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May 5, 2026

Stephanie Hauser, Executive Director
Mel Dow, Associate Director
Wisconsin Interscholastic Athletic Association
5516 Vern Holmes Drive
Stevens Point, WI 54482-8833

VIA EMAIL

Re: Illegal Race-Based and Sex-Based Discrimination by the Wisconsin Interscholastic Athletic Association

Dear Ms. Hauser and Mr. Dow,

The Wisconsin Institute for Law & Liberty (WILL) is a nonprofit organization dedicated to advancing the public interest in the rule of law, individual liberty, and constitutional government. As part of that work, WILL is committed to promoting equality under the law, including by eliminating unlawful race discrimination and sex discrimination occurring under the guise of "diversity."

In accordance with its mission, WILL is alerting you to several ongoing civil-rights violations by the Wisconsin Interscholastic Athletic Association (WIAA). Such violations—illegal race and sex-based quotas on governing boards—subject the WIAA to significant liability and may threaten the WIAA's tax-exempt status as a 501(c)(3) organization.

We demand that the WIAA reform its practices and remedy these violations immediately.

I. The WIAA is the Sole Organizer of Wisconsin High School Athletics as a De Facto Wisconsin State Agency.

The WIAA is a private association and 501(c)(3) nonprofit organization that serves as the sole gatekeeper to high school athletics within the State of Wisconsin. Virtually every public high school in Wisconsin belongs to the WIAA, accounting for approximately 80 percent of its 514 total member schools,[1] with an estimated 85,000-90,000 Wisconsin high school students participating in interscholastic athletics.[2] In fact, the WIAA is so inextricably intertwined with the Wisconsin educational system

[1] *See Membership Conducts 130th Annual Meeting; Passes Two Amendments*, WIAA (Apr. 24, 2026), available here.
[2] *See WIAA Partnerships*, WIAA (last accessed Apr. 28, 2026), available here.

that the Wisconsin Department of Public Instruction (DPI) publicly characterizes the WIAA as "*the regulatory agency* for all high school sports in Wisconsin."[3]

The stated purposes of the WIAA include to "organize, develop, and control" an interscholastic athletic program in Wisconsin and to "emphasize interscholastic athletics . . . in the total education process, and to formulate and maintain policies that will cultivate the high ideals of good citizenship and sportsmanship."[4] The WIAA appears to have generated[5] nearly 13 million dollars in revenue in the most recent fiscal year,[6] with most of its revenue generated through its tournament admissions.[7]

The 11-member Board of Control serves as the WIAA's ultimate governing body.[8] The sweeping authority of the Board of Control "includes the general control over all activity and persons involved with the official school teams in any sponsored sport by the WIAA."[9] The Board of Control also "has sole authority to interpret the provisions of the WIAA Constitution, Bylaws and Rules of Eligibility, and any other regulations that are adopted."[10] On April 24, 2026, the Board of Control's power was expanded to include "the power of decision-making" for "matters within the Constitution, Bylaws, Rules of Eligibility, and sport-specific regulations," no longer requiring prior approval by a separate Advisory Council.[11] Several other WIAA Councils and Committees (hereinafter, collectively with the Board of Control, "Boards" led by "Board Leadership") advise the Board of Control on WIAA policies impacting tens of thousands of Wisconsin high school student-athletes.[12]

II. The WIAA Imposes Race-Based and Sex-Based Quotas in Determining Board Leadership Eligibility.

Despite its stated commitments to enhance the "total education process" and "cultivate the high ideal[] of good citizenship," the WIAA is engaging in race-based and sex-based discrimination through imposing "quotas" in its Board Leadership.

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[3] *Athletic Conference*, WIS. DEP'T OF PUB. INSTRUCTION (last accessed Apr. 28, 2026), available here (emphasis added).
[4] *What is WIAA?*, WIAA (last accessed Apr. 28, 2026), available here.
[5] While IRS guidance instructs that exempt organizations "must make available for public inspection its annual information return (e.g., Form 990, Form 990-EZ)," such forms were not found on the WIAA website, prompting reliance on third-party online sources. *See infra*, n. 6; *see also Public disclosure and availability of exempt organization returns and applications: Public disclosure overview*, IRS (last accessed Apr. 29, 2026), available here.
[6] *See Form 990, Wisconsin Interscholastic Athletic Association*, PROPUBLICA.ORG (last accessed Apr. 29, 2026), available here.
[7] *See WIAA Partnerships*, WIAA (last accessed Apr. 29, 2026), available here.
[8] *Introduction to WIAA*, 2024-25 Senior High Handbook at 3, WIAA (updated May 12, 2025), available here (hereinafter "WIAA Handbook"); *see also* Article V, Section 1, *WIAA Constitution*, WIAA Handbook (hereinafter "WIAA Constitution" when distinct from other portion of WIAA Handbook).
[9] *Board of Control*, WIAA (last accessed Apr. 29, 2026), available here.
[10] *See id*.
[11] *See supra*, n. 1.
[12] *See Governing Structure*, WIAA (last accessed Apr. 29, 2026), available here.

The Board of Control consists of 11 individuals elected by member schools, with 10 of those 11 coming from area member schools. The WIAA requires that one of those 10 individuals serve explicitly as an "at-large gender representative" and another to serve as an "at-large ethnic minority representative."[13] Specifically, as to gender, "[o]ne of the ten members shall be an at-large representative of whichever gender has fewer memberships at the election announcement date for this position."[14] As to race, "[o]ne of the ten members shall be an at-large representative of ethnic minority origin as defined in the following note"[15]:

> **Note: A person having 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.**

By enforcing quotas to determine Board of Control eligibility, the WIAA is intentionally discriminating against interested prospective leaders by disqualifying them solely because of their race or sex. These quotas are not confined to the Board of Control, but permeate Board Leadership more generally, including in the:

- ***WIAA's Advisory Council***, which advises the Board of Control in formulating various WIAA aims and policies.
    - The Advisory Council consists of 18 school administrators and requires one "at-large representative of whichever gender has fewer memberships at the election announcement date for this position" and one "at-large representative of an ethic minority."[16]
- ***WIAA's Middle Level Council***, which advises the Board of Control on athletic policies for grades 6-8 and liaises with the DPI and other Wisconsin associations.
    - The Middle Level Council consists of 10 members and requires one "at-large representative of whichever gender has fewer memberships at the declaration date for this position" and one "at-large representative of ethnic minority origin."[17]
- ***WIAA's Officials Advisory Committee***, which consists of 15 game and meet officials and reviews all matters relating to officiating.[18]
    - The Officials Advisory Committee designates a "gender minority at-large representative" and an "ethnic minority at-large representative,"[19] which do not appear to be defined in the WIAA Handbook or otherwise.

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[13] *See supra*, n. 9.
[14] *See* Article V, Section 1.A.1, WIAA Constitution.
[15] *See id*.
[16] *See* Article VII, Section I.A.4-5, WIAA Constitution. The "ethnic minority" definition appears identical to the bolded definition provided earlier as to the Board of Control. *See supra*, n. 15.
[17] *See* Article X, Section 1.A, WIAA Constitution; The "ethnic minority origin" definition appears identical to the bolded definition provided earlier as to the Board of Control. *See supra*, n. 15.
[18] *Officials Advisory Committee*, WIAA (last accessed Apr. 28, 2026), available here.
[19] *See* WIAA Committees, WIAA Handbook at 7.

DPI and the WIAA justify the WIAA's race-based and sex-based quotas in the name of "equity" and through a profound misunderstanding of state and federal law. At the outset of a jointly published handbook, DPI and the WIAA state: "**The intent of most civil rights laws is to ensure equitable treatment for minority groups and individuals who have been subject to discrimination**."[20]

That is most certainly *not* the intent of civil-rights laws. Under the principles embodied in the Civil Rights Act of 1964, which are also embodied in the Fourteenth Amendment and 42 U.S.C. § 1983, "it is never permissible 'to say "yes" to one person . . . but to say "no" to another person' even in part 'because of the color of his skin.'"[21] While *in theory*, promoting "equitable treatment" may sound admirable, *in practice* it means imposing sex-based and race-based quotas for what the WIAA defines as a minority to force a particular outcome.[22] Forced "equity" via quotas violates civil-rights laws prohibiting preferential treatment due to race or sex, as explained further below.

III. The WIAA's Race-Based and Sex-Based Quotas Violate both Federal and State Law, as well as Jeopardize Its Status as a Tax-Exempt 501 (c)(3) Entity. As a State Actor, the WIAA Also Subjects itself to Equal Protection Claims.

The WIAA holds itself out to be a private nonprofit organization, operating since 1937 as a tax-exempt entity.[23] To qualify for tax-exempt 501(c)(3) status, organizations must operate exclusively for religious, charitable, scientific, testing for public safety, literary, prevention of cruelty, or educational purposes.[24] In operating exclusively for such purposes, organizations may not engage in any activities that are "illegal or violate established public policy," as such activities fail to "be in harmony with the public interest."[25]

Engaging in race-based discrimination has long been recognized by the U.S. Supreme Court to be illegal—not to mention violate established public policy. In *Brown v. Board of Education*, the Court "declar[ed] the fundamental principle that racial discrimination in public education is unconstitutional," overturning the

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[20] *The Pupil Nondiscrimination Guidelines for Athletics* at 1, WIS. DEP'T OF PUB. INSTRUCTION & WIAA (last accessed May 1, 2026), available here.
[21] *See Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 310 (2023) (Gorsuch, J., concurring) (citation omitted).
[22] Note that WIAA's definition of "ethnic minority" allows for outcomes that many would likely find arbitrary. For example, according to the WIAA, a "person of Spanish culture and origin, regardless of race," is sufficiently an "ethnic minority." Thus, while a white individual of Spanish origin may be eligible for the position, a white individual of another European origin may not.
[23] *See supra*, n. 6.
[24] *See* 26 C.F.R. § 1.501(c)(3)-1(d)(1)(i).
[25] *Bob Jones Univ. v. United States*, 461 U.S. 574, 591-92 (1983).

"separate but equal" principle of *Plessy v. Ferguson* "for good."[26] Put differently, "[t]he time for making distinctions based on race had passed."[27]

So too for institutions operating as nonprofits. For example, in *Bob Jones University v. United States*, the IRS denied tax-exempt status to an educational institution because of its illegal, race-based discriminatory practices.[28] In doing so, the Court recited the long history of nondiscrimination statutes passed by Congress aimed at the "eradication of racial discrimination."[29] The Court reasoned that organizations that "practice racial discrimination" should not be "encouraged by having all taxpayers share in their support by way of special tax status."[30] Notably, just last year, a prominent, national 501(c)(3) organization voluntarily announced that it was terminating its race-based discriminatory practices (there, in the form of race-based scholarships),[31] days after an organization filed a formal complaint with the IRS requesting an investigation into these illegal activities.[32]

The prohibition on race-based discrimination in the education realm was reaffirmed just three terms ago in *Students for Fair Admissions, Inc. v. Harvard ("SFFA")*, in which the Court ruled that an admission process discriminating against white or Asian applicants in favor of "underrepresented" minority applicants violated the Equal Protection Clause of the Fourteenth Amendment.[33] In its reasoning, the Court explained that our nation's policy of equality is "universal in its application" and applies "without regard to any differences of race, of color, or of nationality."[34] Put more succinctly: "Eliminating racial discrimination means eliminating all of it."[35] This principle applies equally to government and non-governmental actors.[36]

All forms of race discrimination and sex discrimination are prohibited in the United States, both under federal and state constitutional law and by statute. Title VI and Title VII of the Civil Rights Act of 1964 prohibit discrimination on account of race, and Title IX prohibits discrimination on the basis of sex in educational programs. Multiple Wisconsin state laws prohibit race and sex discrimination.[37] The WIAA itself

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[26] *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll. ("SFFA")*, 600 U.S. 181, 203-04 (2023) (quoting *Brown v. Board of Education*, 349 U.S. 294, 298 (1955)).
[27] *See SFFA*, 600 U.S. at 204.
[28] 461 U.S. 574 (1983).
[29] *See id*. at 594.
[30] *See id*. at 595.
[31] Edward Blum, *Gates Foundation Gives In and Stops Discriminating by Race*, WALL ST. J. (Apr. 13, 2025), available here.
[32] *See American Alliance for Equal Rights Files Request to IRS to Examine Racial Practices at Three Tax-Exempt Foundations: Gates Foundation, Lagrant Foundation and Creative Capital Foundation*, AM. ALL. FOR EQUAL RIGHTS (Apr. 1, 2025), available here.
[33] 600 U.S. 181 (2023).
[34] *Id.* at 206 (internal quotations and alterations omitted).
[35] *See id*. at 206.
[36] *See id*. at 205-06.
[37] *See, e.g.*, Wis. Stat. § 111.321; Wis. Stat. § 118.13 (prohibiting sex and race discrimination in public schools).

acknowledges this—co-publishing online with DPI its 80-page guide on federal and state discrimination laws and policies, including those specific to race and sex,[38] and linking to the U.S. Department of Justice Title IX manual.[39]

Organizations that are "state actors" not only face liability for violating these laws, but may be subject to additional liability for violating 42 U.S.C. § 1983 and the Equal Protection Clause of the Fourteenth Amendment. As you may know, the U.S. Supreme Court has held that organizations may be deemed a state actor when evidence shows "such a close nexus between the State and the challenged action that seemingly private behavior may be fairly treated as that of the State itself."[40] In that case, *Brentwood Academy v. Tennessee Secondary School Athletic Association*, the U.S. Supreme Court concluded that the plaintiff sufficiently established that a nonprofit athletic association regulating Tennessee interscholastic sports was a state actor.[41] As a few examples of facts the Court found persuasive, over 80 percent of the voting members were public schools, its Board of Control members were leaders of member schools, the state endorsed student participation in association-sponsored athletics as a substitute for physical education requirements, and the association generated most of its revenue from charging admission at tournaments—thus receiving money not directly from schools, but "enjoy[ing] the schools' moneymaking capacity as its own."[42]

The Tennessee association in *Brentwood* and the WIAA are nearly identical. For example, as noted above, the state government itself holds the WIAA out to be "the regulatory agency for all high school sports in Wisconsin."[43] Like in *Brentwood*, 80 percent of WIAA members are public high schools. Like in *Brentwood*, most Board of Control members are also leaders of member public schools. Like in *Brentwood*, participation in WIAA-sponsored athletics appears to serve as a substitute for physical education requirements.[44] Finally, the WIAA states that it receives the vast majority—85%—of its funding from tournament revenue.[45] Thus, like in *Brentwood*, the WIAA "enjoys the schools' moneymaking capacity as its own."[46]

Due to these parallels, both federal and Wisconsin state courts have indicated that the WIAA may be classified as a state actor. Fifteen years ago, in a case in which

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[38] *See generally supra, n. 20.*
[39] *Nondiscrimination & Gender Equity*, WIAA (last accessed May 1, 2026), available here.
[40] *Brentwood Acad. v. Tenn. Secondary Sch. Athletic Ass'n*, 531 U.S. 288, 295 (2001) (internal quotations omitted).
[41] *See id*. at 302.
[42] *See id*. at 299.
[43] *See supra*, n. 3.
[44] While this policy does not appear to be prominently featured on the WIAA website, multiple school districts refer to a policy by which students who actively participate in and complete 95% of a WIAA-sanctioned sport season may complete an additional 0.5 credit in an academic course, in lieu of the final 0.5 credit of their physical education course requirement. *See, e.g.*, *2025-2026 WIAA PE Credit*, Hartford Union High Sch. Dist. (last accessed Apr. 26, 2026), available here; *WIAA Participation and PE Credit*, Eisenhower Middle/High Sch. (last accessed Apr. 26, 2026), available here.
[45] *Myth vs. Fact*, WIAA (last accessed Apr. 30, 2026), available here.
[46] *See Brentwood*, 531 U.S. at 299.

the WIAA stipulated for purposes of the case that it was a state actor, the U.S. Court of Appeals for the Seventh Circuit observed: "We note that in other cases where courts had to decide if similar organizations [to the WIAA] were state actors, the answer has been yes."[47] More recently, in *Halter v. WIAA*, the Wisconsin court of appeals explicitly concluded that under *Brentwood Academy*, the WIAA is a state actor.[48] Quoting *Brentwood Academy* and noting the many parallels between the Tennessee association and the WIAA, the court concluded that the WIAA was a state actor, since "for all practical purposes, Wisconsin public high schools have outsourced athletic programing and competitions to WIAA by making that association's rules and programs their own."[49] Taken together, while the WIAA's race-based and sex-based quotas are illegal regardless, operating as a state actor opens the WIAA up to claims under the Equal Protection Clause of the Fourteenth Amendment as well.

To be sure, there are limited exceptions to what otherwise may be deemed race or sex discrimination—but these must survive robust levels of scrutiny. In the race context, under the well-established doctrine of strict scrutiny, the government must first demonstrate that the classification "further[s] compelling governmental interests."[50] If so, the government then must demonstrate that its action is "narrowly tailored"—or "necessary"—to vindicate that interest.[51] However, the WIAA does not appear to have publicly articulated any particular use for its race-based quotas.

There are only two compelling interests justifying race discrimination: (1) remediating prison riots, and (2) "remediating specific, identified instances of past discrimination that violated the Constitution or a statute."[52] Of course the first interest is irrelevant, but the WIAA has never claimed that its racial board quotas remedy some past identifiable race discrimination. If you have such an interest, such as a past incident where WIAA staff intentionally discriminated based on race, please let us know.

Even if the WIAA could make such a showing, the racial quotas would still fail under the remaining independent tests in *SFFA*. First, the WIAA's racial categories are precisely the same type of arbitrary, "underinclusive," and "opaque racial categories" the Court found insufficient in *SFFA*.[53] Second, the WIAA's quota system uses race as a "negative" for certain individuals, who are categorically excluded from Board seats because of their race.[54] Third, the WIAA uses race as a "stereotype,"

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[47] 658 F.3d 614, 646 (7th Cir. 2011) (citing *Brentwood*, 531 U.S. at 298).
[48] 411 Wis.2d 191, 2024 WI App 12, ¶ 12, 16, *rev'd on other grounds*, 415 Wis.2d 384, 398 (2025) (finding that there was "no need to address" whether the WIAA is a state actor, after finding that appellants had not raised claims requiring that analysis).
[49] *See id.*
[50] *See SFFA*, 600 U.S. at 206 (quoting *Grutter v. Bollinger*, 539 U.S. 306, 326 (2003)).
[51] *See SFFA*, 600 U.S. at 207 (quoting *Fisher v. Univ. of Tex. at Austin,* 570 U.S. 2897, 311-12 (2013)).
[52] *See Louisiana v. Callais*, _ S. Ct. _, 2026 WL 1153054, at *10 (Apr. 29, 2026) (quoting *SFFA*, 600 U.S. at 207).
[53] *See SFFA*, 600 U.S. at 217.
[54] *Id.* at 218-19.

assuming that a black, Hispanic, Native American, or Asian person can "bring something that a white person cannot offer," or worse yet, that such minorities "think alike" or their race "says [something] about who you are."[55] And fourth, the WIAA's policy of racial quotas has no "logical end point," a factor alone that makes the quotas unconstitutional.[56]

Similarly, as to sex, the WIAA "must demonstrate an exceedingly persuasive justification for the classification."[57] The WIAA has not pointed to one, although by requiring "whichever gender has fewer memberships" on a particular date, may be hinting that the purpose is to increase "diversity" in Board Leadership. However, the Supreme Court has concluded that broadly citing "diversity" as a goal to justify "categorical exclusions will not be accepted automatically."[58] If you have such a justification, such as a past incident where WIAA staff intentionally discriminated based on sex, please let us know.

Recent executive branch scrutiny of illegal DEI, including "diversity quotas," has only heightened the gravity of the WIAA's problematic practices. Even decades ago, the U.S. Supreme Court took note of various Executive Orders (EO) showing that the "Executive Branch has consistently placed its support behind eradication of racial discrimination."[59] That commitment has only accelerated in the current Administration, with multiple EOs and federal guidance focusing on policies instituted in the name of diversity that may violate federal law.[60]

For example, Executive Order Executive Order (EO) 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*, explains that civil rights laws "serve as a bedrock supporting equality of opportunity for all Americans"[61]—*not* to promote, as the WIAA and DPI suggest, "equitable treatment for minorities" alone. EO 14173 then cautions that education institutions that impose "race- and sex-based preferences under the guise of so-called 'diversity equity, and inclusion' (DEI) . . . can violate the civil-rights laws of this Nation."

Likewise, U.S. Department of Justice guidance clarifying the application of antidiscrimination laws to DEI initiatives clarified:

> "One of our Nation's bedrock principles is that all Americans must be treated equally. Not only is discrimination based on protected characteristics illegal under federal law, but it is also dangerous, demeaning, and immoral. Yet in recent years, the federal government has turned a blind eye toward, or even

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[55] *Id*. at 220-21.
[56] *Id*. at 221-22.
[57] *See United States v. Virginia*, 518 U.S. 515, 531 (1996).
[58] *See id*. at 535.
[59] *See* 461 U.S. at 594.
[60] *See, e.g.*, EO 14173 (Jan. 21, 2025); EO 14398 (Mar. 26, 2026).
[61] EO 14173.

> encouraged, various discriminatory practices, seemingly because of their purportedly benign labels, objectives, or intentions. No longer."[62]

To ensure compliance with federal law, DOJ then specifically recommended that organizations **"eliminate diversity quotas"** and "**discontinue policies that mandate representation of specific racial, sex-based, or other protected groups in candidate pools**, hiring panels, or final selections."[63]

As another example, the Equal Opportunity Employment Commission recently clarified, in a February 2026 letter to Fortune 500 companies:

> "[A]ll Americans have the right to be treated in the workplace as individuals, not members of a particular race or group, and judged only by the content of their character, skills, and abilities, rather than by the color of their skin or by their sex. In the past few years, these bedrock American principles have been under attack by movements and ideologies that . . . twist our nation's civil rights laws to promote discrimination against certain races or groups . . . . [W]e are the *Equal* Employment *Opportunity* Commission, not the *Equitable* Employment *Outcomes* Commission."[64]

Finally, IRS guidance includes "eliminating prejudice and discrimination" as a charitable exempt activity under section 501(c)(3).[65] It defies logic that an organization may partake in activity directly *opposed* to this exempt activity, yet enjoy an exemption.

Applied here, the WIAA cannot rely on race-based or sex-based quotas in setting criteria for elected leadership, which inevitably discriminate against individuals otherwise eligible but for their race or sex. Such discrimination alone may be sufficient grounds for a legal action, including federal constitutional claims as a state actor. These practices also seriously call into question the WIAA's tax-exempt status, as the Supreme Court has concluded it to be "wholly incompatible with the concepts underlying tax exemption to grant the benefit of tax-exempt status to racially discriminatory educational entities, which 'exer[t] a pervasive influence on the entire educational process.'"[66] The WIAA—which touts its impact on the "total education process"—should not enjoy tax-exempt status when its Board Leadership is tainted by race-based and sex-based quotas.

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[62] Memorandum from Attorney General Pam Bondi at 1, *Guidance for Recipients of Federal Funding Regarding Unlawful Discrimination*, U.S. DEP'T OF J. (July 29, 2025).
[63] *See id*. at 9 (emphasis added).
[64] Letter from Chair Andrea R. Lucas, *Reminder of Title VII Obligations Related to DEI Initiatives*, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM'N, Feb. 26, 2026, available here (emphasis in original).
[65] *See Exempt purposes – Internal Revenue Code Section 501(c)(3)*, IRS (last accessed Apr. 29, 2026), available here.
[66] *See Bob Jones*, 461 U.S. at 595 (quoting *Norwood v. Harrison*, 413 U.S. 455, 469 (1973)).

For all these reasons, it is not surprising that state actors, like the WIAA, have been sued for imposing race-based quotas on boards. In 2021, WILL sued the City of Madison over quotas on its Police Oversight Board.[67] The City settled and paid attorney fees and damages. In 2023, racial and gender quotas were held unconstitutional in California.[68] In 2024, Iowa's sex-based quotas for the State Judicial Nominating Commission were struck down.[69] In 2026, the Eastern District of Arkansas entered a permanent injunction against race-based quotas on the Arkansas Ethics Commission.[70]

Indeed, the WIAA could easily be added to this ignoble list of discriminatory institutions. But we suggest a different path. We urge the WIAA to swiftly, and voluntarily, take all necessary action to immediately terminate its race-based and sex-based discriminatory practices described above. Wisconsin student-athletes deserve a better example from WIAA leadership, and federal and state taxpayers deserve better in implicitly supporting nonprofit organizations.

Sincerely,

WISCONSIN INSTITUTE FOR LAW & LIBERTY, INC.

Daniel P. Lennington
Vice President & Deputy Counsel

Rebecca C. Furdek
Deputy Counsel

[67] *Blaska v. City of Madison*, No. 3:21-cv-00426 (W.D. Wis. June 30, 2021).
[68] *All. for Fair Board Recruitment v. Weber*, No. 2:21-cv-01951-JAM-DB (E.D. Cal. May 15, 2023).
[69] *Hurley v. Gast*, 711 F. Supp. 3d 1069 (S.D. Iowa 2024).
[70] *Greene v. Griffin*, No. 4:25-cv-01132-JM (E.D. Ark. Jan. 9, 2026).