



# WISCONSIN FAMILY TIES

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## Special Education Concerns Loom Large in Milwaukee Proposal

Madison, WI – The recently-revealed “Opportunity Schools Partnership Program” proposal, authored by Sen. Alberta Darling and Rep. Dale Kooyenga, raises significant concerns and unanswered questions for students with behavioral and mental health challenges, as well as other disabilities. Wisconsin Family Ties finds these uncertainties particularly troubling given that the plan may be considered for insertion into the state budget when the Joint Finance Committee meets next week. A proposal with such major implications for students with special needs should not be rushed through via the budget process, without opportunity for public input.

The program as publicized would create a system that could turn selected Milwaukee public schools into independent charter or private voucher (“choice”) schools. The troubling implications for students with disabilities include ungoverned and, in many cases, unreported use of exclusionary discipline and/or restraint, as well as a potential loss of special education rights.

Independent charter schools in Milwaukee currently serve a student population only 10% of whom have special education needs, compared to a population of up to 30% students with disabilities in the targeted public schools, while voucher schools are not even required to report how many students with disabilities they are serving. In addition, some independent charters make strikingly high use of suspension and expulsion, while again voucher schools are not required to report. These disparities taken together raise serious questions of how or even whether a restructured school will serve students with mental health needs.

Even more troubling, private voucher schools are not bound by the federal Individuals with Disabilities Education Act (IDEA), the most important civil rights legislation for children with disabilities ever passed in our nation. If a MPS school is restructured as a “choice” school, it would appear that students with disabilities would thereby lose their federal special education rights, including the right to a free and appropriate public education, the right to a legally enforceable Individualized Education Plan (IEP), the right to have their actions viewed in context of their disability, and the right to due process in case of dispute. Furthermore, private schools are also not subject to Wisconsin’s Act 125, which regulates harmful practices of seclusion and restraint. Students in schools restructured in a “choice” model would therefore be subject to substantial risks and losses to which neither they nor their families consented.

According to Hugh Davis, executive director at Wisconsin Family Ties, “In the absence of satisfactory answers to these important concerns, the ‘Opportunity Schools Partnership Program’ should not even be considered in context of state budget deliberations. The stakes are far too high for students with emotional, behavioral or mental health needs.”

The Joint Finance Committee is scheduled to deliberate on education issues in the state budget on Tuesday, May 19.

*About Wisconsin Family Ties*

Wisconsin Family Ties, Wisconsin’s family voice for children’s mental health, is a parent-run nonprofit serving families that include children with social, emotional or behavioral challenges. Founded in 1987, its mission is to enhance lives by promoting children’s mental health.

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