



## **Barriers to Educational Freedom: Government Regulations Limit Success and Innovation of Choice Schools**

**The News:** The Wisconsin Institute for Law & Liberty (WILL) released a new report titled, “The High Cost of Overregulation: How Excessive Government Control Threatens School Choice in Wisconsin.” The report analyzes how burdensome regulations hinder the ability of choice schools from opening and expanding in Wisconsin. WILL aims for this report to serve as a critical warning to policymakers in Wisconsin and across the nation that overregulating these institutions limits opportunities for families seeking alternatives to traditional public schools.

**The Quotes:** WILL Research Director, Will Flanders, PHD, stated, “While accountability in education is important, an increasing regulatory burden discourages private school participation in choice programs, ultimately limiting educational opportunities for families. Policymakers must tread carefully and focus on achieving a balance that safeguards the flexibility and innovation that has made school choice successful.”

Andrew Neumann, Ph.D., Executive Chair and CEO of Sky Schools, “Too many regulations will reduce the diversity of educational options and limit flexibility. Schools will be forced into a smaller box, reducing the variety of educational models available to parents. The resources needed for compliance take away from what’s best for kids, regressing the system toward a one-size-fits-all model.”

**Our Findings:** When examining the various regulations and requirements that choice schools must comply with, several stand out as being overly burdensome.

- Schools can be denied entry into the program for failing to fill out forms, budgets, or completing training to DPI’s satisfaction.
- On top of statutory state mandates, the DPI often adds additional requirements through administrative rules and guidance documentations, making compliance more cumbersome for schools.
- DPI’s extended regulations include extensive requirements for private auditors when reviewing the choice school’s student enrollment audits, fiscal and internal control practices, and the financial audits.
- There are also specific ways that families must prove residency and income when applying to the programs. This severely hurts families' motivations.
- Excessive regulation diverts resources away from the classroom and student-centered activities, potentially hampering educational outcomes.
- During the 2023-24 Wisconsin legislative session there were 33 bills introduced that would have imposed a regulatory burden on choice programs, the highest since at least 2009.

**WILL’s School Choice Work:** WILL has been an adamant defender of school choice since its founding in 2011. Our policy team has done extensive work to educate policymakers on the success of the school

choice program and dispel false claims made by opponents. Our legal team also represented the school choice community in front of the Wisconsin Supreme Court in 2023, when an original action sought to end the school choice program, which the Court ultimately denied. WILL is prepared to defend school choice against legal or legislative attacks that may arise to ensure Wisconsin families have the best educational opportunities possible.