

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

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PG:kjf:ph

Apr 14, 2010

Representative Kessler:

This amendment authorizes the state superintendent of public instruction to directly intervene in the operation of private schools participating in the Milwaukee Parental Choice Program. Because most of the MPCP schools are parochial schools, a court could rule that this grant of authority involves the excessive entanglement of government and religion, violating the First Amendment to the U.S. Constitution.

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