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**State of Wisconsin**  
**Office of the Governor**

March 26, 2021

The Honorable, the Senate:

I am vetoing **Senate Bill 39** in its entirety.

This bill allows a student who attends a virtual charter school in a nonresident school district to participate in interscholastic athletics and extracurricular activities in the student's resident school district.

I am vetoing this bill in its entirety because I object to undermining local decision-making by school boards regarding which students may participate in interscholastic athletics and other extracurricular activities. While a resident school district can enforce standards and expectations for its own students who participate in such activities, the resident school district would not be able to do the same for students of non-resident charter schools, as it would have no information regarding the pupil's school attendance or academic performance. The bill would therefore erode the distinction between education-based athletics and community recreation programs by holding students that attend their resident school district and students that attend a virtual charter school in another school district to possibly different academic, disciplinary, and attendance standards.

Furthermore, the bill ignores the funding difference of these pupils for a school district. While a resident school district does not pay an open enrollment payment for homeschooled students, it does pay one to a nonresident virtual charter school for any resident pupil that attends the charter school. Fees a resident school district might collect for interscholastic athletics and extracurricular activities are insufficient to cover the full cost of participation, particularly when you factor in such open enrollment payments.

Finally, in 2017, the member schools of the Wisconsin Interscholastic Athletic Association, a private, member-driven organization which is comprised of public and private schools, voted 52 to 334 against allowing a student attending a nonresident virtual charter school to be eligible in the student's district of residence.

Respectfully submitted,  
*TONY EVERS*  
Governor