

# Commonly Asked Questions About Milwaukee's Voucher Program

This fall (1998) an expanded private school choice program will be implemented in Milwaukee. For the first time religious schools will participate.

The ACLU of Wisconsin and the NAACP want to make sure that the participating private schools do not discriminate or otherwise violate the rights of students and parents. The best protection for students and their parents is to know their rights and exercise them.

**Question:** Who is eligible to receive a voucher?

**Answer:** There are three requirements:

1. Pupils must live in the City of Milwaukee.
2. Family income may not be more than 175% of the poverty level, which this year is \$28,788 for a family of four.

3. During the previous year the pupils must have been in an MPS school, or in a private school participating in the voucher program, or in kindergarten through third grade in any private school. Students who are entering school for the first time are also eligible.

**Q:** How does someone apply?

**A:** Parents must contact the school they wish their child to attend. Schools in the voucher program must be in the City of Milwaukee. Parents may apply to more than one school.

**Q:** May a voucher school discriminate on the grounds of race, color or national origin?

**A:** No. The legislation states this very clearly. This applies not only to voucher students but all students, parents, employees and teachers at the school. It covers all school activities and programs. It does not matter if the discrimination is intentional.

**Q:** How does the school decide who will attend if more pupils apply than the school has space?

**A:** Students must be selected on a random basis -- in other words, the

school cannot give any preference to students on the basis of grades, or neighborhood, or religion. The legislation is very clear on this matter. The only exception is that the school may give preference to the brothers and sisters of those already enrolled in the school under the voucher program.

**Q:** Am I required to pay additional fees beyond the tuition?

**A:** Voucher schools may charge reasonable fees for extracurricular activities and for personal items such as uniforms.

**Q:** Can a voucher school refuse to enroll a child who has special educational needs?

**A:** No. The school must provide services to assist students with disabilities. The services, however, need not be the same as those provided in a public school as part of a special education program. Children in voucher schools may also be eligible for special education services provided, upon request, through MPS.

**Q:** Can a voucher school refuse to enroll a child because of their religion?

**A:** No. On the basis of a 1990 court decision, the State Department of Public

Instruction maintains that choice schools may not discriminate on the grounds of religion.

**Q:** Must a child in the voucher program participate in the school's religious activities?

**A:** No. Wisconsin Statute and the Wisconsin Supreme Court make it very clear that students may "opt out" of religious activities. The school may not require a pupil receiving a voucher to participate in any religious activities, if the parent or student requests so in writing.

**Q:** May a school discriminate against a child or parent because the child or parent is gay, lesbian or bisexual or the school believes the child or parent to be gay, lesbian or bisexual?

**A:** Citing a 1990 court decision, that says Wisconsin's Pupil Nondiscrimination Law applies to private choice schools, the State Department of Public Instruction maintains that schools in the voucher program may not discriminate on the grounds of sexual orientation.

**Q:** May a voucher school discriminate on the basis of sex?

**A:** The State Department of Public

Instruction maintains that choice schools may not discriminate on the basis of sex.

**Q:** Can a student be disciplined or expelled because of something the student writes or says?

**A:** A 1990 court decision says schools in the voucher program should ensure students the same freedoms of expression granted in public schools. A student may be disciplined, suspended or expelled only after being given their rights to due process. This would mean that, at a minimum, the student and parents should have notice of the school's grounds for disciplinary action, suspension or expulsion, and a chance to present the student's side in any dispute.

**Q:** Do parents have the right to see their child's records?

**A:** The State Department of Public Instruction maintains that choice schools should comply with laws that give parents the right to see their child's records.

**Q:** If I think a voucher school is violating a student's rights, who do I contact?

**A:** If you have concerns, the toll-free phone number for the Department of Public Instruction is 1-800-441-4563.

If you have questions or complaints, about the rights of students and parents at any of Milwaukee's taxpayer supported schools, choice, charter, or MPS, you may write or call:

ACLU of Wisconsin  
207 E. Buffalo St., Suite 325  
Milwaukee, WI 53202-5774  
414.272.4032

OR

NAACP -- Milwaukee Branch  
3500 N. 26th St.  
Milwaukee, WI 53206  
414.871.1000