

It may seem like we are only discussing high school sports today, but there is so much more on the line. Athletics impact students' mental health, their ability to get scholarships and go to college, pride felt by classmates and the sense of community.

This bill also exempts referee and student records from becoming open records for the public, to protect their privacy.

All we are asking for is transparency in the WIAA's decision making, just like we are transparent with the Legislature's operations, and with school boards. The amount of power the WIAA has is too great to wield without oversight.

Thank you for your time and attention. I'm happy to answer any questions you might have.



CORY TOMCZYK

STATE SENATOR • 29TH SENATE DISTRICT

Assembly Bill 51

Assembly Committee on Education

May 1, 2025

AB 51 is about transparency and openness. WIAA is a private association that acts as a quasi-governmental agency. Unfortunately, however the proceeding that take place in their meetings and the decisions made are not subject to Wisconsin's open records and open meetings laws.

While town boards, school boards, city councils, and every level of government up through the State of Wisconsin and Congress have to comply with these restrictions – WIAA does not. It is about time that they do. WIAA makes and enforces rules in our kids' sports, yet has zero accountability to taxpayers, students, or parents. This organization that is bogged down by layers of bureaucracy has no incentive to do the right thing or act in good faith – because the public has no ability to monitor how it operates.

Remember, WIAA's membership is made up of schools whose boards are subject to open records and open meetings laws, but WIAA is not. When taxpayer dollars are involved, proceedings should be open and honest. While WIAA receives no taxpayer funds, it uses taxpayer funded facilities and is a fixture in our public school system. While exempting referee and pupil records to keep their personal information safe, AB 51 aims to bring to light what is going on behind the scenes at WIAA and increase transparency between the organization and its members, students, and parents.

AB 51 requires that if the WIAA does not comply with open records and open meetings requirements, school districts are not allowed to be members. WIAA can choose not to comply with this bill, but it would be left with no members.

This bill is not an attack on WIAA, but an expectation that if they are going to make decisions for our kids and their futures, then the public should have a right to know how they make those decisions.



WISCONSIN INTERSCHOLASTIC ATHLETIC ASSOCIATION

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Chairman Kitchens and Members of the Assembly Committee on Education:

Thank you for considering my testimony today. I am Stephanie Hauser, Executive Director of The Wisconsin Interscholastic Athletic Association. We're an organization that I think most people in Wisconsin are aware of, but unfortunately don't get the opportunity to learn about very often, in terms of our legal structure and the kind of accountability we are subject to each day.

To that end, before we get to my reasons for being here today, I want to lay out a few key facts about the WIAA that I think are important to know as legislation is considered:

- The WIAA is a private, membership-based not-for-profit business organization that receives absolutely zero state or federal tax dollars.
- Our membership includes 513 schools from across the state, with schools and districts that are both public and private (16% of our members are private schools).
- Our membership pays absolutely nothing to the WIAA in terms of a membership fee. Our operating revenues come solely from things like tournament ticket sales and private sponsorships.
- We are governed by a Board of Control. This board is made up of members elected by the Association's membership and oversees key functions like eligibility, event procedures, and conference makeups.

To summarize all of these points, we are a private sector entity that operates at the direction of our members, without any support from taxpayer dollars. Although this means we, like dozens of other similarly school based organizations, are not subject to open records law, we are extraordinarily transparent, with clear processes for our decisions in accordance with the needs of our members.

I'm proud to now be in my fourth year as the executive director of the WIAA helping to lead this membership that represents 70,000-80,000 student athletes and 10,000 licensed sport officials across the state. Along with our modest staff of 20 hard-working team members, I truly believe that the WIAA stands as a cornerstone in the realm of education-based athletics, playing a pivotal role in coordinating and overseeing interscholastic athletics across the state.

To the topic at hand, I am here today because the WIAA opposes Assembly Bill (AB) 51, legislation that would subject the WIAA to open records law, even though it is a private organization and a not-for-profit business.

It is our belief that this legislation would improperly treat WIAA, a private, non-taxpayer-funded organization, like a government entity. In practice, AB 51 would make the Association subject to

open records laws reserved now for only public offices. As a private organization – not unlike a church, a small business, or other types of related associations – this legislation would impose a function now reserved for public offices on our organization that receives no tax dollars or public support. We disagree with the notion that our private Association should be treated as a public office in this way – and we believe this is not only about treating WIAA appropriately, but also protecting other private sector entities.

To the point of the WIAA not being a government entity, this fact is something that the Wisconsin Supreme Court has already expressed a high level of doubt on. In a recent ruling, the court had the opportunity to label the WIAA a government or quasi-government entity and none of the seven justices did so. Applying such a standard with this legislation runs counter to the present state of the law.

Our opposition to this bill should not be read as the WIAA being unwilling to be transparent, however.

When I was selected by the Board of Control as the Executive Director, our staff took intentional steps to recommit to the mission of service and to better inform others of the WIAA's purpose, processes, and rule-making procedures. One of the points of emphasis was coming to Madison to invite legislators to do a meet-and-greet with us.

Over the past several years, nearly 50 lawmakers and their staff have sat down with us to open the lines of communication and to learn more about the WIAA's membership-driven governance, and we thank you for that engagement.

Many of you are likely also familiar with a number of our Board of Control members. Again, elected by our member schools, these individuals come from across the state and serve as yet another layer of individuals who actively receive feedback from their communities to make our programs stronger. In their role, the Board implements policies that govern eligibility, conference alignment and more.

The WIAA, in its role as a coordinator of interscholastic athletics, must navigate a myriad of issues, from eligibility disputes, to fan ejections, venue contract negotiations, and scheduling conflicts. Our current process allows our Association the ability to make decisions swiftly and effectively and in the best interests of student-athletes and member schools. By upending that process and making our organization subject to these legal obligations, AB 51 would hinder the WIAA's ability to adapt swiftly to the ever-evolving landscape of education-based athletics.

Even as a private organization, the WIAA goes above and beyond what many other similar organizations do by publicly posting meeting dates, agendas and financials as well as making our Annual Meeting open to the public to view live or recorded via online streaming.

While we understand that many may think we are a taxpayer-funded organization that should be subject to such records laws, the facts just do not justify that. In fact, in recent history, there have been multiple instances in which the legislature has tried to insert authority into WIAA operations that have met bipartisan opposition.

Both Govs. Scott Walker and Tony Evers have vetoed such attempts, specifically objecting to the legislature inserting itself into a private organization's decision-making process.

In a 2015 veto message related to WIAA's autonomy, Gov. Walker stated:

"I object to this provision because I do not believe State statutes should stipulate the participation and membership requirements of a private athletic association."

More recently, Gov. Evers also agreed in a 2021 veto message that the government should not interfere in the operations of the WIAA – a private organization:

"I am vetoing this bill in its entirety because I object to the legislature's insertion into the decision-making process of a private, member-driven organization."

In conclusion, the WIAA operates within a framework that emphasizes self-governance, innovation, and adaptability. Imposing open records laws will needlessly compromise and jeopardize these principles, hindering the organization's ability to act in the best interests of student-athletes, member schools and the communities they serve.

Legislators should carefully consider the unique nature of the WIAA and the potential consequences of subjecting it to open records laws as an organization that receives no form of tax dollars. Preserving the autonomy of private, not-for-profit entities like the WIAA is crucial for ensuring that education-based athletics in Wisconsin continue to thrive, providing enriching experiences for student-athletes and contributing positively to the broader educational community.

Thank you for the opportunity to speak with you today, and I would welcome any follow-up questions that you may have.

Date: April 2025

To: Members of the Assembly Committee on Education

From: Stephanie Hauser Executive Director of the WIAA

| | |
|------------------------|---|
| Jack Fleming | President of the Conference Commissioner Association |
| Jerry Petitgoue | Executive Director of the Wisconsin Basketball Coaches Association (WBCA) |
| Dan Brunner | Executive Director of the Wisconsin Football Coaches Association (WIFCA) |
| Jon Ruffolo | President of the Wisconsin Fastpitch Softball Coaches Association (WFSCA) |
| Nick Haydon | President of the Wisconsin Swim Coaches Association (WISCA) |
| Brian Brandt | President of the Wisconsin Hockey Coaches Association (WHCA) |
| Andy Niese | President of the Wisconsin Baseball Coaches Association (WBCA) |
| Jeff Sitz | Executive Director of the Wisconsin Athletic Directors Association (WADA) |
| Jay Messar | Executive Director of the Wisconsin Volleyball Coaches Association (WVCA) |
| Carrie Luedtke | President of the Wisconsin Association of Cheer & Pom Coaches (WACPC) |
| Adam McDonald | President of the Golf Coaches Association of Wisconsin (GCAW) |
| Jason Lulloff | President of the Wisconsin Wrestling Coaches Association (WWCA) |
| Chrisie Wright | President of the Wisconsin Track & Field Coaches Association (WISTCA) |
| Robert Williams | President of the Wisconsin Soccer Coaches Association (WSCA) |
| Laurie Fellenz | Executive Director of the Wisconsin School Music Association (WSMA) |
| Adam Jacobi | Executive Director of the Wisconsin Interscholastic Speech & Dramatic Arts Association |

Re: Please Oppose Assembly Bill 51 and Senate Bill 16

We urge you to oppose Assembly Bill 51 and its companion, Senate Bill 16, which would make the Wisconsin Interscholastic Athletic Association (WIAA), a private, non-profit organization, subject to public open records laws.

It is important to recognize that as a private organization, **the WIAA receives no state tax dollars** – operating with revenue only from host tournaments and through private donations. Subjecting a private organization to open records policies is akin to forcing a church, small business or any other sort of private organization to such policies.

Public and private member schools voluntarily join the WIAA and pay no dues to be a member. The membership is governed by its own set of bylaws and regulations, providing a framework for its operations.

The WIAA, in its role as a coordinator of interscholastic athletics, must navigate a myriad of issues, from eligibility disputes to fan ejections, venue contract negotiations, to scheduling conflicts, often needing to make informed decisions swiftly and effectively and in the best interests of student-athletes and member schools. A private organization that must operate with agility and responsiveness to high school athletics conflicts, which often involve emotion and intensities from multiple directions, would be greatly impaired as a functional arbiter if subjected to open records laws.

All WIAA committee and Board of Control meeting dates are published on the webpage – ensuring that member schools and members of the public are informed about the decisions our membership is making regularly. Members of the media frequently attend and even share social media posts live from the meetings. The WIAA's Annual Meeting is open to the public and is streamed live for those who are not able to attend in person. In fact, our office routinely sends invitations to

legislators, especially those on Education Committees. The Annual Meeting minutes, which include WIAA financial statements, are published in the Annual Yearbook. Moreover, the WIAA routinely provides information to member and non-member requesters, even though it is not legally obligated to do so.

The autonomy of the WIAA as a private entity not funded by tax dollars is something that has been widely respected by both Republican and Democrat leaders in recent times.

Governor Scott Walker in his 2015 budget veto message of a budget provision requiring WIAA to change rules in regard to home school athletes:

"I object to this provision because I do not believe State statutes should stipulate the participation and membership requirements of a private athletic association."

Governor Tony Evers stated in his 2021 veto message to a bill that required WIAA to adhere to change their transfer rules:

"I am vetoing this bill in its entirety because I object to the legislature's insertion into the decision-making process of a private, member-driven organization."

In closing, the WIAA operates within a framework that emphasizes self-governance, innovation, and adaptability. Imposing open records laws will needlessly compromise and jeopardize these principles, hindering the organization's ability to act in the best interests of student-athletes, member schools and the communities they serve.

We ask committee members to carefully consider the unique nature of the WIAA and the potential consequences of subjecting it to open records laws and the dangerous precedent that would set for other private organizations. Preserving the autonomy of private, not-for-profit entities like the WIAA is crucial for ensuring that education-based athletics in Wisconsin continue to thrive, providing enriching experiences for student-athletes and contributing positively to the broader educational community.

Thank you for your consideration.



Good Morning,

My name is Jeff Sitz. I currently serve as the Executive Director of the Wisconsin Athletic Directors Association. I am retired from a 42 year career in education, where I spent 38 years as the Athletic Administrator at Wisconsin Lutheran High School in Milwaukee.

The Wisconsin Athletic Directors Association is also a voluntary organization, offering leadership training and support to Athletic Administrators across the state of Wisconsin. We work closely with the National Interscholastic Athletic Administrators Association, as well as working hand in hand with the WIAA in support of Education-Based Athletics.

I come here today to speak in opposition to Assembly Bill 51 and its companion, Senate Bill 16. The WIAA is a private, not-for-profit, member-directed, voluntary Association that includes public and nonpublic high schools from across the state. There are in fact, high schools in Wisconsin who choose to not belong to the WIAA. The WIAA receives no tax dollars. The Association receives no membership dues from individual schools or school districts. The WIAA should not be treated like a state agency, because it simply is not. The WIAA operates in a public-facing manner, providing numerous opportunities to engage in their processes and operations.

In fact, the WIAA just held their Annual Meeting in Stevens Point last week, which was open to the media, guests and representatives of the 513 high schools in the state of Wisconsin. There were online options as well as in-person attendance. At that meeting, member schools shared ideas and opinions, and then voted on critical issues shaping the organization. Operating standards, rules and regulations for the membership, are determined **from** the membership of this voluntary organization. The WIAA supports the rules which are established by the 513 schools in the membership and treats all student-athletes with fundamental fairness, driving its mission. While there may be schools that have issue with certain rules and regulations, they are in fact in opposition to their own membership established rules and regulations.

There are many other education-based, private organizations viewed as governing bodies, but only the WIAA seems to be targeted here. We fear that other organizations such as coaches and music associations, DECA, and for that matter, WADA, will be next.

I was on the committee that brought private and parochial schools into the WIAA membership back in 2000. The WIAA has been upfront in its dealings with all schools across the state, and they were and continue to be welcoming to those of us who were in the private/parochial sector. The entire process of incorporating us was open and public, as are all of their dealings. Since then, transfer rules, competitive equity balance, NIL, and off season contact issues have all been handled publicly and in accordance with the voluntary membership process. The WIAA organization continues to operate openly and legally, and in accordance with its member driven policies.

Please do not hinder this organization, who may be effected in its mission to support education based athletics in the state of Wisconsin. The proposed Bills do nothing to support the mission of the WIAA, but offer unnecessary hurdles to its success. This voluntary membership which receives no supporting dues from public or non-public schools in the state, does not qualify for the **public open records law**, and to force them, and potentially others, into this regulation, would be an unnecessary challenge to their mission.

Respectfully, I ask that you vote to reject Assembly Bill 51 and its companion, Senate Bill 16.

Thank you for your time.

Jeffrey K. Sitz, CMAA

Executive Director, WADA



Tomczyk, Ryan <tomczykr@kmsd.edu>

11-player football realignment

Tomczyk, Ryan <tomczykr@kmsd.edu>

Thu, Feb 6, 2025 at 4:47 PM

Reply-To: tomczykr@kmsd.edu

To: Ronald Rasmussen <ronald.rasmussen@wrps.net>, bmogense@kUSD.edu, Melissa Gehring <mgehring@wiaawi.org>

Afternoon Ronald and Bryan-

Wondering if you could share the rationale on why, after our appeal, was approved to move to a conference that matched our school population/ matched athletes, we are now moved back to the Classic 8 conference?

Per my appeal last month, I was hoping to see a long-term home for communities based on equitable proper-sized schools in a conference. I share data from the population lab that showed that we are one of the fastest-declining districts in the state of Wisconsin, double of every school that the committee placed in our conference. We project optimistically we will be at 1050 in the next couple of years. Could you please share on the rationale for placing only a single division 2 school in a large division 1 conference? Per all population data we will only see a greater in disparity over the next couple of years and am struggling to understand what data the committee uses to determine placement. On the opposite hand the committee moved the fastest growing districts in Waukesha County Sussex-Hamilton back into the greater metro where we align based on school population with the Brookfield, Menomonee Falls, and Germantown district sizes.

Wondering if you could also build my understanding on the appeal process discussion. I was shared by members that one member brought up the point to discuss some sort of "Franklin appeal rule". Because we did not appeal in the first round, she stated that we should move back to the original conference. I believe per the WIAA policy that we did follow the process as written and should not be penalized as we became an affected school and appealed successfully per the process guidelines.

We have a legal duty to match athletes/ communities appropriately and hoping you can share more on the why, so that I can better communicate to our leadership team and community.

Thanks,

**Ryan Tomczyk****Activities Director**

Kettle Moraine High School

P: 262-968-6200 x4066

E: tomczykr@kmsd.edu

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Tomczyk, Ryan <tomczyk@kmsd.edu>

11-player football realignment

Ronald Rasmussen <ronald.rasmussen@wrps.net>

Fri, Feb 7, 2025 at 11:33 AM

To: tomczyk@kmsd.edu

Cc: bmogense@kUSD.edu, Melissa Gehring <mgehring@wiaawi.org>

Good Morning Ryan,

In its motion for this area of the State, the committee considered the schools of eight conferences (Glacier Trails, North Shore, Classic Eight, Greater Metro, Southeast, Milwaukee City-Richardson, Parkland, and Woodland).

The committee used geography and enrollment in this area to determine conference size and crossover possibilities. The decision was made to make the Glacier Trails, Southeast, and Milwaukee-Richardson conferences eight-team conferences with the teams as noted in the recommendation.

The committee discussed the configuration of the Classic Eight and Greater Metro conferences. Due to geography, current conference affiliation, and requests for relief from schools in these conferences, the committee determined that these two conferences would be six-team conferences with a double crossover. The feedback the committee overall received from schools was that the January proposal, which divided these conferences by enrollment only, was not acceptable to a huge majority of the schools. There was discussion about Kettle Moraine not submitting an original recommendation, but there is no "hard-fast" rule about when we learn about possible solutions based on appeals heard in January.

The remaining discussion centered on the North Shore, Parkland, and Woodland conferences, which would be an eight-team conference, and what two conferences would be seven-team conferences with a crossover.

Bryan and I could also meet virtually if you'd like to talk more.

Have a good weekend!

Ron



Ronald A. Rasmussen

Superintendent at Wisconsin Rapids Public Schools



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Tomczyk, Ryan <tomczykkr@kmsd.edu>

11-player football realignment

Tomczyk, Ryan <tomczykkr@kmsd.edu>

Fri, Feb 7, 2025 at 2:21 PM

Reply-To: tomczykkr@kmsd.edu

To: Ronald Rasmussen <ronald.rasmussen@wrps.net>

Cc: bmogense@kUSD.edu, Melissa Gehring <mgehring@wiaawi.org>

Thank you, Ron, for taking the time to provide an overview of the discussion. I appreciate your efforts on the committee and look forward to having an open conversation about the process. Please let me know a convenient time for you to meet. Although I have some differing views on the committee's oversight process, I genuinely value and support the WIAA's commitment to gathering feedback through committee involvement.

I believe a conversation would be beneficial, especially considering that our community largely opposes the recommendation and will be appealing based on enrollment data. I am open to any insights you might have that could help us develop a well-considered plan.

As per your email, I would appreciate your assistance in clarifying two key areas: does it make equitable sense for Kettle Moraine to be placed in the Classic 8 conference? I am struggling to communicate the rationale to our stakeholders regarding why a school like Sussex-Hamilton, the fastest-growing school district in Waukesha County, is situated in a conference of schools whose enrollment is like Kettle Moraine while we are placed in a conference that has an enrollment that more resembles their current and future growth. This position is aligned with population data, which uniformly supports this concern.

The term "hard fast rule" presents challenges in our discussions. From my conversations with committee members, I have encountered phrases such as "ambiguous," "not consistent," "competitive equity discussed in certain areas," and concerns regarding Catholic Memorial's appeals moving them back. Additionally, there is a perception that due to our initial submission timing, Waukesha West received more consideration, which I believe requires further explanation. One committee member questioned why KM was deemed the alignment acceptable in the first round but not in the second, and I found this repeated question somewhat leading in nature, as it was questioned by the board and discussed during my appeal meeting.

I may be overlooking certain aspects and would greatly appreciate your help in enhancing our understanding, as from an external perspective, the process appears to have weighted factors that do not seem to be articulated clearly on the WIAA policy for the committee.

Thanks again!

**Ryan Tomczyk****Activities Director**

Kettle Moraine High School

P: 262-968-6200 x4066

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[Quoted text hidden]



Tomczyk, Ryan <tomczyk@kmsd.edu>

11-player football realignment

Tomczyk, Ryan <tomczyk@kmsd.edu>

Tue, Apr 15, 2025 at 2:21 PM

Reply-To: tomczyk@kmsd.edu

To: Ronald Rasmussen <ronald.rasmussen@wrps.net>, bmogense@kUSD.edu, Melissa Gehring <mgehring@wiaawi.org>

Afternoon Ronald and Bryan-

Wondering if you could share the rationale on why, the decision in your committee's final recommendation to the board it relates to KM being matched in the Classic 8, after our discussions and meeting conversations I honestly have no better understanding and clarity on the process, what data is used to make decisions, how the committee is listening to the membership and how school population/ matched athletes is even considered.

Per my appeal last couple of months, I was hoping to see a long-term home for communities based on equitable proper-sized schools in a conference. I have shared the data from the population lab that showed that we are one of the fastest-declining districts in the state of Wisconsin, equitably smaller than every school that the committee placed in our conference. We project optimistically we will be at 1050 in the next couple of years. Could you please share on the rationale for placing only a single division 2 school in a large division 1 conference? The two crossover games don't even guarantee us the opportunity to play any division 2 schools each year for any conference games. All we asked the committee is to guarantee us one single game in our own division in conference and this recommendation fails to do that. Per all population data we will only see a greater in disparity over the next couple of years and am struggling to understand what data the committee uses to determine placement. On the opposite hand the committee moved the fastest growing districts in Waukesha County Sussex-Hamilton back into the greater metro. This is the placement where we align based on school population with the Brookfield East, Brookfield Central, and Germantown district sizes. Enrollment and geography did not support this move which is why I am at a loss and hoping you can bring clarity.

Please share with me the committee's rationale as it relates to KM so that I can share with our district- All I can currently tell them is that I am assuming that success criteria (even though we did not make the playoffs last year is the priority.

Again hoping you can share more on the why, so that I can better communicate to our leadership team and community.

Thanks,

**Ryan Tomczyk****Activities Director**

Kettle Moraine High School

P: 262-968-6200 x4066

E: tomczyk@kmsd.edu

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[Quoted text hidden]



Tomczyk, Ryan <tomczyk@kmsd.edu>

11-player football realignment

Ronald Rasmussen <ronald.rasmussen@wrps.net>

Wed, Apr 16, 2025 at 9:15 AM

To: tomczyk@kmsd.edu

Cc: bmogense@kUSD.edu, Melissa Gehring <mgehring@wiaawi.org>

Good Morning, Ryan,

The committee has considered the information that you supplied.. Unfortunately, the committee was unable to make a decision that would be approved by all 34 schools in the remand. The committee reviewed the Google form responses from impacted schools and discussed the support the Tosa plan had from a meeting in March and the responses it received. There was discussion about enrollment amongst the committee and other possibilities, but none of that discussion garnered support for a motion. Meiissa will be able to provide you with information about how you can supply your feedback to the Board of Control.

Ron

[Quoted text hidden]



Ronald A. Rasmussen

Superintendent at Wisconsin Rapids Public Schools



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Tomczyk, Ryan <tomczykkr@kmsd.edu>

conference realignment

1 message

Melissa Gehring <mgehring@wiaawi.org>

Wed, Apr 23, 2025 at 3:20 PM

To: Ryan Tomczyk <tomczykkr@kmsd.edu>

Your text asked for reasons why Kettle Moraine wasn't moved to the Greater Metro (and swapped with Hamilton to the Classic Eight) so you could share them. Therefore, I figured it best to type a response.

When the committee took the plan presented from the group from March 19 under advisement, Hamilton communicated their displeasure with moving to the Classic Eight. With neither Kettle Moraine or Hamilton requesting a change of conferences at the beginning of the process, both schools stayed in their respective conferences as the committee tried to keep as many schools "status quo" as possible.

The WIAA BOC approved the plan as presented most likely for the same reasons.

There is a possibility of fast tracking a change prior to 2026 if you want to continue the conversation. You also can apply for realignment during the next cycle.

It will be interesting to see how the new matrix qualification system works next year and if it changes people's outlook on their conference alignment.

That said, if you are interested in having schools locally control their own conferences...having meetings like the one in March where they get together and build conferences with the consensus of the group...a constitutional amendment would need to be introduced either by petition or conversation at the Fall Area meetings.

If you have any more questions, let me know. If you want to know the Board rationale, you can reach out to them individually or to Corey Hinkel, the WIAA BOC President.

—

Melissa Gehring

Assistant Director | Girls' Basketball, Track & Field, Volleyball

Wisconsin Interscholastic Athletic Association

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From: Libby Sobic <libby@gardbusinessgroup.com>
Sent: Thursday, May 1, 2025 9:56:08 AM
To: Delaporte, Bob <Bob.Delaporte@legis.wisconsin.gov>
Subject: Letter for AB 51

May 1, 2025

Dear Chairman Kitchens and members of the Committee on Education,

We write to ask for your support of Assembly Bill 51, legislation that will create more transparency and openness at the WIAA. Unfortunately, we have experienced first-hand the lack of fair and consistent processes available to students and schools who want to advocate for change at the WIAA. Instead, we have been forced to advocate for ourselves outside of the system to encourage change for the advancement of all high school sports.

The WIAA is the **regulatory body for high school sports in Wisconsin**. It is a **non-profit, voluntary, unincorporated association** that oversees interscholastic athletic programs. Yet without other options, the WIAA is nearly an untouchable entity that is impervious to change. Assembly Bill 51 will help turn the tide and create transparency.

When we raised issues with their decisions, like competitive balance, the WIAA failed to provide a consistent or public appeals process. How is that consistent with the promotion and success of high school athletics?

Assembly Bill 51 merely requires the WIAA to be subject to open meetings and more transparent on its decision-making processes. It is frustrating that we must turn to the legislature for these basic requests.

But this change isn't just about our team and this school year. It is about future student athletes who want to participate in a system that values their input, thoughts and opinions.

Thank you for standing up for us and supporting Assembly Bill 51.

Sincerely,
Notre Dame Academy
Cross Country TEAM/student athletes

Yareli Agredano
Anna Miller
Jakob Lieberger
Dominik
Rachel Johanski
Eli Weiss
Nicoletta Zulwiler

Charlie Gresta
Jasmine Vue
Kimsy Callaghan
Jordan Johnson
Ashley
Sierra
Mia Novalak
Perry

Yatzi Barajas
Zoe Barajas
Marilyn
Julia Day
Oakhill
Domenic D'Amico
Johnny Fortney
Marshall
Julia Gutierrez

From: Libby Sobic <libby@gardbusinessgroup.com>
Sent: Thursday, May 1, 2025 9:56:31 AM
To: Delaporte, Bob <Bob.Delaporte@legis.wisconsin.gov>
Subject: Letter for AB 51 - email 2

May 1, 2025

Dear Chairman Kitchens and members of the Committee on Education,

Please support Assembly Bill 51 and ensure that student athlete(s) like *myself/us* are provided with more transparency from the WIAA.

The WIAA is an organization that high schools must join to provide student athletes access to competitive sports. As the **regulatory body for high school sports** in Wisconsin, it does the following:

- The purpose of the WIAA is to **organize, develop, and control an interscholastic athletic program** that promotes the ideals of its member schools and provides opportunities for participation.
- It emphasizes **interscholastic athletics as part of the total education process**, fostering good citizenship and sportsmanship.
- The WIAA aims to **promote uniformity in standards** for athletic competition and prevent exploitation of school programs and individual athletes.

However, the past actions by the WIAA and some of its members have undermined the very essence of high school sports – instead of lifting athletes up and encouraging success, the WIAA has emphasized secrecy and prevented meaningful input from the community it is supposed to serve.

As student athletes, the recent change to competitive balance has had major impact on athletes and schools across the state. But the WIAA doesn't allow any appeal process to be consistent or public, seemingly punishing those of us who speak out.

The state legislature must act to ensure that there is open meetings, open votes and meaningful opportunity for student voices to be heard at the WIAA. There is no other option to turn for student athletics and no other path to make changes at the WIAA.

Please support Assembly Bill 51 and thank you for your support of student athletes.

Sincerely,

Student athlete

Max B
Kinsy Gallagher

Julia Day

*Matz'il
Zeuth
Barajas*

Joe Marshall
Michelle Miller

*Charlie
Drestone*

Dominic D'Angelis

Nick Fogarty

Ben Z

Libby Sobic
Libby@gardbusinessgroup.com
Sent from my iPhone

From: Libby Sobic <libby@gardbusinessgroup.com>
Sent: Thursday, May 1, 2025 9:57:01 AM
To: Delaporte, Bob <Bob.Delaporte@legis.wisconsin.gov>
Subject: Letter 3 - letter for AB 51

May 1, 2025

Dear Chairman Kitchens and members of the Committee on Education,

I/We am/are asking you to support more openness and transparency in the WIAA and support Assembly Bill 51.

The WIAA is the **regulatory body for high school sports in Wisconsin**. It is a **non-profit, voluntary, unincorporated association** that oversees interscholastic athletic programs. It defines itself as the following:

- The purpose of the WIAA is to **organize, develop, and control an interscholastic athletic program** that promotes the ideals of its member schools and provides opportunities for participation.
- It emphasizes **interscholastic athletics as part of the total education process**, fostering good citizenship and sportsmanship.
- The WIAA aims to **promote uniformity in standards** for athletic competition and prevent exploitation of school programs and individual athletes.

I/We believe numerous recent actions by the WIAA and some of its members have demonstrated the need for open meetings, public votes and authentic transparency.

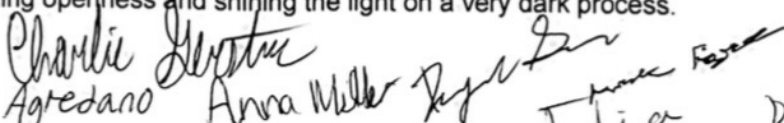
As student athlete(s), *I/we* have become disillusioned with the secrecy, lack of input and inconsistency with the WIAA on things that impact us and our friends from many other schools.

There are many examples of the WIAA saying one thing and doing another. An example is competitive balance. The WIAA says they "promote uniformity in standards" but their actions prove otherwise. The WIAA doesn't allow any appeal process to be consistent or public, and they seem to punish target kids and schools that speak out against their unfair actions.

We have nowhere else to turn but the legislature. All we ask is for open meetings, open votes and a forum where student athletes are provided with an opportunity to voice our thoughts, opinions and concerns.

The WIAA are counting on all of us to stop defending ourselves. We are fighting for ourselves and the student athletes that come after us. Our fight will grow and continue as long as it takes.

Thank you for defending openness and shining the light on a very dark process.

Sincerely, 
yareli Agredano
Kinsy Gallagher
Julia Day
Damián N. Angell
Mike Miller



WISCONSIN INSTITUTE FOR LAW & LIBERTY, INC.
330 E. Kilbourn Avenue, Suite 725, Milwaukee, WI 53202-3141
414-727-WILL (9455) | Fax 414-727-6385 | www.will-law.org

May 1, 2025

**WRITTEN TESTIMONY ON BEHALF OF THE WISCONSIN INSTITUTE
FOR LAW & LIBERTY, INC. IN SUPPORT OF 2025 ASSEMBLY BILL 51**

Chairman Kitchens:

I am Attorney Skylar Croy, and I submit this written testimony on behalf of the Wisconsin Institute for Law & Liberty in support of 2025 Assembly Bill 51. WILL is a non-partisan, non-profit law and policy center that has opposed quasi-governmental entities, including the Wisconsin Interscholastic Athletic Association. These entities exercise governmental power but believe themselves unbound by various statutory schemes that apply to actual governmental entities. Functionally, they exercise regulatory power without transparency or meaningful oversight from elected officials. For these reasons, WILL supports this bill, which, if enacted, would require WIAA to comply with public records and open meetings laws.

For context, WIAA is a nominally private membership association that exercises governmental power by playing gatekeeper over interscholastic athletics, a government-provided benefit. The Department of Public Instruction even says WIAA is the “regulatory agency” for interscholastic athletics.¹ Every public high school in Wisconsin is a member. WIAA purports to bind each of these schools—and many private schools that are also members. In total, WIAA decisions affect roughly 90,000 student-athletes, their parents, and school officials.² To give just one example, WIAA—not any elected official—decided recently that transgender student-athletes cannot play on a team that aligns with their gender identity.³ While WILL thinks WIAA made a good choice, WILL is troubled that a quasi-governmental entity is deciding serious policy questions without any transparency or meaningful oversight from elected officials. The Legislature never gave WIAA such power—nor authorized public schools to subdelegate any of their power to a private association.

¹ <https://dpi.wi.gov/wise/data-elements/athletic-conference>

² <https://www.wiaawi.org/About-WIAA>

³ <https://www.wpr.org/news/wiaa-changes-policy-now-bans-transgender-students-from-playing-in-girls-sports>

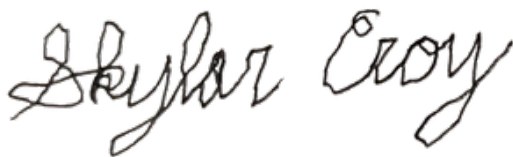
Unsurprisingly, given the lack of transparency and meaningful oversight, WIAA abuses governmental power. For example, WILL represents the Weigels, a family in Sauk County.⁴ The Weigels have four children and are living on one income. Mr. Weigel is a farmer. Mrs. Weigel is a full-time mom. She used to work as a school teacher but had to step away from that career when the Weigels' youngest daughter got deathly ill and spent weeks in the hospital. The Weigels, having lost significant income, decided to pull their oldest daughter, Macy, out of Christian Community School, a private, tuition-based school in Baraboo. It was no longer financially responsible for them to send their children to a private school. The silver lining? CCS did not offer interscholastic athletics, and Macy was excited to play softball at Baraboo High School. Even still, WIAA hit her with a one-year transfer ban, refusing to grant Macy an "extenuating circumstances" waiver. WILL successfully obtained a temporary injunction allowing Macy to play because a circuit court judge concluded that WIAA had not followed its own rules in banning Macy. A Google search will yield several news articles about children like Macy, who have been harmed by WIAA's often arbitrary and capricious decision-making.

The public records and open meetings laws are partly responsible for this problem. Under Wis. Stat. §§ 19.32(1) and 19.82(1), a "quasi-governmental corporation" is subject to these laws. In 2014, the Wisconsin Court of Appeals construed this phrase narrowly, holding that a quasi-governmental "association" is not a quasi-governmental "corporation."⁵ Accordingly, if a quasi-governmental entity adopts the former business structure instead of the latter, it gets a free pass. This difference in treatment is non-sensical.

Assembly Bill 51 addresses this flaw, at least with respect to WIAA. Every public school must abide by the public records and open meetings laws. Assembly Bill 51 does no more than make WIAA subject to these two statutory schemes. If enacted, WIAA decision-making will be less opaque.

WILL respectfully asks that this Committee support Assembly Bill 51.

Respectfully,

A handwritten signature in black ink that reads "Skylar Croy". The signature is written in a cursive, flowing style.

Skylar Croy
Associate Counsel

⁴ <https://will-law.org/wisconsin-high-school-athlete-granted-temporary-injunction-against-wiaa/>

⁵ *WPPA v. WI Counties Ass'n*, 2014 WI App 106, 357 Wis. 2d 687, 855 N.W.2d 715