



June 17, 2024

Wisconsin Department of Public Instruction
c/o Ben Jones, General Counsel
P.O. Box 7841
Madison, WI 53707

***RE: Public Records Request Seeking Information Relating to Milwaukee Public Schools
Budget and Administrative Transparency***

Dear Attorney Jones:

The Institute for Reforming Government (“IRG”) is a non-profit 501(c)3 organization that seeks to simplify government at every level by offering policy solutions to thought leaders in American government in the areas of tax reform, government inefficiency and burdensome regulations. IRG’s Center for Investigative Oversight (“CIO”) was launched in February 2023 with the goal of reinvigorating real oversight and accountability of government operations by highlighting – and taking action – on wasteful, illegal, and unconstitutional behavior.

Milwaukee Public Schools (“MPS”) has run into serious trouble with the Department of Public Instruction (“DPI” or the “Department”) and the Department of Health and Human Services (“HHS”). According to HHS, supervision, safety, and training deficiencies occurred within Head Start, causing it to suspend funding. According to DPI, MPS has turned in important audit and budget documents far after mandatory deadlines, and the information has been incorrect and in need of revision when it has been submitted. It is unclear to what extent the Superintendent and board each contributed to these mistakes. The consequences to MPS are putting tens of millions of dollars at risk and disrupting budgeting for the other school districts in Wisconsin.

Based on the forgoing, IRG is submitting the following public records requests to seek transparency and information regarding the Department’s budget and curriculum processes.

PUBLIC RECORDS REQUEST

Pursuant to Wis. Stat. §§ 19.31-19.39, you are hereby requested to provide the records listed below which are within the custody or control of the Department.

If any material responsive to this request is deemed to be exempt from disclosure, identify the material withheld and specify the asserted basis for the exemption. Please release all segregable portions of otherwise exempt material.

Documents requested under the public records law must be produced “as soon as practicable and without delay.” Wis. Stat. § 19.35(4)(a). The Wisconsin Department of Justice policy “is that 10 working days generally is a reasonable time for responding to a simple request for a limited number of easily identifiable records.” See Wisconsin Department of Justice, *Wisconsin Public Records Law Compliance Guide* at 15 (Oct. 2019).

You are hereby requested to provide the records without charge pursuant to Wis. Stat. § 19.35(3)(e). IRG is a non-profit 501(c)3 organization that seeks to simplify government at every level by offering policy solutions to thought leaders in American government, and therefore waiving fees is in the public interest. Should you decline to waive the charges and the expenses exceed \$50, please contact me so that we may discuss how to proceed.

DEFINED TERMS

In this request, the terms “records” includes all emails, documents, reports, and all other information recorded in any form whatsoever, including, but not limited to, papers, digital electronic media (both on local computers and servers and internet servers accessible to you (i.e. “the cloud”), and analog recording media (such as audio and video recordings).

“Records” also includes text messages on phones, instant messages and direct messaging on social media applications, whether located on personal or City-owned devices. The Attorney General has made clear “[c]ontent determines whether a document is a ‘record,’ not medium, format, or location.” Wisconsin Department of Justice, *Wisconsin Public Records Law Compliance Guide* at 3 (Oct. 2019). Persons involved in the topics of these requests should be instructed to review their cellular devices and messaging applications for responsive records.

“Department” means the Department of Public Instruction and its administration. “District” means the Milwaukee School District and its administration.

The relevant time period for the records requested below shall be described below.

RECORDS REQUESTED

1. Records sent, received, or maintained by the Department between June 1, 2022, and June 17, 2024, regarding the District’s Head Start deficiencies.
2. Records sent, received, or maintained by the Department between March 1, 2023, and June 17, 2024, regarding the District’s FY23 Auditor Aid Certification and Auditor Fund Balance, the FY23 Annual Report, FY23 District Audited Financials, and the FY24 Certified Budget Data.

We trust you will respond promptly to these requests. If you have any questions or need further clarification, please contact me directly.

Sincerely,

A handwritten signature in blue ink that reads "Jacob J. Curtis". The signature is written in a cursive style with a large initial "J" and "C".

Jacob J. Curtis
General Counsel and Director of Center
for Investigative Oversight

Institute for Reforming Government
Email: jc@reforminggovernment.org