



## ACTION ALERT: 2021 AB 122 / SB 201 "CREATION OF MICROSCHOOLS"

Monday, March 15, 2021

Dear <FamilyName>,

WHPA's Board of Directors issued a statement to you, our members, last week regarding the proposed bill to create so-called "microschools" in Wisconsin, AB 122 / SB 201. If you have not yet read this statement, please read it here:

<https://www.homeschooling-wpa.org/wiki/march-8-2021-response-to-ab122-2021/>

WHPA has been monitoring the creation and progress of these bills through the legislative process. The bills now have sponsors in both the Assembly and the Senate and there will be a public hearing on the Assembly bill this week on Thursday, March 18. **WHPA is asking our members and all homeschool supporters to take action, outlined below.**

***NOTE: Please share this alert with non-WHPA members who wish to support Wisconsin homeschoolers.***

### **Background**

AB 122 / SB 201 proposes the creation of a new class of private schools in Wisconsin, called "microschools." These schools could be run by anyone, from any physical location, without meeting any current private school regulations other than those that currently apply to homeschools.

This new type of private school, defined almost identically to homeschools, violates the intent of our long-standing, reasonable homeschool and private school laws, which were written *explicitly* to differentiate between homeschools (one family unit) and private schools (more than one family unit).

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Before Wisconsin's reasonable and effective homeschool and private school laws were passed in 1984, well-intentioned parents who ran unregulated private schools from their homes were arbitrarily harassed and even prosecuted by the state. In an effort to protect all parents' right to educate their children according to their own principles and beliefs, private schools and homeschools were thoughtfully and intentionally defined to keep them legally and unambiguously separate, and protected by law.

**These new bills pose multiple problems for Wisconsin homeschoolers:**

1. They raise unwanted and unnecessary scrutiny of our homeschool law by allowing the creation of unregulated private schools too similar to homeschools.
2. The creation of a new class of private schools is likely to lead to the eventual request that those private schools start submitting to government regulation. By confusing the roles of homeschools and private schools, these bills may lead to new, unnecessary homeschool regulations.
3. The creation of a new class of private schools is likely to lead to the eventual seeking of public dollars. Seeking public dollars, through vouchers or tax benefits, is also likely to lead to new, unnecessary homeschool regulations attached to those benefits.
4. These bills are an unnecessary change to Wisconsin school definitions and regulation. Under Wisconsin law, homeschool students can already gather and share instruction any time they want to, and do so frequently.
5. They undermine our parental right to educate our children, by watering down that inherent right and applying that right to anyone, anywhere, as long as they are instructing no more than 20 children from two to five families.

**Other important concerns about the creation of "microschools" are:**

1. The bills, as written, appear unworkable in practice:
  - a. It is unclear how total enrollment in a microschool is reported to the Department of Public Instruction, and by whom.
  - b. It is unclear who is the administrator of a "microschool," and who is empowered to attest to whether or not a microschool is meeting the legal requirements. It is unclear where responsibilities and accountability lie.
  - c. It is unclear how children are attached to or enrolled in a "microschool," whether or not they can attend more than one "microschool" at a time, or whether children can be swapped in and out of any given "microschool" at any time.
2. The bills contain an unfunded mandate that DPI create and administer a new school report, for "microschools."
3. The bills create a dangerous situation in which unregulated businesses will be allowed to serve children, a vulnerable group.

4. The bills create multiple additional liability issues in which individuals, including families, employees, and “microschool” administrators, will be left to pay the consequences of a unregulated system sanctioned by the state.
5. The bills create an awkward situation where a parent **cannot** provide instruction to their own children **unless** children from another family are also in attendance.

## Action Needed

WHPA is asking members to submit public testimony opposing AB 122 / SB 201 immediately.

You may use the points above to write your own testimony opposing the creation of “microschools” in Wisconsin.

### In Person:

If you are able to attend the public hearing of the Assembly Committee on Education in person, please do so. **The hearing is scheduled for Thursday March 18, at 11:02 AM, in Room 412 East of the Wisconsin State Capitol. See “Rules and Tips for Giving In-Person Testimony” below for more information.**

### In Writing:

If you wish to submit your testimony in writing, you need to address and send your comments to the Committee Chair, Representative Jeremy Thiesfeldt, at [Rep.Thiesfeldt@legis.wisconsin.gov](mailto:Rep.Thiesfeldt@legis.wisconsin.gov), or at State Capitol Room 223N, P.O. Box 8953, Madison, WI 53708. Due to recent slower mail deliveries, we strongly encourage you to submit your testimony by email.

### Contact Your State Representatives:

Whether or not you choose to offer testimony for this week’s public hearing, WHPA strongly encourages you to share your opposition to AB 122 / SB 201 directly with your state senator and representative before Thursday’s hearing. **You can find their contact information here: [legis.wisconsin.gov](http://legis.wisconsin.gov).**

If contacting your representatives is new to you, find additional guidance and tips at [www.homeschooling-wpa.org/faqs/protecting-wisconsin-law/#contactreps](http://www.homeschooling-wpa.org/faqs/protecting-wisconsin-law/#contactreps). Personal responsibility is the foundation of homeschooling in Wisconsin. Knowing how the legislative process works, and getting involved, are part of protecting our homeschooling freedoms.

(Note: Since these bills relate to Wisconsin law, it is not necessary to contact your federal representative or senators in Congress.)

## Rules and Tips for Giving In-Person Testimony

1. Before Thursday, submit a copy of your intended testimony to the Assembly Committee on Education Chair, Representative Jeremy Thiesfeldt, at [Rep.Thiesfeldt@Legis.wisconsin.gov](mailto:Rep.Thiesfeldt@Legis.wisconsin.gov)
2. **Bring 15 written copies of your testimony.** Pass out copies to each member of the committee.
3. **The time limit is 5 minutes.** Do not go over. At the discretion of the Committee Chair, time may be limited to 3 minutes, so be prepared to hit the highlights.
4. You are there to address the committee chair & committee members. It is their job to hear your testimony.
5. Identify the bill by its number (AB 122 / SB 201).
6. Clearly state that you oppose the bill and why.
7. Share your personal story if it is relevant. “Our current reasonable homeschooling law works.”
8. Restate your opposition clearly.
9. Thank the committee for their time and attention.

**NOTE:** *Due to the COVID-19 pandemic, daily operations at the Capitol may be unusual. It is possible that not every building entrance will be open; the entrance at Martin Luther King Boulevard is your best bet. In recent weeks, some members of the legislature have been wearing protective masks, and others have not. Some members will likely attend this hearing in person; others will likely watch a live feed from their offices, and submit questions via email.*

Thank you to our members for your membership, and to all of you for your support protecting Wisconsin’s homeschool law.

Wisconsin Homeschooling Parents Association  
Board of Directors