



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5300/1
FFK:amn

2019 SENATE BILL 705

January 24, 2020 - Introduced by Senators PETROWSKI, NASS and KAPENGA, cosponsored by Representatives ALLEN, KULP, BRANDTJEN, DUCHOW, EDMING, MAGNAFICI, MURSAU, PRONSCHINSKE, RAMTHUN, THIESFELDT, WICHGERS, GUNDRUM, SKOWRONSKI, BALLWEG and FELZKOWSKI. Referred to Committee on Education.

1 **AN ACT to amend** 118.133 (1) (a), 118.133 (1) (b) and 118.133 (2); and **to create**
2 118.133 (1) (c) of the statutes; **relating to:** participation in interscholastic
3 athletics and extracurricular activities.

Analysis by the Legislative Reference Bureau

This bill allows a pupil who attends a virtual charter school to participate in interscholastic athletics and extracurricular activities in the pupil's resident school district. The bill also provides that school districts are not allowed to be members of an interscholastic athletic association unless the association requires school district members to allow homeschooled pupils and virtual charter school pupils residing in a school district to participate in school district athletics.

Under current law, a school board must allow a homeschooled pupil who resides in the school district to participate in interscholastic athletics and extracurricular activities. Current law further provides that a school board may charge a homeschooled pupil a participation fee on the same basis that the school board charges participation fees to pupils enrolled in the school district. This bill extends these provisions to pupils who attend a virtual charter school. Under the bill, a school board may charge a virtual charter school pupil a participation fee on the same basis it charges participation fees to pupils enrolled in the school district.

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For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 118.133 (1) (a) of the statutes is amended to read:

2 118.133 (1) (a) A school board shall permit a pupil who resides in the school
3 district and is enrolled in a home-based private educational program or a virtual
4 charter school to participate in interscholastic athletics in the school district on the
5 same basis and to the same extent that it permits pupils enrolled in the school district
6 to participate.

7 **SECTION 2.** 118.133 (1) (b) of the statutes is amended to read:

8 118.133 (1) (b) Upon request, the home-based educational program or virtual
9 charter school in which the pupil is enrolled shall provide the school board with a
10 written statement that the pupil meets the school board's requirements for
11 participation in interscholastic athletics based on age and academic and disciplinary
12 records. No person may provide a false statement under this paragraph. The school
13 board may not question the accuracy or validity of the statement or request
14 additional information.

15 **SECTION 3.** 118.133 (1) (c) of the statutes is created to read:

16 118.133 (1) (c) A school district may not be a member of an interscholastic
17 athletic association unless the interscholastic athletic association requires member
18 school districts to comply with par. (a).

19 **SECTION 4.** 118.133 (2) of the statutes is amended to read:

20 118.133 (2) **EXTRACURRICULAR ACTIVITIES.** A school board shall permit a pupil
21 who resides in the school district and is enrolled in a home-based private educational

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1 program or a virtual charter school to participate in extracurricular activities in the
2 school district on the same basis and to the same extent that it permits pupils
3 enrolled in the school district to participate.

4 **SECTION 5. Effective date.**

5 (1) This act takes effect on the July 1 after publication.

6 (END)