



# WISCONSIN LEGISLATURE

P.O. BOX 8952 • MADISON, WI 53708

May 19, 2020

Governor Tony Evers  
Wisconsin State Capitol

Secretary-Designee Andrea Palm  
Wisconsin Dept. of Health Services

Cc: State Superintendent Carolyn Stanford Taylor  
Wisconsin Dept. of Public Instruction

Dear Governor Evers and Secretary-Designee Palm,

Thank you for taking the time to read my latest communication to your offices regarding a very important pressing issue for thousands of Wisconsin children. I have previously communicated with the Governor's office through the legislative liaison asking for guidance to be given for the possibility or pathway for summer youth sports to begin in our state.

Summer youth sports programs, whether organized through municipal recreation programs or independent organizations dedicated to youth sports, have long been an important part of Wisconsin's summer scene. As you know, athletic fields and gymnasiums are frequently filled with children engaging in healthy athletic activities and competition during summer months. These avenues of exercise are an invaluable source of family activity, community engagement, and life lessons for our youth. It is also an avenue to keep our children motivated and actively engaged during the summer months, where oftentimes idleness leads to negative actions. These activities are also an important economic activity for restaurants, hotels, and many varied state attractions.

Certainly there continues to be COVID-related concern for the safety of events that involve the gathering of crowds traveling from varying locations, as well as the proximal spacing and physical contact that is often an integral part of athletic competition. Senator Roth and I have been communicating with the directors of dozens of youth sports programs that are mindful of the immediate challenges to the safe operation of their programs, and also the necessity to instill confidence with the families with whom they work. They have expressed to us an appreciation for the wealth of helpful information that has been provided to them by state and county health departments.

Many of these programs rely upon rental of athletic facilities owned by school districts, private schools, and colleges to conduct training sessions, league schedules and tournaments. As you know, access to these types of facilities has been unavailable due to state-imposed emergency restrictions of school properties since early March.

The May 14 Wisconsin Supreme Court decision in Wisconsin Legislature v. Palm has removed the state-imposed restrictions across the state, but left in place section **4a. Schools.** of Department of Health Services (DHS) Emergency Order #28, which reads as follows:

*Public and private K-12 schools shall remain closed for pupil instruction and extracurricular activities for the remainder of the 2019-2020 school year.*

Therefore, K-12 schools in Wisconsin, public and private, remain closed until at least June 30, the end of the calendar school year. This date is too late in the summer to provide a meaningful experience and value. As a result of the court decision, youth sports organizations do now have access to college or other non-school facilities, but this availability is not nearly sufficient to provide for the volume of their needs. We are confident that if privately-owned, non-school facilities are able to convince parents that youth programs can safely operate within their facilities in the coming months, equivalent programs requiring the use of school buildings will be able to do so as well.

These directors of youth sports programs from all around the state take seriously the health of the athletes that choose to participate in their programs. They believe that the benefits provided by youth sports activity outweigh the current risks imposed by COVID-19. None are indifferent to sickness and death of others from disease, and these directors are dedicated to building strong bodies and minds through their programs. They are not opposed to restrictions due to the virus, but the restrictions must be proportionate to the documented danger and its prevalence.

Using the wealth of readily available advice on necessary hygienic practices, the directors of these programs have collaborated to create a detailed, comprehensive mitigation plan for their activities that can be applied across a wide spectrum of venues and athletic activities. This plan, labeled *Wisconsin Smart Start* (<https://blaze365.com/wp-content/uploads/2020/05/Wisconsin-SMART-Start-v3.pdf>), has been provided for you along with this letter. *Wisconsin Smart Start* has been created with the assistance of the Ohio Department of Health's *Responsible Restart Ohio Sports Leagues Advisory Group*.

As schools grapple with their plans for both curricular and extracurricular athletics for the 2020-21 school year, many questions remain and potential solutions remain untested. Allowing the summer youth programs the opportunity to operate in K-12 facilities offers an opportunity to create a blueprint for schools to implement for mid-August annual extracurricular training sessions to begin. This will give schools evidence-based

practices that will provide confidence to families concerned about the safety of their children's participation in 2020-21 extracurricular athletic programs.

The sports program directors request that you examine their proposal with the goal in mind to allow these young people the opportunity to play. They are ready and willing to entertain any additional ideas you may offer, but time is of the essence, because training sessions would need to begin soon.

We are impressed with the work that has been put forth by this consortium of directors. We believe that they have provided you with a reasonable proposal that allows these beneficial activities to commence safely for spectators, officials, and athletes alike. We trust that you understand the urgency of the time frame for the directors. In order to begin team activities by no earlier than the beginning of June, it will be necessary for us to begin planning immediately.

On behalf of the sports directors listed within the *Smart Start* proposal, we respectfully ask that you provide them with clear guidance as to the viability of proceeding with their plans. An affirmative declaration would necessitate the DHS to rescind the use restrictions currently placed on K-12 school athletic facilities through Emergency Order #28, so that rentals are possible for 2020 summer youth athletic programs.

Senator Roth and I respectfully request to hear a response from you by Friday, May 22. I would be happy to answer any questions you may have, and I may be contacted through the 52nd District office.

Sincerely,



Rep. Jeremy Thiesfeldt  
Wisconsin State Assembly  
52nd District



Sen. Roger Roth  
Wisconsin State Senate  
19th District