

**TO:** All Legislators  
**FROM:** Senator John Jagler  
Representative Mike Kuglitsch  
**DATE:** May 17, 2021  
**RE:** LRB-3322 – WIAA Eligibility Waiver for Transfers During COVID

**DEADLINE: Friday, May 21<sup>st</sup> at 5pm**

### **Co-Sponsorship Memo**

In the midst of the COVID panic, many parents sought out alternative learning opportunities for their children. Those attending schools that were closed chose to find open classrooms that offered in-person learning opportunities. Now those parents and students are learning that athletic opportunities may be off the table for a year after they moved schools because of the transfer rules. The WIAA, with limited exceptions, requires a student athlete to sit out for one year after moving schools without physically moving addresses. While these restrictions may be necessary during normal times, student athletes should not be punished because their families sought the best learning opportunity possible during a crisis.

This bill would force the WIAA to consider the method which educational programming was offered as a justification for transferring. Essentially allowing an exemption to the transfer rules for families that sought alternate learning opportunities last year. This bill only affects the 2021-2022 school year.

#### ***Analysis by the Legislative Reference Bureau***

This bill prohibits a school district from being a member of an interscholastic athletic association in the 2021-22 school year unless, for the 2021-22 school year, the association allows an exception to the association's transfer rules based on the manner in which educational programming was delivered during the 2020-21 and 2021-22 school years. Specifically, under the bill, for purposes of eligibility for the 2021-22 school year, the interscholastic athletic association must consider the method by which educational programming was delivered during the 2020-21 or 2021-22 school year to be an extenuating circumstance that justifies transferring schools. Under the bill, the “method of delivering educational programming” includes virtual instruction, in-person instruction, and a combination of both virtual and in-person instruction. Additionally, if a waiver is granted based on the method of delivering educational programming in the 2020-21 or 2021-22 school year, the association must allow the pupil to play any level of athletics during the 2021-22 school year, including varsity athletics.

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