

➤ Hearing Records ... HR

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WISCONSIN STATE LEGISLATURE COMMITTEE HEARING RECORDS

2009-10

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on Education

(AC-Ed)

(FORM UPDATED: 06/28/2010)

COMMITTEE NOTICES ...

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INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL ...

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AB 520

1/12/10

EXEC AB 115 & AB 140 PUBLIC HEARING AB 520, SB 154, AB 247, AB 616







School District of Algoma

1715 Division Street
Algoma, Wisconsin 54201



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Dean Tenor, Member

12/21/2009

Dear WIAA:

The School Board of Algoma would like you to be aware that we are supporting Assembly Bill 520 that is being moved through our State Legislature.

This bill is designed to promote open government. Our schools are all required to follow open meeting laws and we do not understand your motivation on not wanting to do the same. Your one and only "business" is to work with public and private schools to promote educational opportunities for our students. All the money you generate to operate comes from dues or tournaments. The dues come directly from school budget dollars and the tournaments all feature the students from the schools throughout the state. The students are all amateur status and are involved for educational reasons. We understand the need to produce funds to run these tournaments, but where did the funds come from to hire your lobbyists to fight AB 520? Maybe you can reduce ticket prices to all the hard working taxpayers that come to the tournaments if you can afford to hire lobbyists...and they do not work cheap.

Your reputation as a consumer friendly organization has never been great. This latest resistance to operate in a more open manner just accentuates that reputation. The WIAA has a big job and has done many good things in your history; please do not spend OUR hard earned money fighting AB 520.

Sincerely,

Algoma School Board Members

D.H. Polecheck
Ann Schmitz
Priscilla Swoboda
David L. Wessel

Dean a Tenor
Pat Qualman
Barb Rodgers

Cc: Rep. Staskunas, Rep. Bies, Sen. Lasee



Algoma Schools ... On Beautiful Lake Michigan ... Sailing Toward Success





January 12, 2010

Rep. Sondy Pope-Roberts, Chair
Assembly Committee on Education
209 North, State Capitol
P.O. Box 8953
Madison, WI 53708

Dear Rep. Pope-Roberts and Committee Members:

Thank you for the opportunity to speak on behalf of the Wisconsin Newspaper Association (WNA) in support of 2009 Assembly Bill 520.

Everyone who is interested in open government and who recognizes the value of interscholastic athletics in secondary education, as the WNA does, should thank Rep. Tony Staskunas for his leadership on this issue. If enacted, AB 520 will provide the public the same opportunities for oversight of interscholastic athletics under the Open Records and Meetings Laws that they have long exercised over every other aspect of public education. Indeed, this reform is long past due.

AB 520 should not be controversial for two reasons. First, and most importantly, the Wisconsin Interscholastic Athletic Association (WIAA) should be subject to public oversight under the Open Records and Meetings Laws for the same, strong public policy reasons that justify public oversight of school boards in this state. Although it is organized as a private, voluntary association, WIAA acts for its mostly public school members in establishing conferences and rules to govern their athletic competitions. Wisconsin's public schools are the WIAA and they should be required to administer their athletic programs subject to the Open Records and Meetings Laws just as they do their academic and all other extracurricular programs.

The second and closely related reason that AB 520 should not be controversial is because the WIAA almost certainly is already covered by the Open Records and Meetings Laws as a "quasi-governmental corporation." The Wisconsin Supreme Court recently defined this term, which appears in both statutes, as a corporation that closely resembles a governmental corporation in function, effect, or status. *See State v. Beaver Dam Area Development Corp.*, 2008 WI 90, 312 Wis. 2d 84, 752 N.W.2d 295. This definition aptly describes the WIAA, since Wisconsin's public schools would have to perform all of its functions directly if they were not being performed by the association.

The Supreme Court in *Beaver Dam* established a non-exhaustive list of factors for identifying quasi-governmental corporations, which the attorney general has placed into five

categories. See *2009 Open Meetings Compliance Guide*, p. 4; *2009 Public Records Compliance Outline*, pp. 5-6. The WIAA easily satisfies the factors in all five categories.

(1) The extent to which the private corporation is supported by public funds.

The WIAA denies it is supported by public funds because approximately 90% of its budget is from tournament revenue. This is incorrect. Indeed, the United States Supreme Court rejected the same argument in a case from Tennessee, holding that tournament ticket revenue represents public funds:

The Association exercises the authority of the predominantly public school to charge for admission to their games; the Association does not receive this money from the schools, but enjoys the schools' moneymaking capacity as its own.

Brentwood Academy v. Tennessee Secondary School Athletic Association, 531 U.S. 288, 299 (2001). The WIAA is no different -- the ticket revenue from the post-season tournaments that are so popular in Wisconsin belongs to the participating schools who simply allow their association to control the funds.

(2) Whether the private corporation serves a public function and, if so, whether it also has other, private functions.

The WIAA's sole function, the administration of interscholastic athletic competition, is a public function. Before 2000, the WIAA had only public school members and every public school in the state (except virtual and charter schools) remains a member today. That private schools now comprise 14% of the WIAA's membership does not change the character of its public function. The WIAA has no private functions.

(3) Whether the private corporation appears in its public presentations to be a governmental entity.

By all outward appearances, the WIAA is a governmental entity. The WIAA proudly identifies itself as the first high school athletic association organized in the country and, since 1896, its name has been synonymous with public schools in Wisconsin.

(4) The extent to which the private corporation is subject to government control.

The WIAA is overwhelmingly subject to government control. The governing body of the WIAA is the Board of Control, which consists of ten administrators from the senior high membership and one representative of the Wisconsin Association of School Boards. Seven of the eleven members are elected by the member schools to represent geographical districts of the state, one is elected as an at-large gender representative, one is elected as an at-large ethnic

minority representative, and one is elected as an at-large private school representative. The eleventh member is named by the Board of Directors of the Wisconsin Association of School Boards. The Board of Control has never had more than one private school member at any time and, consequently, is overwhelmingly subject to the control of the WIAA's public school members.

(5) The degree of access that government bodies have to the private corporations' records.

While the WIAA's Constitution and Bylaws do not expressly address its members' right of access to the association's records, such right is implicit in the WIAA's organizational structure. Besides being governed by a board of control comprised almost entirely of public school administrators, the WIAA has an advisory council of eighteen members, also mostly representing public schools, that has the power to initiate amendments to the Constitution and Bylaws for presentation to the membership for approval by a majority vote at the annual meeting. Thus, the WIAA's overwhelming public school membership has ultimate control over the association and its records.

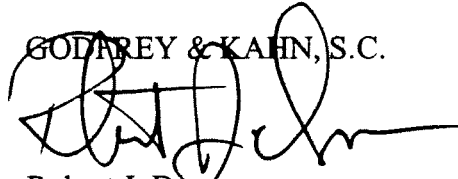
Viewed through the prism of the Supreme Court's and the Attorney General's guidance on what constitutes a quasi-governmental corporation, it becomes clear that the WIAA should have been subject to the Open Records and Meetings Laws for decades. That does not make AB 520 unnecessary, however. Far from it, since the bill's adoption will establish the principle that the WIAA's activities are subject to public oversight -- just like those of the public schools it mostly represents -- more quickly and more economically than could be accomplished through litigation. And that would benefit everyone concerned.

The WIAA's Constitution states its purpose, in part, is "[t]o emphasize interscholastic athletics as a partner with other school activities in the total educational process, and formulate and maintain policies which will cultivate high ideals of good citizenship and sportsmanship." The WNA could not agree more. When public school boards administer all of those "other school activities in the total educational process," however, they must do so in public as required by the Open Records and Meetings Laws. These are, after all, public functions when they involve public school students and public funds. It is only fair that the interscholastic athletic activities of our public schools be subject to the same degree of public oversight as all of the "other school activities in the total educational process." AB 520 should be adopted to enable public oversight of the WIAA's administration of public school athletics to the same extent the Open Records and Meetings Laws require of all other public school activities.

Rep. Sondy Pope-Roberts, Chair
January 12, 2010
Page 4

Sincerely,

GODFREY & KAHN, S.C.

A handwritten signature in black ink, appearing to read "Robert J. Drops", written over the text "GODFREY & KAHN, S.C.".

Robert J. Drops
Representing Wisconsin Newspaper Association

RJD:jlh

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PETER D. FOX
WNA Executive Director
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January 12, 2010

Representative Sondy Pope-Roberts, Chair
Assembly Committee on Education
209 North, State Capitol
PO Box 8953
Madison, WI 53708

Dear Representative Pope-Roberts and Members of the Committee:

On behalf of our members and board of directors, thank you for the opportunity for the Wisconsin Newspaper Association (WNA) to support 2009 Assembly Bill 520. We applaud Rep. Tony Staskunas' leadership in recognizing long-standing public interests about the extent of control exercised by the Wisconsin Interscholastic Athletic Association (WIAA) and its pervasive influence over education in our state.

As it was public school administrators who are credited with creating the organization now known as the WIAA, it is appropriate that AB 520 focuses on the responsibility of public schools to comply with Wisconsin's open government laws vis-à-vis their athletic association, just as they are required to do in all other areas of public school administration.

In noting registered opposition to AB 520, we ask: Why would school administrators oppose open government provisions in an athletic arena when those same administrators are required to comply with them in every other aspect of their educational responsibilities?

Aside from the State Legislature and Department of Public Instruction, the WIAA may be the single most powerful entity in Wisconsin K-12 education. In consulting the WIAA organizational chart, it is clear that member schools are positioned as the ultimate stakeholder. Those owners are represented by an 11-member board of control – 9 of whom are public school district administrators or high school principals (or their assistants). The 10th person represents private schools and the 11th is a publicly elected school board member representing the Wisconsin Association of School Boards. Thus, we can see there is a lot of "public" in the WIAA Board of Control.

Similarly, the WIAA Advisory Council consists of 18 elected administrators from senior high schools. The council consists of five members each from large, medium and small school categories, what is termed a “gender at-large representative,” an ethnic minority representative and a private school representative. The Advisory Council has authority to “initiate amendments for presentation to the WIAA membership and advises the Board of Control in formulating the aims and policies of the Association.” Again, a quorum of 17 members out of 18 demonstrates there is a lot of “public” in the Advisory Council as is the case with the Board of Control.

As it wields its tremendous influence on public education in Wisconsin, the WIAA maintains a cloak of secrecy. Let’s take a look at several examples:

Last fall, at the height of the H1N1 alarm, the WIAA from its headquarters in Stevens Point issued a directive regarding the effect of cancellations on scheduled athletic competitions across the state. Behind closed doors an unelected, unaccountable organization established education and health policy for all Wisconsin public schools.

The WIAA exercises unfettered discretion and control as it establishes conferences to which schools are assigned and within which high school athletes compete. The WIAA is currently putting the finishing touches on a sweeping reorganization of high school football in Wisconsin which will blow up existing conferences and traditional rivalries. This is happening, as you consider this bill, without public or legislative oversight. Will realignment, if implemented in football, be extended to all sports? Those involved with the plan say “no,” but how long could a dual-conference scenario remain viable? Should there be wide public discussion – or should the talks remain only in the WIAA closed community? But when the WIAA announces its football conference realignment later this year, there will be no public oversight, appeal or review.

Because public school boards also must respect student and employee privacy rights, Wisconsin’s open records and meetings laws provide the necessary exemptions. The WIAA has no reason to oppose the bill on privacy grounds. Roger Pitt, who has covered prep sports in central Wisconsin for more than 40 years, made this observation in a recent Waupaca Post column:

“WIAA Executive Director Dave Anderson, an all-state center I wrote about at Kaukauna, said his organization deals with many sensitive issues behind closed doors, including several hundred student waiver requests each year and helps member schools with code of conduct issues and dealing with coaches.

“State law exempts personnel issues and matters involving juveniles from open meeting and open record rules making that defense moot.

"It would make discussion of policies such as playoffs open to scrutiny. The magnitude of the current issues should be done in daylight – the outdated term for transparency."

Family law occupies a great deal of the state's attention. Courts and social service agencies are subject to public scrutiny and oversight as they act on issues such as custody, placement, safety and services. Part of that equation – but out of public view – are eligibility standards and decisions made in secret by the WIAA which affects where parents live and where their children attend school – and which are not appealable.

The WIAA claims that it is a private entity and should not be treated like a government agency. Yet, its actions have a very public impact. When the WIAA set its H1N1 policy in secret, for example, its decision directly affected whether public school districts would close or stay open. That private, secret policy decision had statewide effects.

Similarly, conference assignments do not impact just high school athletics:

- They determine assignments for extra curricular activities like band, forensics and student government.
- They are used for comparisons for student testing and student achievement purposes. "The School District Performance Report allows you to compare a district to other school districts *in the same athletic conference* with just one click," reads a message from the DPI Website. (Emphasis added.)
- School security policies often are conference influenced such as a lanyard display of personal identify.
- Salaries and compensation for teachers and staff, staffing levels and course offerings, likewise often are established based on conference comparables.

Parents and courts have opinions and preferences about where children should attend school – usually, those considerations center on what is in the child's best interests. But if those opinions or preferences collide with the rigid WIAA eligibility criteria, they are of little consequence. Again, it is a case of the Stevens Point headquarters and the WIAA Board of Control knowing best.

In a recent essay published in newspapers around the state, WIAA Executive Director Dave Anderson objects to Assembly Bill 520 making several claims. They deserve to be addressed and rejected:

"The WIAA is a voluntary, private organization." Voluntary? Only if a school district decides that its taxpayers do not wish their children to participate in interscholastic athletics. Private? Only if you ignore the fact that the vast majority of WIAA members are public schools.

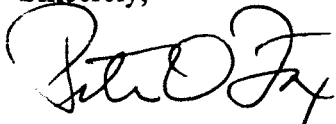
Representative Sindy Pope-Roberts, Chair
Assembly Committee on Education
January 12, 2010
Page 4

“The WIAA is not supported by state or local tax dollars.” The next time you attend a high school basketball game, ask yourself who paid for the venue and the equipment. When a high school principal or athletic director attends a meeting in Stevens Point, who is paying for the day away from school? When a bus transports participants or fans to a competition, who is paying for the driver and fuel? Even the ticket revenue the WIAA claims as its own is primarily public money because it would belong to the member schools if they organized their own tournaments.

“The proposed legislation could seriously jeopardize the (state) tournament opportunities of thousands of athletes.” How and why? Only if the WIAA – in its sole discretion – decides to penalize high school athletes for the Legislature’s audacity in subjecting it to the same open meeting and open records requirements observed by state agencies and school boards which also establish educational policy in Wisconsin.

AB-520 does not mandate a reorganization of WIAA so that it reflects the face of public education in Wisconsin. It does not scale back the inordinate influences that the WIAA exerts on public education. It simply demands that WIAA decisions which so expansively affect the public, be made in public.

Sincerely,



Peter D. Fox, executive director
Wisconsin Newspaper Association

cc: WNA Board of Directors





WISCONSIN INTERSCHOLASTIC ATHLETIC ASSOCIATION

5516 Vern Holmes Drive • Stevens Point, WI 54482-8833
Phone: 715-344-8580 • Fax: 715-344-4241 • Email: info@wiaawi.org • Web site: www.wiaawi.org

January 12, 2010

Assembly Education Committee
Representative Pope-Roberts, Chair

My review of Assembly Bill 520 leads me to open with a question. What will any legislative act that intertwines the WIAA with state government accomplish?

Initial concerns I have are associated with tournament administration and the potential impact on athletic conferences.

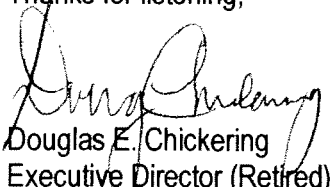
It is not uncommon for student eligibility standards to be challenged on the eve of tournaments. Courts have been asked by interested parties to overturn WIAA determinations. The Association has timely dealt with court intervention and no tournament has ever been delayed. Would moving the WIAA closer to state government hamper efforts to expedite resolution and keep the tournaments on schedule?

Athletic conferences, like the WIAA, have constitutions, bylaws, season regulations, and tournament procedures. A common theme for legislative support of AB 520 appears to be dues payment to the WIAA from public schools (tax dollars). On a percentage basis, the dues paid by public schools to conferences are much greater, (in both dollar amounts and percentages of total budget) than dues paid to the WIAA. Will enactment of this bill increase the likelihood that one citizen's complaint about a conference's eligibility or sportsmanship expectations, all-conference team selections, referee assignments, season schedules cause a need for like legislative consideration? On a more localized basis, a conference's authority is consistent with the WIAA's.

If there are registered concerns about the WIAA's operations, I urge you to relay them to the WIAA leadership so that explanations can be offered or adjustments made. Our record documents cooperation with legislative initiatives. In recent years, the WIAA membership adopted a standard requiring schools to provide performance enhancing substance education. This followed Senate consideration of a bill that would have required adoption of the Olympic Blood Doping model. Likewise, WIAA's inclusion of the religious and independent schools in its membership in 2000 followed years of legislative interest. These are two examples illustrating study and implementation influenced by legislative interests. Also, any WIAA membership adopted provisions will assure that the religious and independent schools, as well as the public schools, will have a voice in and a responsibility for compliance.

In short, I plead with you not to politicize high school sports. Encourage and allow the legislature and the WIAA to work together.

Thanks for listening,


Douglas E. Chickering
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ANTHONY J. STASKUNAS

STATE REPRESENTATIVE • 15th ASSEMBLY DISTRICT

SPEAKER PRO TEMPORE

AB 520 TESTIMONY

January 12, 2010

Assembly Committee on Education

Good morning, Chairwoman Pope-Roberts and committee members. Thank you for holding this hearing and allowing me to appear before you today to testify in support of Assembly Bill 520.

Wisconsin has a long tradition of open and transparent government. This is a reflection of our Wisconsin values, which place great importance of the individual citizen's involvement in government

For over 100 years, the Wisconsin Interscholastic Athletic Association (WIAA) has been involved in promoting athletic competition between Wisconsin high schools. As the decades have passed, this organization has become more and more involved in high school sports, so much in fact that the WIAA is the final decision maker when it comes to matters of high school athletics in this state.

This uniquely private entity oversees athletic competitions between schools funded by taxpayer dollars and routinely makes decisions that impact student athletes and their families as well as the budgets of school districts and tax payers. Due to the nature of this organization and the potential impact of their decisions, the WIAA needs to be more open and transparent to the public. AB520 would accomplish this goal by prohibiting school districts from membership in interscholastic athletic associations that do not follow the state's open meetings and public records law.

By and large, high school sporting events are primarily held on fields, tracks, and gymnasiums that are built and maintained through taxpayer dollars. Unfortunately, the WIAA, which has sole jurisdiction over high school athletic events that occur at these taxpayer-funded locations, cannot be held accountable for any of their decisions because they have no external oversight and do not need to make any information relating to their organization public.

While the WIAA will argue that they are a voluntary organization that exists for the sole purpose of offering high school students the opportunity to participate in athletic competitions, it should be pointed out that if a school does not "volunteer" to be a member of the WIAA and pay dues, their athletes cannot participate in athletic competitions against other schools.

The WIAA has written in various columns that it is primarily funded through the purchase of tickets to high school sporting events and that purchases of these tickets is no different than paying for a ticket to a movie theater. I disagree with this statement on several levels. First, a movie theater is a for-profit, privately owned entity. Second, unlike the WIAA which has a monopoly over high school sporting events, individuals are not required to go to a single theater. Rather, they have the option to choose between several theaters. Lastly, movie theaters are not built and maintained by public property tax dollars.

Wisconsin is not alone in pursuing legislation that would require organizations like the WIAA to abide by open meetings and records laws. In the last several years, states including Georgia, Pennsylvania, and Maine have passed laws that increased the transparency of their states respective high school athletic associations. In addition, my office has been in contact with a State Senator from Nebraska who is pursuing similar legislation in that state.

Like open records and public meetings laws that apply to all other entities, there are exceptions in AB520 that will allow the WIAA to go into closed session. As outlined in 19.85, if any issues relating to collective bargaining, judicial trials, the dismissal of an employee, or performance evaluations arise, the WIAA will be able to go into closed session. In addition, any conversations relating to student athletes or pupil records will remain confidential.

Participating in high school athletics and representing one's school is an extremely important part of the lives of young people and their families. The decisions governing these sporting events that are important to so many people should be open to the public.

Once again, I would like to thank Chairwoman Pope-Roberts and the committee members for their time and consideration of this proposal. I am happy to answer any questions that you may have.





WISCONSIN INTERSCHOLASTIC ATHLETIC ASSOCIATION

5516 Vern Holmes Drive • Stevens Point, WI 54482-8833
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MEMORANDUM

To: Members, Assembly Committee on Education
From: Dave Anderson, WIAA Executive Director
Date: January 12, 2010
Re: Opposition to Assembly Bill 520 – Requiring the WIAA to Comply With the State Public Records and Open Meetings Laws

Thank you for allowing me the opportunity to provide testimony on Assembly Bill 520, which prohibits a school district from joining an interscholastic athletic association unless the association agrees to be governed by the Wisconsin public records and open meetings laws.

I am Dave Anderson, Executive Director of the Wisconsin Interscholastic Athletic Association, or as it is better known in the state, WIAA. Before discussing the merits of AB 520, I think it's important first to provide information on WIAA's governance and how the association is funded.

WIAA is a private, voluntary, non-profit association. The WIAA is often mistaken as a public entity or governmental agency when in fact it has functioned as a private, voluntary, and non-profit organization since 1896. The WIAA is a voluntary, member-based organization comprised of 506 participating public and private high schools and 117 Junior High/Middle Level school members. An overwhelming majority of the WIAA's budget, about 90 percent, is derived from revenues generated by the State Tournament Series, which WIAA organizes, sponsors, and administers – not from taxpayer revenues. The WIAA's revenue comes from ticket sales; no different than the revenue generated from movie ticket sales or other entertainment dollars spent by the general public. The WIAA is neither primarily funded through dues and other tax-supported revenues from member high schools, nor does it receive state or local tax dollars. Only a small fraction – about 6 percent of the WIAA's annual budget – is derived from voluntary dues and fees paid by both public and private school districts. WIAA membership dues and fees range from \$300 a year for small schools to \$1,200 for large schools and account for a fraction of 1 percent of a school's expenditures. Although State Tournament Series competitions often utilize high school or other public venues, those entities are reimbursed by the WIAA for the use of those facilities. In 2008 through 2009, over \$3.5 million was returned to member high schools for hosting WIAA events, travel reimbursement and school administration allocations. Moreover, schools hosting tournament competitions benefit additionally from retaining 100 percent of the concession sales. WIAA tournaments also provide a boost to local economies. Unlike public schools and other public entities, the WIAA is not subject to state laws limiting its liability and lacks the characteristics of a state or governmental agency. Thus, forcing a voluntary, non-profit organization to comply with the public records/open meetings laws could lead to the proverbial slippery slope. For example, if AB 520 is passed, as good public policy it could be argued that every private entity that receives any tax dollars or receives any state grant money should also be governed under the public records/open meetings laws. WIAA Governance and Process is Transparent and Open to Its Members and the Public.

Although the WIAA is a private, voluntary nonprofit association, it routinely provides information requested by the public. Its annual meeting is open to the public and streamed live on the Internet. The WIAA also publishes the organization's budget and meeting minutes in its official publication (The Bulletin) and its annual yearbook, which is available to the public.

The association is membership directed. The rules that govern the association are developed by coaches and local school administrators. All WIAA rules are voted on and approved by a vote of the entire membership at the annual meeting or through the democratic committee process.

Legislation could be harmful to high school state tournament competitions. If enacted, Assembly Bill 520 could seriously jeopardize the tournament opportunities of the thousands of student-athletes participating in interscholastic athletics statewide. Furthermore, AB 520 could impact many other groups and organizations with similar governance and structure as the WIAA.

Not all WIAA functions are, or should be, open to the public. For example, certain eligibility, disciplinary and transfer determinations often involve sensitive personal records that should not be open to public exposure. The WIAA is very concerned that, if it is governed by the state's public records law, it will be forced to provide records that are of a sensitive nature involving student-athletes and their families.

Furthermore, one of WIAA's functions is to license the roughly 8,000 game officials in the state and select tournament officials. Tournament officials are selected based on rankings provided by member schools that provide the information willingly with the assurance that their evaluations will be held in confidence. The ability to obtain unbiased evaluations – or evaluations at all – would be compromised by subjecting such information to public record.

Moreover, subjecting WIAA to public records and open meetings laws could expose the Association to potential harassment by a disgruntled parent or fan and the added administrative costs of complying with records requests.

Last, the WIAA is comprised of both public and private school members. If the WIAA is forced to comply with the state's public records and open meetings laws, it could disrupt its member-base and may result in the loss of private school members, who otherwise are not governed by those laws.

Thank you for the opportunity to provide testimony on AB 520 and to provide more information about WIAA. For the reasons mentioned above, WIAA strongly opposes AB 520 and asks the Committee Members to not support this legislation.

DAVE ANDERSON
EXECUTIVE DIRECTOR
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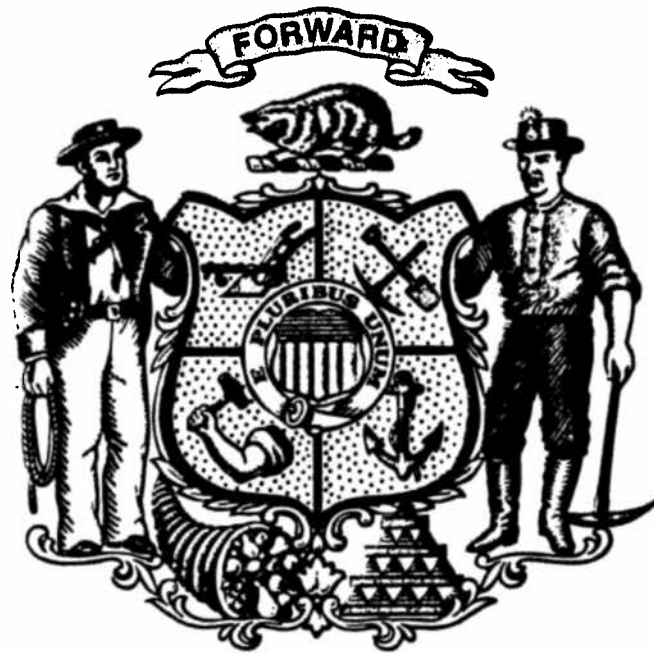
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AB 520?

January 12, 2010

Dear Committee on Education Members:

I appreciate the opportunity to provide testimony relating to participation in interscholastic athletics and application of the public records and open meetings laws to interscholastic athletic associations.

As a former coach of three sports, a former principal, and currently a district administrator, I have been able to gather any data I needed from the WIAA without any hesitation. Any taxpayer expenses that are paid to the WIAA are open to the public through district expenses. For example during this school year our fund 10 budget is slightly over \$7 million and we paid dues of \$650 to the WIAA. We also paid them 50% of the volleyball tournament gate after officials were paid. Local community groups were able to keep all of the money made from concessions. Also, the WIAA has provided revenue as reimbursement for excessive travel and state tournaments, both are reported at monthly school board meetings. (I have attached information that is summarized at monthly board meetings.)

The WIAA process allows input from our athletic director and coaches. The districts are represented through the Board of Control, Advisory Council, Sports Advisory Council, and Coaches Advisory Councils. Concerns are brought forth through the process that is in place. The WIAA has been in existence since 1896. The WIAA has evolved since that time. These groups have shaped the practices of the WIAA when there has been a need. The latest responses to basketball and football alignments are two examples of how the process works

There are several organizations in which school boards and administrators choose to join in an effort to improve the experiences for students or further professional development. If we go down this path of demanding open records by an organization that is not directly paid by taxpayers, where do we stop?

Youth club sports and other community groups use public school facilities for a minimal fee. Youth clubs have a tremendous influence on high school athletics, yet elected school board officials choose not to entangle themselves in the business of the youth clubs.

High school athletics generate a variety of emotions from athletes, parents, coaches, and many community members as a whole. We expect the tournament series to be well-run. As districts we do not have the time to organize tournaments. That is why we appreciate the services of a professional organization who has the experience to continue generating a good product.

Lastly, high school athletics have become extremely political. There are many of us who enjoy high school athletics because of its purity as well as the last chance for individuals to compete on stage. The WIAA has done an excellent job of taking a neutral stance and responds to issues in a fair and ethical manner. They act independently and discretely. Do we really want our elected officials to be involved in the oversight of organizations that are not government entities?

In summary, the current process in place by the WIAA works well. If we need information, we are able to gather it. If we have concerns we share them with Ted Evans, who is our representative on the Board of Control.

Thanks for your consideration,

Jamie Nutter



AB 520?

sent by fax
10/23/09
9:15 pm

WISCONSIN INTERSCHOLASTIC ATHLETIC ASSOCIATION

5516 Vern Holmes Drive, Stevens Point, WI 54482-8833 Phone: (715) 344-8580 Fax: (715) 344-4241

REGIONAL 2009 GIRLS VOLLEYBALL FINANCIAL STATEMENT

Host School Fennimore Division 1 2 **3** 4 Date 10/23/09 Manager Jim Prochaska
(Circle one)
Winner Fennimore Opponent Iowa-Orient Scores 24-26 25-18 23-25 25-23 15-7

1. RECEIPTS

Ticket Sales - Child/Student/Adult 350 x \$4.00 = \$ 1400⁰⁰
- Children (Under 6 years old) x \$1.00 = \$ _____
- Radio Fees (Must itemize all stations on reverse side) \$ _____
- Television Fees (Must itemize all stations on reverse side) \$ _____

TOTAL RECEIPTS \$ 1400⁰⁰

2. DISBURSEMENTS

2-a. Host School Expense Allowance (Includes manager's fee of \$40) \$ 230.00

2-b. Officials/Line Judges Expenses

Name	Fee	Mileage Expense 40¢ per mile	Total
<u>Steve Stahlman</u>	\$ <u>55.00</u>	\$ <u>12⁰⁰</u>	\$ <u>67⁰⁰</u>
<u>Rich Buchholz</u>	<u>55.00</u>	<u>-</u>	<u>55⁰⁰</u>
<u>Line Judge</u>	<u>25.00</u>	<u>N/A</u>	<u>25.00</u>
<u>Line Judge</u>	<u>25.00</u>	<u>N/A</u>	<u>25.00</u>

TOTAL OFFICIALS/LINE JUDGES EXPENSE \$ 172⁰⁰

TOTAL DISBURSEMENTS (Total 2-a & 2-b) \$ 402⁰⁰

3. BALANCE FOR DISTRIBUTION (Deduct Total Disbursements from Total Receipts) \$ 998⁰⁰
(If Balance for Distribution is a minus amount, WIAA will underwrite deficit)

Host School - 50% of Balance for Distribution (Line 3 above) \$ 499⁰⁰

WIAA - 50% of Bal. for Distribution (Line 3 above) (Send Check to WIAA) \$ 499⁰⁰

FENNIMORE COMMUNITY SCHOOLS
School Activities Report

Activity Regional VB. vs. Iowa-Grant

Date October 23, 2009

Assignments

\$20.00 – List per Contract (p. 23 – Teacher Assignments) - Group A to include Elementary Noon Duty.

\$25.50 – List per Contract (p. 23 Teacher Assignments) - Group B

\$62.00 – Full Day Assignments (Exceeds five hours) - Do not include individuals employed as coach or director of an activity. Include hours worked.

\$120.00 or \$240.00 – List per Contract (p. 23 Teacher Assignments) – Group C

Worker	Assignment	Pay	Worker	Assignment	Pay
<u>Dan Bredeson</u>	<u>Announcer</u>	<u>20</u>	<u>Joy Schewe</u>	<u>Seller</u>	<u>20</u>
<u>Darcy Prochaska</u>	<u>Clock</u>	<u>20</u>	<u>Judy Boebel</u>	<u>Seller</u>	<u>20</u>
<u>Allison Meyer</u>	<u>Book</u>	<u>20</u>	<u>Jim Prochaska</u>	<u>Supervisor</u>	<u>90</u>
<u>Jennifer Schultz</u>	<u>North Door</u>	<u>20</u>	<u>Logan Prochaska</u>	<u>SW Door</u>	<u>20</u>
<u>Amanda Jahnke</u>	<u>Lines</u>	<u>25</u>	Total Work Costs \$ 480 <u>230⁰⁰</u>		
<u>Rebecca McBee</u>	<u>Lines</u>	<u>25</u>			

Other Expenses.....
Officials..... Steve Stahlman ^{67⁰⁰} Rich Buchholz ⁵⁵ \$ 122⁰⁰

Other \$ _____

..... \$ _____

..... \$ _____

..... \$ _____

Total Expenses..... \$ 352-

Less Net Receipts From Reverse Side..... \$ 1401-

Event Net..... \$ 1049-

Daniel V. Bredeson
Principal SKS

[Signature]
Superintendent

A

FENNIMORE COMMUNITY SCHOOLS
School Activities Report

Date 10/23/09

Activity: _____	Football _____	Track _____
<u>X</u> _____	Volleyball <u>Reg vs I-G</u>	Softball _____
_____	Cross Country _____	Golf _____
_____	Basketball _____	Tournament _____
_____	Gymnastics _____	Class Activity _____
_____	Wrestling _____	Prom _____
_____	Baseball _____	Other _____

Students & Adults

Tickets: Final Number _____
 Less _____
 First Number _____

257 Total Tickets @ 4.00 \$ 1028.⁵⁰

Total Ticket Sales* \$ 1028.00

Gross Receipts (Total Cash) \$ 1328.00

Over \$ _____

Less Advancement \$ 200 -

Short \$ _____

NET RECEIPTS* \$ 1028.00

*These amounts should match

FENNIMORE COMMUNITY SCHOOLS
School Activities Report

Date 10/23/09

Activity: _____	Football _____	Track _____
<u>X</u> _____	Volleyball <u>Reg vs IG</u>	Softball _____
_____	Cross Country _____	Golf _____
_____	Basketball _____	Tournament _____
_____	Gymnastics _____	Class Activity _____
_____	Wrestling _____	Prom _____
_____	Baseball _____	Other _____

Students & Adults

Tickets: Final Number _____
Less _____
First Number _____

93 Total Tickets @ \$4.00 \$ 372⁰⁰

Total Ticket Sales* \$ 372⁰⁰

Gross Receipts (Total Cash) \$ 623⁰⁰

Over \$ 1⁰⁰

Less Advancement \$ 250-

Short \$ _____

NET RECEIPTS* \$ 373-

*These amounts should match

FENNIMORE COMMUNITY SCHOOLS
School Activities Report

Activity _____

Date _____

Assignments

\$20.00 – List per Contract (p. 23 – Teacher Assignments) - Group A to include Elementary Noon Duty.

\$25.50 – List per Contract (p. 23 Teacher Assignments) - Group B

\$62.00 – Full Day Assignments (Exceeds five hours) - Do not include individuals employed as coach or director of an activity. Include hours worked.

\$120.00 or \$240.00 – List per Contract (p. 23 Teacher Assignments) – Group C

Worker	Assignment	Pay	Worker	Assignment	Pay
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Total Work Costs \$ _____

Other Expenses

Officials.....\$ _____

Other\$ _____

\$ _____

\$ _____

\$ _____

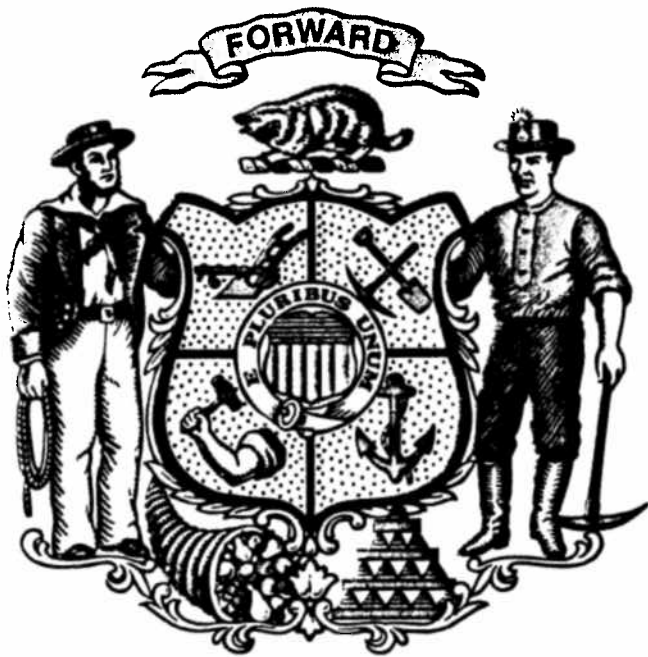
Total Expenses.....\$ _____

Less Net Receipts From Reverse Side.....\$ _____

Event Net.....\$ _____

Principal

Superintendent



#12432

WISCONSIN INTERSCHOLASTIC ATHLETIC ASSOCIATION

FENNI 001 FENNIMORE HIGH SCHOOL Check Date: 12/02/2009 Check Number: 84252

Invoice Nbr	Description	P.O. Nbr	Gross Amt	Net Amt
CR COUNTRY	ST TRAVEL ALLOWANCE	0	245.60	245.60
LEVEL 1 FOOTBALL	TRAVEL REIMBURSEMENT	0	417.00	417.00
LEVEL 3 FOOTBALL	TRAVEL REIMBURSEMENT	0	533.00	533.00

Vendor Total 1,195.60

AB 520?
Date ?

FAMWISCONSIN INTERSCHOLASTIC ATHLETIC ASSOCIATION

FAMWISCONSIN INTERSCHOLASTIC ATHLETIC ASSOCIATION Check Number: 84252

Invoice Nbr	Description	P.O. Nbr	Gross Amt	Net Amt
CR COUNTRY	ST TRAVEL ALLOWANCE	0	245.60	245.60
LEVEL 1 FOOTBALL	TRAVEL REIMBURSEMENT	0	417.00	417.00
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Vendor Total 1,195.60





Vol. 85
Issue Number 9

WIAA BULLETIN

Official Publication of the
Wisconsin Interscholastic Athletic Association

Stevens Point, WI

May 8, 2009

Charter
Member
National
Federation of
State HS
Associations



2009 Board of Control and Advisory Council Election Results

The results of the recently completed Board of Control and Advisory Council elections are as follows:

BOARD OF CONTROL

District 2: Terry Reynolds, Pittsville - Elected to a three-year term, expiring after the June 2012 meeting.

District 5: Ted Evans, Mineral Point - Elected to a three-year term, expiring after the June 2012 meeting.

Gender At-Large: Mary Pfeiffer, Green Bay - Re-elected to a three-year term, expiring after the June 2012 meeting.

Non-Public School At-Large: Carl Elsmar, Martin Luther - Re-elected to a three-year term, expiring after the June 2012 meeting.

ADVISORY COUNCIL

Large Schools: Mike Devine, Stevens Point and Eric Burling, Burlington - Devine re-elected and Burling elected to three-year terms, expiring after the June 2012 meeting.

Medium Schools: Todd Fischer, Oaseo-Fairchild - Re-elected to a three-year term, expiring after the June 2012 meeting.

Small Schools: Brad Ayer, Clear Lake and Bill Perry, Gilmanton - Elected to three-year terms expiring after the June 2012 meeting.

Gender At-Large: Beth Starnig, Oak Creek - Re-elected to a three-year term, expiring after the June 2012 meeting.

Non-Public School At-Large: Ted Knutson, Aquinas - Elected to a three-year term, expiring after the June 2012 meeting. +

Positions on Sportsmanship Committee Available

The Wisconsin Interscholastic Athletic Association is accepting names of individuals interested in serving a three-year, once-renewable term on the Sportsmanship Committee, beginning this fall.

The Sportsmanship Committee, which was established in 1977, meets annually to advise the membership on developing policies and initiatives to enhance and promote sportsmanship at all interscholastic athletic events. Other committee responsibilities include planning and managing the Sportsmanship Summit. The Sportsmanship Committee meetings are scheduled early in May each year.

The committee is comprised of administrators from schools representing small, medium and large school districts from various geographic locations in the state. A term of three years was implemented in 2001 with an option for a maximum of two successive terms on the committee.

In addition to the three new members of the committee, serving on the 2008-09 committee are Lee Ann Coming at Milwaukee Madison High School; Brian Smith, Athletic Director at Waunakee High School; Scott Winch, District Administrator at Stratford High School; Scott Swenty, Principal at Tomahawk High School; Jeffery Krull, Associate Principal at Adams-Friendship High School; Gene Spindler, Athletic Director at Menasha High School; Paul Mirman, Officials Representative and Linda Schrage, Representative from the Wisconsin Association of Cheer and Pom Coaches.

Any athletic director or school administrator interested in serving on the committee should submit a letter of interest to Todd Clark at the WIAA by fax (715) 344-4241 or by e-mail (tclark@wiaa.org). The deadline for expressed interest in serving on the committee is June 1, 2009. +

Middle Level Council Openings

Openings on the WIAA Middle Level Advisory Council still exist in the following positions for the 2009-10 school year. District 1 representative, Ethnic At-Large representative and Non-Public School At-Large representative.

The Middle Level Council includes a representative from each Board of Control District, an ethnic at-large, gender at-large, and a non-public school at-large representative along with liaison representation made available to the Department of Public Instruction, Wisconsin Association of Middle Level Educators, Wisconsin Athletic Directors Association and the Wisconsin Athletic Trainers Association.

For the Ethnic At-Large position the candidate would have to have origins in black racial groups of Africa; Mexican, Puerto Rican, Cuban, Central or South American or other

Spanish culture or origin, regardless of race; Asian; Pacific Islander: American Indian; or Alaskan Native.

Membership on the Council is open to administrators, or building administrators and/or athletic directors of WIAA member middle level schools containing Grades 6-8 students (or any combination thereof).

An election does not take place for Middle Level Council representatives. A listing of interested candidates is provided to the Board of Control who then appoints an individual to fill the position. The position is for a three-year term.

This Council meets three times a year. For more information on this Council or if you are interested in filling one of these vacant positions, please contact Joan Gralla at the WIAA office. +

IMPORTANT Tournament Series Information & Reminders

REPORTING SCORES TO THE WIAA

The WIAA needs the assistance and cooperation from participating schools and host managers to provide timely, accurate and complete information for tournament programs and website updates.

In addition, the WIAA will again be collecting scores for all team sports and posting results on the WIAA website each night of regional and sectional competition. Tournament host managers must report scores within 20 minutes following the conclusion of the game.

Please report the score by calling (715) 344-8586 and selecting the respective sport's score-reporting voice box if someone does not answer.

SUBMITTING STATE TOURNAMENT PROGRAM INFORMATION

Schools advancing teams to the sectional level of the Tournament Series are required to submit a team photo, roster, school facts, results and up-to-date statistics to the WIAA.

Again this year, the WIAA will be requiring schools to use the WIAA Statistics Template to submit team and individual statistics and rosters. The rich text formatted template can be downloaded from the WIAA website on each team sport's home page. Click on the link named "98 Word Statistics Template" and "98 Word Roster Template" and complete the form by using established tabs to navigate to the appropriate columns.

Completed templates must be emailed to the WIAA by specified deadline. Please email statistics, rosters and photos to: Lisa Gages at lgages@wiaa.org. Faxed statistics and rosters in various formats will not be accepted. Information must be submitted in the prescribed format to be included in the State Tournament Program. Athletic directors and coaches are asked to make plans now to provide information in a timely manner.

Photos sent electronically must be scanned at 300 dpi, no larger than 5" X 7" and saved as a jpeg file for the tournament program. Please do not put the photo into a word document - email the jpeg file of the photo by itself. +

WIAA Membership Approves Changes to Constitution; Rules of Eligibility

The Wisconsin Interscholastic Athletic Association membership voted to pass four amendments and make three editorial revisions to the Constitution, Bylaws and Rules of Eligibility at its 114th Annual Meeting held today in Stevens Point.

In his final State of the Association address, Doug Chickering thanked all those that have contributed to the success of the Association during his tenure as executive director. He will be retiring July 31 after more than 23 years as executive director.

"I've had a great ride, and I'm fortunate," he said. "I leave with a sense of satisfaction, but also with a much larger appreciation and awareness of the skills and commitment of those who allowed me to be successful. Thanks to all of you. I close with a pledge that I will never say good-bye but simply say 'see you

See Annual Meeting, page 3 ▶

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Websites < http://www.wiaa.org >

email < info@wiaa.org > General Use < refs@wiaa.org > Officials Department

Included with the AB 520? testimony materials (entire issue)
no articles were marked.



WIAA BULLETIN

Vol. 86
Issue Number 3

Official Publication of the
Wisconsin Interscholastic Athletic Association

Stevens Point, WI

October 23, 2009

Charter
Member
National
Federation of
State HS
Associations



Board of Control Approves Spring Sports Changes and 2009-2010 Budget

Dyer to Return to Board; Divisional Football Proposal to Receive Further Consideration

STEVENS POINT, Wis. - The Wisconsin Interscholastic Athletic Association Board of Control approved a number of recommendations that will impact spring sports and authorized the 2009-10 operational budget at its monthly meeting here Friday.

In track and field, the Board approved details for the wheelchair competition in 2010. Wheelchair athletes will compete with other wheelchair competitors in one division with separate events for each gender. Participation in sectionals with an official time or mark will be required to advance to the State Meet in the 100-, 400-, 800- and 1,600-meter runs or the shot put.

Other approved track recommendations include advancing the top 10 competitors to the finals in all events at the State Track & Field meet, requiring all pole vault helmets to be ASTM certified by 2014, mandating NFHS procedures for starting all races and approval of the 2010 State Meet time schedule.

A significant change increasing the pitching distance in softball for the 2010 season was approved by the Board. The distance from the pitching rubber to home plate will be extended to 43 feet, three feet further than the traditional distance. The Board also supported a recommendation to allow the use of the international tie-breaking procedure for all non-WIAA tournament games when mutually agreed upon. The

rule places a runner at second base to start an inning when a game advances into extra innings. In addition, the higher seeded team in Division 1 will host the sectional semi-finals beginning in 2010.

Approval was granted for a pair of baseball recommendations. One results in the seeding of complete sectionals in Division 1, similar to that of other sports, and the second adds a third four-person umpiring crew to the State Spring Baseball Tournament.

Jim Dyer, president of the Stevens Point Area Catholic Schools, was appointed as the nonpublic at-large representative to the Board beginning in December. He replaces Carl Eisman, who is no longer eligible to serve on the Board. Dyer was a member of the Board from 2000-06, including a year as president in 2005-06 while at Pius XI in Milwaukee.

The Board gave its approval of the 2009-10 zero-based, operations budget of \$7.9 million. The budget reflects a growth in projected income from an increase in regional soccer, lower level football playoff and State Track & Field ticket prices, as well as State

Tournament sponsorships and royalties. It also reflects an increase in expenses, including the cost of shipping, insurance premiums, printing, rule books, legal fees, capital expenditures, building maintenance and the anticipated move to the Kohl Center for the State Girls Basketball Tournament.

The Board also authorized the staff to continue further study and refinement of the divisional football proposal for possible implementation in 2010. Final determination of the plan is scheduled for the Board meeting on Jan. 27, 2010, after review by the Football Coaches Committee, Sports Advisory Committee and the Advisory Council. The Board will discuss the five division rural/urban basketball proposal at its December meeting.

In other discussions, the Board received updates on the Association's policy and application of school closures resulting from an outbreak of contagious and infectious diseases and viruses. The Board also reviewed the potential Constitutional amendments for membership vote at the Annual Meeting next April, as well as Executive Staff reports on interpretations of multi-sport athlete ejections during the same season and a verification process for schools required to educate students on the harmful effects of using performance enhancing substances. +



Jim Dyer

IMPORTANT Tournament Series Information & Reminders

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Photos sent electronically must be scanned at 300 dpi, no larger than 5" X 7" and saved as a jpeg file for the tournament program. Please do not put the photo into a word document - email the jpeg file of the photo by itself. +

2009 Advisory Council Special Election Results

The results of the recently completed Advisory Council special elections are as follows:

Large Schools: Corey Baumgartner, Kaukauna - Elected to a two-year term expiring after the June 2011 meeting.



Corey Baumgartner



Mike Gosz



Eric Russell

Mike Gosz, Hamilton - Elected to a one-year term expiring after the June 2010 meeting.

Medium Schools: Eric Russell, Baldwin-Woodville - Elected to a one-year term, expiring after the June 2010 meeting. +

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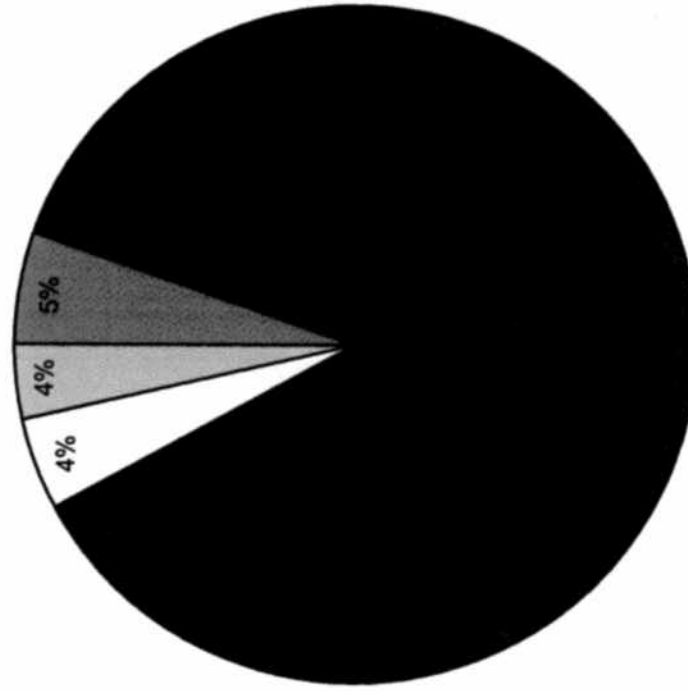
Website < <http://www.wiaa.wi.org> > email < info@wiaa.wi.org > General Use - < refs@wiaa.wi.org > Officials Department

Included with the AB 520? testimony materials (entire issue)
→ NO articles were marked.



Wis. Interscholastic Athletic Association

2009 Operating Revenue Sources



- Membership Dues
- Tournaments
- Officials' Registration
- Miscellaneous

AB 520?
Date ? ?