



Dr. Miguel Cardona  
Secretary of Education  
US Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

RE: Docket ID ED-2022-OESE-0006

To Secretary Cardona:

For 15 years, there was peace in Washington on the matter of charter schools. Democrats and Republicans, parents and policymakers, and voters of every race and income level agreed: put kids first, no matter what. As a result, innovative charter schools flourished, especially in areas anxious for a fresh start.

We at the Institute for Reforming Government - based in Wisconsin, the birthplace of school choice - believe that your March 14 proposed rule changes to Charter School Program funding shatter that bipartisan agreement and make parents bystanders in their children's education.<sup>1</sup>

As a leading Wisconsin policy organization for efficient education, workforce, healthcare, and budget solutions, we oppose your roll of red tape. Specifically, we object to:

- requirements that counteract your ability to “increase the number of high-quality charter schools” in order to “improve the United States education system.”<sup>2</sup>
- redundant safeguards on community impact.
- unnecessary federal government intrusion into state, district, and parent matters.

All will limit the charter possibilities available to children.

To begin, you propose grant bonus points for any charter school that collaborates with its home district. Though some districts would happily share busses and training programs with new charters, many low-performing districts actively combat them as threats. Collaboration is impossible, and, in the race for scarce federal dollars, this would put charters last in line in the places that need them most. Milwaukee Excellence, one of just two majority-Black public schools rated five stars on state report cards,<sup>3</sup> had expansion approved and then canceled by Milwaukee Public Schools multiple times over three years.<sup>4</sup> After receiving a 2021 CSP grant,<sup>5</sup> they could finally afford a new building to deliver excellent results.<sup>6</sup> Tenor, a four-star Milwaukee high school that gets students both high school and technical college degrees by graduation,<sup>7</sup> could only afford its home after earning a 2019 grant.<sup>8</sup> Your changes would stamp out success stories like these. In the choice between school board harmony and lives transformed, you should come down on the side of kids.

Additionally, you would require grant-seeking charter schools to justify their existence through a superfluous community impact report. A successful recipient would likely take overflow from a district overwhelmed by high enrollment, maintain the district's diversity, and improve on



district test scores. Those are all good reasons to open a new school, but ignore what charter schools do best: innovate. Wisconsin awarded 2021 CSP grants to two incredible startup schools.<sup>9</sup> Kaehkēnawapahtāēq will be a Menominee immersion school in the rural northeast that gives a vital culture new life. The Virtual Academy of Agriscience and Technology will serve small town southeastern Wisconsin, increasing access to specialized trade programs without requiring exhausting round trips to distant schools. Those new schools may very well be more racially and economically uniform than their home districts, and small districts feel every student who switches schools. Yet, the parents and their districts created these options because they will fill a far more vital need.

Finally, you may be thinking, “Couldn’t we tweak the rules to foster more great schools like those?” That is exactly the point. Your rule creates a solution to something states and families have already solved. No Washington grant reader, however talented, will understand a community better than the people living in it. Concord between parents and educators to try something new for kids’ futures is a hallowed thing. Stacking more and more people between families and the school of their dreams can only make those dreams harder to realize. That is not something IRG nor the Wisconsinites we represent can support.

We do value your lifetime of service and appreciate the ability to provide comment. We request that you do not pursue the proposed changes and instead revert to the previous, bipartisan guidance.

Families first,

CJ Szafir  
President  
Institute for Reforming Government

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<sup>1</sup> US Department of Education. 87 FR 14197. 2022. <https://www.federalregister.gov/documents/2022/03/14/2022-05463/proposed-priorities-requirements-definitions-and-selection-criteria-expanding-opportunity-through>

<sup>2</sup> 20 USC § 7221. 2015. [https://uscode.house.gov/view.xhtml?req=\(title:20%20section:7221%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:20%20section:7221%20edition:prelim))

<sup>3</sup> Wisconsin Department of Public Instruction. “Accountability Report Cards.” 2021. <https://apps2.dpi.wi.gov/reportcards>

<sup>4</sup> Teddy Nykiel. “After MPS Lease Falls Through, Milwaukee Excellence Charter School Risks Starting Another School Year Virtually.” *Milwaukee Business Journal*. 2021.

<https://www.bizjournals.com/milwaukee/news/2021/07/31/mps-lease-milwaukee-excellence-charter-school.html>

<sup>5</sup> Wisconsin Department of Public Instruction. “DPI Awards \$13.5 Million to Wisconsin Charter Schools.” 2021. <https://dpi.wi.gov/sites/default/files/imce/parental-education-options/Charter-Schools/dpinr2021-34.pdf>

<sup>6</sup> Rory Linnane. “Milwaukee Excellence Signs Four-Year Lease for High School in Vacant MPS Building.” *Milwaukee Journal Sentinel*. 2022. <https://www.jsonline.com/story/news/education/2022/02/17/milwaukee-excellence-signs-four-year-lease-vacant-mps-building/6832218001>

<sup>7</sup> Tom Daykin. “Charter School Tenor High School Will Expand Its Operations into Downtown’s Former Milwaukee Journal Sentinel Complex.” *Milwaukee Journal Sentinel*. 2021. <https://www.jsonline.com/story/money/real-estate/commercial/2021/03/25/tenor-high-school-expanding-former-milwaukee-journal-sentinel-site/6999972002>

<sup>8</sup> Wisconsin Department of Public Instruction. “DPI Awards \$7 million to 11 New and Expanding Charter Schools.” 2019. <https://dpi.wi.gov/sites/default/files/imce/parental-education-options/Charter-Schools/dpinr2019-38.pdf>

<sup>9</sup> Wisconsin Department of Public Instruction. “DPI Awards \$13.5 Million to Wisconsin Charter Schools.” 2021. <https://dpi.wi.gov/sites/default/files/imce/parental-education-options/Charter-Schools/dpinr2021-34.pdf>