



State of Wisconsin Department of Public Instruction

Elizabeth Burmaster, State Superintendent

Date: November 11, 2008

To: Individuals and Organizations Interested in Participating
in the Milwaukee Parental Choice Program

From: Tricia Collins, Administrator
Milwaukee Parental Choice Program

Re: Milwaukee Parental Choice Program – Student Rights

Attached is a cover letter from Elizabeth Burmaster along with a list of student rights which formerly appeared in the administrative rule governing the Milwaukee Parental Choice Program (MPCP), PI 35, Wis. Admin. Code. The letter contains an acknowledgement at the bottom by each of the MPCP school principals or administrators that the DPI has advised you of Judge Steingass' ruling in 1990 of certain individual rights applicable within MPCP schools. It was agreed to at the Legislature's Joint Committee on Administrative Rules meeting held July 30, 1998, that in exchange for the Department's removal of the student rights list from the administrative rule, school administrators and principals would sign the enclosed letter of acknowledgement.

Please fill out the enclosed acknowledgement letter from the State Superintendent and return it to the DPI along with your signed Notice of School's Intent to Participate for the 2009-10 school year, before February 1, 2009.

If you have questions concerning this letter, please contact me [phone: (608) 266-2853, fax: (608) 267-9207, email: tricia.collins@dpi.wi.gov]

Enclosures



State of Wisconsin Department of Public Instruction

Elizabeth Burmaster, State Superintendent

November 11, 2008

School Administrator

School Name

Street Address

City, State and ZIP Code

Dear School Administrator:

Judge Susan Steingass ruled in *Davis v. Grover*, Trial Court Opinion, Dane County (8-6-90), that the attached list of student rights apply to private schools participating in the Milwaukee Parental Choice Program. The judge also ruled DPI has an obligation to advise participating schools of these state and federal provisions.

As administrator of the school, please complete the school information above, sign and date the acknowledgment below and return the original to the DPI, ATTN: Milwaukee Parental Choice Program.

Sincerely,

Elizabeth Burmaster
State Superintendent

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I hereby acknowledge I have received and read this letter. This acknowledgment is not to be construed as an agreement between DPI and the school or as an admission that the student rights provisions attached hereto apply to private schools participating in the choice program.

School Administrator/Principal

Date

STUDENT RIGHTS

1. The Wisconsin Pupil Nondiscrimination Act, s. 118.13, and PI 9, which prohibit discrimination against students on the grounds of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.
2. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et. seq., which prohibits discrimination on the basis of sex in educational programs.
3. The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 et. seq., which prohibits discrimination on the basis of age in programs or activities.
4. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794 et. seq., which prohibits discrimination on the basis of handicap in programs and activities. To comply with Section 504, DPI must assure that no qualified handicapped persons are excluded from its programs; and must assure that all handicapped students in funded placements have opportunity for a free appropriate education.
5. The Family Education Rights and Privacy Act, 20 U.S.C. 1232g, 34 CFR 99, which regulates access and release of student educational records.
6. All federal and state constitutional guarantees protecting the rights and liberties of individuals, including freedom of religion, expression, association, against unreasonable search and seizure, equal protection, and due process.
7. All regulations, guidelines, and standards lawfully adopted under the above statutes by the appropriate administrative agency.
8. Pupils charged with misconduct and subject to suspension or expulsion shall be accorded state and federal constitutional due process of law.