



Empowering Parents: How School Choice Began in Wisconsin

Chapter 1: “It’s got to be Choice”

The African-American mother asked to speak to Gov. Tommy G. Thompson on one of his visits to Milwaukee.

Thompson said sure, and they talked privately. He never learned her name. He used listening skills learned growing up in and around his father’s Elroy grocery store – the one with one gas pump outside - as his dad and their neighbors talked over problems and solutions. Thompson's dad, a county supervisor who worked on highway issues, often reminded him, “You got two ears - and one mouth.”

“Tommy could listen better than any governor,” said Morris Andrews, retired executive director of what for 25 years was one of the most powerful special-interest groups, the Wisconsin Education Association Council, the statewide union for teachers outside Milwaukee. Andrews and Thompson often denounced each other in public, but got along personally.

Decades later, Thompson recalled what that Milwaukee mom wanted: “She said, ‘I have three kids ...There’s a Catholic school that’s a block away. I’m not Catholic, but I want to send them to that school. It’s close. I can watch them walk there.’”

Her simple plea haunted the Republican governor, serving his first term after 20 years in the state Assembly. He had always wanted one thing in politics – to be Assembly speaker – but in 1986 he threaded several needles and was elected Wisconsin’s 42nd governor. He was not going to waste his chance to do bold things.

“I thought about that all the way back (to Madison),” Thompson said in an interview this year. “And that’s when I said, ‘It’s got to be Choice.’ That’s the only way that I’m going to be able to solve the problem – the prison problem, the education problem...”
“I said, ‘I’ve to get it into schools – Catholic, Protestant. I don’t care’.”

Thompson was “the Thomas Edison of the Legislature,” said Tim Sheehy, executive director of the Milwaukee Metropolitan Association of Commerce, which played a critical role in the 1995 expansion of Parental Choice to religious schools.

Still, it took Thompson, and others in Milwaukee and in the Legislature, years to pass the first, narrow Choice law in the spring of 1990. One year after it became law, 300 low-income Milwaukee children were attending seven non-religious schools.

Despite the small start, it was a national precedent: The initial Choice program Thompson signed into law in April 1990 was “the first state law in the country to permit public monies to flow to private schools,” one scholar noted, adding:



“It breached the historic wall of separation between public and private education that had been constructed in the 19th Century....Gov. Thompson first put the subject of Choice in the legislative agenda [and] worked with great tenacity and persistence to keep it alive.”

But it took until 1995 for Thompson and legislators to expand Milwaukee’s Choice program to religious schools.

Then, once religious schools could participate, Choice exploded in Wisconsin. By the 1999-2000 school year, 7,575 low-income Milwaukee children were attending 90 church and non-sectarian private schools. By the 2016-17 school year, 32,750 Wisconsin children statewide attend 160 private schools in the Parental Choice program. Of those 32,750 children, 27,300 of them are in Milwaukee-area private schools, 2,460 in Racine’s private schools and 2,990 in other private schools statewide.

It’s a remarkable story: A white Republican governor from rural Wisconsin gets a Legislature controlled by Democrats to enact the nation’s first Choice law that let poor children – most of them African-American – from Milwaukee attend private schools at state expense.

“Tommy Thompson – he’s like Winston Churchill. He was a child of the Wisconsin Legislature, like Churchill was a child of the House of Commons,” said former Sen. Gary George, an African-American from Milwaukee who was one of the most powerful Democratic legislators in the Capitol for about 15 years.

After killing two of Thompson’s first Choice proposals, in 1988 and ’89, George bowed to political pressure and dictated details of the narrow Choice law that the governor signed into law in April 1990.

“Tommy Thompson had more knowledge than your average Elroy politician about how Milwaukee works and the problems with educating African-American children in Milwaukee,” George said.

“He knew that institutional change comes from the Legislature. He had his view of how to support this new educational platform. I think that’s historic. It led to a worldwide movement in educational reform. He deserves credit for that.”

Asked now how much credit he deserves for starting the wave of Choice programs, Thompson said it’s really pretty simple: “Choice wouldn’t have happened without me.”

Chapter 2: Five-Year Road to Choice



In 1985, the line of officials and parents angry with Milwaukee Public Schools stretched from Milwaukee to Wisconsin's Capitol.

MPS parents were angry that their kids lost hours each day being bused out of their neighborhoods to distant schools as part of a desegregation program ordered by a federal judge in the 1970s. In 1984, for the first time, African-American students were a majority of MPS students, but they were also the ones most often in those bus seats being hauled far from a neighborhood school because the Milwaukee School Board refused to build new schools in their neighborhoods.

Howard Fuller, a community activist, state and county official and a North Division High alum, tracked busing patterns that showed children who lived on just one street, Auer Avenue, "were being sent to 100 different schools." Fuller said this in a 1985 speech: "Busing has moved society from one form of racial oppression – segregation – to another – dispersal."

In the Capitol, a commission created by then-Gov. Tony Earl, a Democrat, reached this startling conclusion: 14 out of every 15 African-American students in MPS had a grade point average of less than C.

Those were the ones who were still attending an MPS school. The commission also found MPS had a dropout rate that was more than double that of any suburban district and five to six times greater than most districts.

Democrats who ran the Legislature were angry that state aid made up more than half of the MPS budget, but MPS kids were not learning.

Two key Democratic legislators from central Wisconsin, David Helbach and Marlin Schneider, issued this warning: "Legislators outside Milwaukee are no longer interested in pouring millions of dollars more into a system which has failed to produce the results anticipated" as a result of the federal judge's desegregation order.

The longest-serving Assembly Speaker, Democrat Tom Loftus, had given up hoping that Milwaukee's school board could buck both the district's administration and the city's strong teachers' union to achieve any real reforms that would help children in the state's largest city learn.

But, in a recent interview, Loftus was one of the Democratic leaders who admitted "didn't have an agenda for the Milwaukee schools." Loftus once threatened a state takeover of MPS, but now admits it was empty threat.

No one in the Capitol was more angry at MPS than Milwaukee Democratic Rep. Annette "Polly" Williams, elected to represent an inner-city Milwaukee district in 1980. Her official



Blue Book biography said she was a former "mental health assistant, counselor, cashier/clerk, keypunch operator, typist."

By 1985, Williams was a full-time advocate for African-American parents and children who were spending too much time on buses and learning so little they were filling up the new prisons that state government was building.

As a member of the national boards of the Rainbow Coalition and National Black Caucus of State Legislators, Williams also had national connections. She led or helped lead the 1984 and 1988 Wisconsin campaigns of presidential candidate Jesse Jackson. Back home, she was a director of Urban Day School, one of the few successful non-religious private schools in inner-city Milwaukee.

"The emergence in the late-1960s and early '70s of so-called 'community schools' is tangible evidence that Milwaukee parents - particularly black and Hispanic parents - sought new options," said George Mitchell, a Milwaukee-area business executive who worked on MPS issues with Earl and Fuller. "These non-sectarian schools included Urban Day, Bruce Guadalupe and others."

Williams didn't flinch at confronting other Milwaukee Democrats who she saw as obstructing her fight to help African-American children learn. "Polly hated my guts," one former white Milwaukee Democrat who chaired a key committee and who opposed Williams on MPS issues told a UW-Madison graduate student researching how Parental Choice became law.

Williams and her chief of staff, Larry Harwell, spent her first decade in office fighting to empower parents, to force MPS to get parents' permission before their kids could be bused and - for years - for creation of a North Division School District, whose schools would largely be filled with African-American children and be run by black educators and administrators.

Every few months, there would be another idea to reform MPS: Change how its school board members are elected. Slice it up into four racially integrated "educational zones." Create six Milwaukee metropolitan-area districts out of what were then MPS and 24 suburban districts.

Earl, who had been a state Assembly leader from Wausau, was gearing up to seek a second term in 1986 and needed - and had - the support of the statewide teachers' union, the Wisconsin Education Association Council (WEAC), and the Milwaukee Teachers Education Association. The two unions were bitter rivals who refused to work together.

Earl had created the commission that, for the first time, documented MPS's staggering black/white achievement gap. But the Democratic governor was "philosophically opposed to vouchers," recalled Fuller, a key adviser and cabinet secretary in Earl's administration.



In that job, Fuller got to know, and worked with, the Assembly Republican leader, Tommy Thompson.

By 1986, Tommy Thompson had been in the Assembly for 20 years, but had led out-of-power Republicans for so long that his nickname was "Dr. No." Although Thompson was running for governor, he loved the Legislature, knew how it worked - and he could do deals with independent, tough Democrats like Polly Williams.

"Tommy liked Polly," recalled Tom Fonfara, Thompson's lead staffer on educational issues. The white Republican from Elroy and the Milwaukee Democrat who fought for her African-American kids, grandkids and neighbors had "a mutual respect for each other."

Williams told the UW-Madison researcher, Barbara Johnson Wood, that Thompson had "helped her in a number of situations in which she needed Assembly votes" and that the Republican "listens to me."

Thompson also knew how to get legislators attention that they craved.

Weeks before President Ronald Reagan left office in January 1989, Gov. Thompson invited Williams to join him at a White House workshop on school choice. Thompson later wrote about the event, where Williams met Washington leaders: "I think she realized choice was not just a conservative Republican idea. There was a network of African-American leaders at the grassroots level who were fighting for it. [The conference] gave us optimism. School choice was doable if we put the right coalition together."

In November 1986, Thompson stunned the state's political establishment - and Capitol political reporters, who had unanimously bet on an Earl victory in the pressroom pool - by beating Earl. Thompson was 45 years old.

It was a "watershed election," noted graduate student Johnson Wood. "It brought to power a new Republican administration with quite different views, among other things, of the goals of education reform than those of the previous Democratic administration."

Although Mitchell and Fuller had supported Earl, Mitchell recalled meeting the new governor:

"In early 1987, Howard Fuller and I met with the newly elected Thompson...We tentatively proposed a 'pilot school choice program' for Milwaukee, to which Tommy cheerfully barked, 'Why a pilot?'"

"The 1986 election of Tommy Thompson meant that someone willing to sign a 'school choice bill' now occupied the East Wing," Mitchell added. "Howard and I left Tommy's office knowing that the landscape had changed."



"The governor was creative," Fonfara added. "If you told him, 'You can't go there,' that became an incentive for, 'Let's figure out how we can go there.'"

Thompson insisted taking a political risk would be worth it, if it gave more African-American children in Milwaukee a chance to succeed.

He said in an interview this year: "There was no question in my mind there was a correlation: Young black males dropping out of school end up on a corner, selling dope or becoming an addict, or causing a murder or a stick-up, or whatever. Those [graduation and achievement gap] statistics really haunted me."

Only 13 months after taking office, Thompson threw the first punch in what would be a two-year fight for Choice. On Feb. 2, 1988, he gave the Legislature a budget bill that would have allowed up to 1,000 low-income Milwaukee children attend - for free - any public or private school in Milwaukee.

Within weeks, Democratic leaders like Loftus and Sen. Gary George, a powerful African-American leader whose mother had worked for MPS, killed it - quickly and with no debate.

"We got our butts kicked," Fonfara said.

Researcher Johnson Wood analyzed Thompson's first loss this way: "So long as School Choice was only the governor's subject, the Democratic leadership in the 1988 Legislature could ignore it and suffer no consequences."

The new governor said it taught him a valuable lesson.

"I realized I couldn't get Choice passed on my own. A conservative, Republican, white male governor from Elroy wasn't going to change the Milwaukee school system without the support of the city's black leaders...I needed to build a coalition. I had to show that the idea would work."

Now, Thompson had to work closely with Williams, Fuller, Mitchell and African-American leaders in Milwaukee. But Williams and Fuller were then pushing the idea of creating the North Division School District.

Thompson did not support creating a North Division School District, which angered Williams. Fonfara said the governor was afraid of being accused of being a racist; Thompson does not remember that as concern.

"I just didn't want an all-black school," said Thompson, who also worried that a North Division district would not have a viable property tax base. "I didn't see how it was going to help."



Speaker Loftus wanted nothing to do with the North Division School District proposal. "It no support anywhere. I didn't feel it passed the constitutional test."

Thompson also knew how to get legislators attention that they craved.

Weeks before President Ronald Reagan left office in January 1989, Gov. Thompson invited Williams to join him at a White House workshop on school choice. Thompson later wrote about the event, where Williams met Washington leaders: "I think she realized choice was not just a conservative Republican idea. There was a network of African-American leaders at the grassroots level who were fighting for it. [The conference] gave us optimism. School choice was doable if we put the right coalition together."

When he gave the Legislature his 1989 budget, Thompson asked for passage of a completely new educational reform plan.

In his book, "Power to the People," he described it this way:

"I reintroduced school choice as part of my budget. We had taken [religious] schools out of the proposal... I knew from my previous experience that including religious schools brought out too many long knives, and I wanted to win this time.

"So I proposed allowing low-income families in Milwaukee to attend 'nonsectarian' private schools. I also proposed separate legislation establishing public-school choice statewide. I did so because I believed competition would be good for public schools."

Unlike his first proposal, which was killed without any public debate, Thompson's second proposal became a Capitol piñata. And every swinghit, opening another gash.

"I thought my public-school choice proposal would be relatively noncontroversial. I was wrong," Thompson wrote in his book. "Nearly every education interest group in the state came out against it: the Department of Public Instruction, the state School Board Association, and the School District Administrators Association.

"The clincher, though, was athletics... My public-school choice proposal died when school board members and superintendents - and football coaches and cheerleaders - from across the state called their legislators and said, 'Don't do this.'" Coaches were afraid public-school choice would prompt some of their best athletes to transfer to neighboring schools who were their bitter on-the-field rivals.

Although Democratic leaders in April 1989 quickly killed Thompson's second choice proposal, developments in the Capitol and in Milwaukee over the next six months laid the groundwork for the first, narrow version of Parents' Choice to become law one year later.



Williams pushed hard for major reforms that included abolishing busing, creating the North Division School District and a plan that would let low-income MPS parents enroll their children in any private neighborhood school if they could not attend a public neighborhood school.

But Thompson negotiated with other Milwaukee Democrats who were working with MPS, which angered Williams. The governor, for example, told her he would sign the first major MPS reform bill that came to his desk.

In Milwaukee, a new mayor, John Norquist, was elected. He beat former Gov. Marty Schreiber, a Democrat who became chief executive after Gov. Patrick Lucey was named ambassador to Mexico. MPS reforms played no major role in the mayoral campaign, and Norquist would eventually endorse a choice plan for Milwaukee.

Then, MPS offered its own choice proposal. District officials agreed to let a few low-income students attend private schools if MPS could pick the schools. That meant MPS would control the new program.

The MPS plan "so offended Rep. Williams that she now moved to the position the governor had just abandoned," graduate student Johnson Wood wrote in her thesis. "She now determined that she would champion private school choice as her issue."

Loftus, planning to run against Thompson in 1990, played a key role in keeping MPS reforms alive in the Assembly. "I pretty much gave up on the Milwaukee School Board," Loftus told Wood Johnson.

But Loftus had to deal not only with Milwaukee Democrats opposed to the reforms being pushed by Williams, but also with Senate Democrats who would have to agree on what – if anything – would eventually become law.

"We were always baffled. The Milwaukee delegation had a different agenda. They were consumed with city politics and racial politics," Loftus said in a recent interview.

But Loftus also believed that, if someone like Williams had spent years working so hard on an important issue, her effort deserved a vote in the 99-member Assembly. He promised Williams that her MPS bill would get an Assembly vote before the 1989-90 session of the Legislature adjourned in the spring.

Loftus asked Democratic Rep. Barbara Notestein, chair of the committee holding Williams' bill hostage, to hold a public hearing. Hundreds turned out to demand MPS reforms at that Milwaukee hearing.



When Notestein's committee voted on the bill on March 8, 1990, it passed on a 7-6 vote only because one Democrat, Rep. Kim Plache of Racine, voted for it. Plache was then paying for a relative to attend a private Catholic school in another state.

On March 13, 1990, the Assembly took up AB 601, sponsored by Williams. It would have allowed up to 3,000 low-income MPS children to attend non-religious schools at state expense. Loftus led a move to remove the appropriation from the bill, knowing that Thompson could rewrite any spending bill - possibly extending it to church-run schools - with a veto. But his motion failed on a 49-48 vote. Three of the Assembly's four African Americans voted against the Assembly speaker.

The Assembly passed the bill, but a procedural motion blocked it from going to the Senate. Time was running out; the Legislature would soon adjourn. Loftus had the Assembly break for a few hours, then asked some of his members from rural areas to agree to vote to ship the bill to the Senate. They agreed. The bill was in the Senate.

Recalling that day decades later, Loftus told Johnson Wood, "The North Division School District was a real problem. Choice was much more doable. It took away a problem, and it got Polly off my back."

In a recent interview, Loftus said he wanted some version of choice to become law. But he also had a bottom line: "No religious schools."

Why? "I didn't believe that was constitutional. I also believed it was wrong."

But there was another major development that removed another barrier to choice. WEAC, the powerful statewide teachers union, at some point dropped its opposition to a Milwaukee-only choice that allowed only low-income MPS students to enroll in non-religious schools. And MTEA, the union for MPS teachers, had no credibility in the Capitol and no power outside Milwaukee. "I didn't even know the head of MTEA," Loftus recalled.

"Once Choice was restricted to Milwaukee, WEAC stopped caring," Loftus added.

Morris Andrews, then executive director of the 48,000-member WEAC, said the union's members statewide - in Madison, Green Bay, La Crosse, Eau Claire, Wausau and Kenosha - "didn't want any part" of debate over starting a Choice program in Milwaukee.

"It was isolated at the time to Milwaukee - period," Andrews said in a recent interview.

Andrews also said WEAC members had other Capitol priorities - an early-retirement plan that would be an incentive for older teachers to retire and a major state aid package to upgrade aging schools statewide. Both of those issues consumed Democratic Sen. Bob Jauch, chair of the Senate Education Committee and an avid opponent of Choice.



Once Milwaukee choice passed the Assembly, Williams went to see her senator, Gary George, co-chair of the Legislature's budget committee.

According to Fuller and Mitchell, Williams had this blunt message for George: If you block an MPS choice plan for a third time, I will run against you in a primary in Milwaukee's 6th Senate District in 1992.

Larry Harwell, chief of staff to Williams and an activist for MPS reform for years, told Johnson Wood that her relationship with George was "not good - they basically represent different factions of the black community in Milwaukee." Williams told the UW-Madison graduate student she and George did "not get along, but Gary George kept his promise" on choice.

An attorney and one of three Senate leaders elected by members of their caucus, George was the only African-American senator and relished the make-or-break power he wielded in the Legislature. He wanted to avoid a messy 1992 primary against Williams, who would have made Choice and the need for MPS reforms her top issue.

George acted quickly, dictating the terms of a choice plan he could accept: Chop the number of MPS students who could enroll in private schools from 3,000 to 1,000, and dial back the cost to state government by reducing the per-pupil stipend private schools would receive.

"I would decide how it would be drafted, and we would pass it," George said in a December 2016 interview. "I passed it. It's the program I created."

George added it to a spending package the full Legislature had to accept or reject in the next 48 hours. Although it set a national precedent, the Wisconsin Senate never independently debated the merits of the first choice plan for Milwaukee.

Thompson was ecstatic, writing in "Power to the People":

"On March 19, Tom Fonfara burst into my office and reported, 'Choice is in the budget.' ... [George] had decided to add school choice as an amendment to the 214-page budget bill the committee was going to pass. On March 21, the committee passed its omnibus bill with school choice included. On the same day, it was sent to the Senate and Assembly for approval....

"In the Assembly, the majority for choice already had been established on the March 13 vote. In the Senate, Democrats did not want to take on Sen. George. After two years of effort, it was over that quickly."

Loftus and George said Thompson's demands for MPS reforms – and for choice specifically – played a key role. Governors can say they support something, but then do nothing to make it become law.



“Choice was about MPS, and the hope that there would be something that would bring people together – especially inside the black community,” Loftus said. “Tommy was very sincere about this...He had no desire to commit mischief, to hurt Democratic legislators or the Legislature.”

Added George: “I think the governor’s willingness to support choice was based on his view of Milwaukee, what was best for the state, what made sense politically.”

Thompson signed Choice into law on April 27. It set off a “political firestorm,” he wrote in his book.

It also touched off what would prove to be a five-year Thompson-led fight to expand choice to religious schools.

Ch. 3: Choice comes to Milwaukee church schools in 1995

After Republican Gov. Tommy G. Thompson signed the first, narrow Parental Choice program into law in April 1990, he furiously laid the groundwork for what came next: Getting re-elected that November.

It was not a sure bet; Wisconsin voters had picked new governors in the 1978, 1982 and 1986 elections. He didn't want to be the next one-term wonder.

His Democratic opponent was former Assembly Speaker Tom Loftus, who had served with — and fought with — Thompson in the Assembly for years.

Although they had two different visions of Wisconsin’s future, Loftus said in a recent interview the 1990 campaign was dominated by issues neither of them saw coming: the bitter fight over the spring spearfishing rights of Indian tribes in northern Wisconsin; how to spend hundreds of millions of dollars in profits from the new state lottery, and how to approve, and regulate, greyhound racetracks that were opening statewide.

Thompson’s successful push for the new Parental Choice program, which authorized letting up to 1,000 low-income Milwaukee children attend non-religious private schools with state-issued vouchers, “was never an issue in that governor’s race,” Loftus recalled.

On Nov. 6, 1990, Thompson got 58 percent of the statewide vote. He even carried Milwaukee County — the first Republican to do so since 1946, he boasted in 1991. He said he got “25 percent of the black vote,” partly because “my support for school choice helped me in the minority community.”

In the 1988-90 fight that led to passage of the limited Parental Choice, elected officials like Thompson, who ultimately wanted it expanded to religious schools had decided to take



what they could get. After all, Speaker Loftus had declared, “No church schools” as a condition of letting it pass. The expansion war would be fought — and won — another day.

Catholic, Lutheran and other private-school administrators “had the discipline to be silent about the expansion issue — even if they would have no benefit” from the 1990 law, former Democratic Sen. Mordecai Lee wrote in a 1996 essay explaining why choice had been expanded to church schools a year earlier. A Milwaukee legislator from 1977 until 1989, Lee fought adding church schools as a leader of the Coalition for Public Education after he left the Legislature.

Before the 1990 choice law, religious school administrators “knew that later it could be expanded to include them, but they knew they shouldn’t say that publicly,” Lee added.

From the start of the choice debate in the mid-1980s, Thompson had his eyes on the prize of making it available to church-run private schools.

“I believe it was always the intent to bring back into the program the private, parochial schools,” said Tom Fonfara, the governor’s lead staffer on education issues. “But Tommy wanted to get this moving. He wanted to get some progress.”

There was another big reason the governor couldn’t move to get choice into religious schools in the two years after winning his second term: The pending lawsuit filed to try and void the 1990 choice law.

“We had to defend the law. The law had to be sustained,” James Klauser, then secretary of the state Department of Administration and the governor’s top deputy, recalled. “Then we could expand choice.”

In his book, “Power to the People,” Thompson noted the irony in the lawsuit to kill the new choice program.

“The Milwaukee chapter of the National Association for the Advancement of Colored People (NAACP), with the support of the state teachers union, filed suit in state court to block the reform.

“The state teachers union, white liberals and the NAACP were fighting to keep low-income, predominantly African American families from picking their own schools.”

Opponents argued that choice was a “private or local provision” illegally added to a “multi-subject” bill, which violated the Wisconsin Constitution. They also said it violated the constitutional guarantee of a “uniform” public education in Wisconsin.

In August 1990, a Dane County judge found the new choice law constitutional. But, three months later, Court of Appeals judges ruled that choice had been illegally enacted by the Legislature.



In March 1992, the Wisconsin Supreme Court had the final word: Choice was a legal part of Wisconsin's educational system – and a national precedent. The court split 4-3, however.

In the ruling, Justice William Bablitch, a former Senate majority leader, dismissed the idea that choice had been smuggled through the Legislature. "Nothing of significance in the legislative process 'just happens,'" Bablitch wrote.

Morris Andrews, former executive director of WEAC, also noted in an interview that he and other leaders of statewide education groups retired in the early-1990s. That meant that WEAC's new leader, and others, did not have the advantage of knowing how the first, limited choice plan had been approved and what was at stake in the coming debate to expand it.

Although Milwaukee's choice program had been found constitutional, it didn't grow significantly. In the 1992-93 school year, 594 students attended 11 choice schools. In the 1994-95 school year, 771 students were enrolled in 12 private schools.

Choice schools were only serving a tiny fraction of MPS students, which meant the rest of them were in schools that were largely failing or they were dropping out at frightening rates.

There was another troubling trend: As more white Milwaukee residents moved to the suburbs, their old neighborhood Catholic or Lutheran schools either struggled to stay open or ultimately closed.

"You couldn't sustain those schools," said former Democratic Sen. Gary George, who represented a large section of the city for 22 years. "We were losing that infrastructure."

The slow growth of choice frustrated the governor who had signed it into law. He wanted to see thousands of low-income children in private schools.

"Most choice students in Milwaukee were attending the three best nonsectarian private schools and these schools couldn't accept more students," Thompson wrote in his book.

"At the same time, though, good Catholic schools in low-income neighborhoods were underutilized or shutting down. The low-income families who live in those neighborhoods, if they couldn't get their children into a private-school choice program, couldn't afford to send their children to the parochial schools."

Milwaukee had about 130 private schools, and "nearly all" were part of churches, Thompson added.

In 1994, there were two major developments that would lead to Thompson and the Legislature expanding choice to church schools one year later.



Tim Sheehy, executive director of the Milwaukee Metropolitan Association of Commerce (MMAC), said Milwaukee business leaders made education reform their top priority. MPS was handing diplomas to an “army of illiterates,” Sheehy said in a recent interview. And, MPS superintendents had the short careers “of an NFL lineman.” A frustrated Howard Fuller, a community activist and former state and county official, had resigned as MPS superintendent in 1994. He had graduated from North Division High in Milwaukee.

The result of a failing MPS? A “startling decline” in the quality of new workers Milwaukee-area businesses needed to thrive and expand, Sheehy said. “Too many people were being left on the sidelines.”

Sheehy organized a meeting with dozens of Milwaukee-area CEOs and the governor. Thompson, who remembered how MMAC and business leaders sat out the 1988-1990 fight that led to passage of the first, limited choice plan, had a pointed question: “So where’s the plan?”

“It was the best question,” Sheehy recalled.

“Tommy politely told us: ‘Get your act together. This issue is going to take a full-court press to get this done. I don’t see a plan.’”

After that, Sheehy added, MMAC “made choice expansion our No. 1 priority.” Before then, “We didn’t see the power of school choice.”

Sheehy calls Thompson the “Thomas Edison of the Legislature. He saw a vision capable of execution. That’s what he did. What made Milwaukee and Wisconsin unique was Tommy’s ability to see the opportunity, and go out and execute.”

If Milwaukee’s business leaders organized African-American, neighborhood and church leaders to push the expansion of choice to church schools, Thompson made them this promise: If I’m re-elected in November, I will make that expansion part of my proposed 1995-’97 state budget.

MMAC quickly geared up to answer Thompson’s challenge, setting a budget of \$500,000 for the effort. It created a “war room” in its downtown Milwaukee suite of offices, complete with maps of legislative districts, the names of legislators who represented those districts and pins denoting the positions of those legislators on expanding choice.

To run the effort, MMAC hired Susan Mitchell, who had written a major policy paper — “Why MPS Doesn’t Work” — for the Wisconsin Policy Research Foundation in January 1994. Susan Mitchell’s spouse, George, had worked closely with former Gov. Tony Earl and Fuller on MPS issues before Earl’s 1986 loss to Thompson.



“MMAC was the only business organization in the country to undertake such an effort,” Susan Mitchell said.

With MMAC’s backing — and that \$500,000 — Susan Mitchell, Fuller and others didn’t let Thompson down.

“The Milwaukee community delivered strong support from a wide-ranging coalition that crossed political, religious, racial, ethnic and socio-economic lines,”” Susan Mitchell said.

“In addition to CEOs and parents, it included {Mayor] John Norquist...religious and non-sectarian private schools, and a variety of community leaders.”

T-shirts were printed. Buses for parents and children were rented for rides to the Capitol. Some neighborhood activists were paid, which Sheehy said is no different than special-interest groups hiring Madison-based lobbyists to try and influence legislators.

One choice-expansion rally sticks out in the memories of Thompson and Susan Mitchell.

She remembered it this way: “Several hundred parents and community activists filled a hall at Milwaukee Area Technical College to express support for expansion of the Milwaukee program.”

Always the politician, Thompson remembered the rally’s timing: “A week before the election, I repeated that [expand choice] promise at a jam-packed rally for choice students in Milwaukee,” he said in his book.

On Nov. 8, 1994, Thompson was re-elected with 68 percent of the vote. Choice, and whether to expand it, again played no major role in that gubernatorial campaign. But, years later, the Democrat Thompson beat, Madison Sen. Charles Chvala, was Senate majority leader and told Fuller he would “kill choice,” which by then had expanded to religious schools. Chvala never made good on that promise.

Mikel Holt, the editor of Community Journal, one of two African American newspapers in Milwaukee, told a UW-Madison graduate student that inner-city support for Thompson “skyrocketed” and the Republican “got 40 percent of the black vote” in November 1994.

“His moderate to conservative politics are in line oftentimes with our quest for black empowerment,” Holt told the student, Barbara Johnson Wood.

But voters not only re-elected Thompson in 1994. For the first time in decades, they gave Republicans control of the Assembly. Nine new Assembly Republicans were elected that fall, joining four others — including now-Gov. Scott K. Walker — who had been elected in special elections in 1993 and kept their seats the following year.



The GOP's Assembly majority was the second major development, along with MMAC's unifying Milwaukee-area business leaders, that cleared the way to expand choice to religious schools. Republicans also controlled the Senate when the 1995-1996 legislative session began in January.

Before November 1994 elections, Susan Mitchell said, "We assumed that we might be dealing with a divided Legislature. While WEAC went all-in to re-elect Democratic members to the Assembly, Republicans took control. The odds for [choice] expansion thus improved, but the governor's leadership remained essential."

When he gave legislators his proposed 1995-1997 budget, Susan Mitchell said, Thompson "delivered."

"It included an expansion of the program to include religious schools and to allow any low-income student in MPS to enroll — a provision that would have made more than 60,000 students eligible."

In that January 1995 budget address, Thompson said:

"School choice is more than a program. It is a philosophy. It is the belief that parents know best when it comes to their own children. It is the belief that poor parents have the same right to choose that other parents have.

"Religious values are not the problem. Drop-out rates and low test scores are."

But, even with Republican majorities in both Assembly and Senate, expanding choice was "not easy," Susan Mitchell added.

In the Assembly, key Republicans — including Speaker David Prosser, Majority Leader Scott Jensen and veteran Ben Brancel — fought to expand choice, she added.

The Senate posed the biggest problem. Republicans had a one-vote majority, and two Republicans — Majority Leader Mike Ellis, a former high school math teacher, and Dale Schultz — had misgivings about expanding choice.

Sheehy and two other Republican senators — Assistant Majority Leader Margaret Farrow and Joe Leean, co-chair of the Joint Finance Committee — convinced other Republican senators that choice had to be expanded to church schools.

Susan Mitchell recalled an agonizing day in the Capitol, when she had been warned that Schultz might block choice expansion. Thompson and Schultz met in the governor's East Wing office. Schultz agreed to expand choice to church schools; it stayed in the 1995-1997 state budget.



The Legislature did dial back the number of low-income MPS students who could enroll in private schools, however. A 15 percent cap — or about 15,000 students — was part of the final budget deal.

Thompson signed the budget with the choice expansion into law on July 26, 1995.

Within three years, the number of choice students attending Milwaukee-area private schools quadrupled — from 1,616 in the 1996-1997 school year to 7,575 students in 1999-2000.

Choice opponents again sued, arguing that the expansion illegally subsidized religious schools. They again lost.

Besides Thompson's demand to expanding choice to religious schools, there are many reasons why it became law in 1995.

Fonfara said opponents of expanding choice had no better plan, so they were forced into the "no-win" position of defending what everyone agreed was a tone-deaf, failing institution - MPS.

In his 1996 essay, Mordecai Lee listed other key reasons why Thompson and Republican legislators were able to enact the historical expansion of choice.

First, Lee said, Thompson and other Republican Party leaders had "captured the public perception that it is the party of 'new ideas.'"

Second, Lee added, calling it "Parental Choice" was "politically a winning transformation."

"With this new spin, the fight was no longer about tax dollars going to religion but rather about whether one was for or against 'parents' and 'freedom of choice.' The repackaging and new spin of this old idea was brilliant politics which totally reshuffled the political deck."

Third, Lee said, those fighting to expand choice win when the question becomes "whether an abstract principle of the constitutional separation of church and state was as important as doing something that would ostensibly and concretely help inner-city kids."

It also hurt opponents of choice expansion that teachers' unions were leading the fight against it, Lee added. "They, politically, were 'damaged goods' in the eyes of most Republican legislators."

But Thompson was the deciding force in the fight that let religious schools join the choice program. "Without his leadership and, most importantly, his tenacity, the expansion would not have occurred," Susan Mitchell said.



Ch. 4: 'I'm very proud...It's going to get even bigger'

In April 1990, when Gov. Tommy G. Thompson signed a bill allowing several hundred low-income Milwaukee Public School students to attend private, non-religious schools at state expense — a national precedent — nobody knew how big choice would become.

Nationally, 27 states had some form of private school choice at the end of 2016, according to the National Conference of State Legislatures.

In Wisconsin, Democratic legislative leaders, teachers' unions and other choice opponents never expected it would be extended to church-run schools.

"I thought the courts would say 'no,'" former Democratic Assembly Speaker Tom Loftus, who helped the narrow 1990 version of choice that Thompson signed pass the Legislature, said in an interview.

In lawsuits opponents filed to try and block Wisconsin's choice law, they cited the U.S. Constitution's mandate separating church and state.

But, five years after the Legislature approved the first choice program, Thompson pushed for — and got — the Wisconsin Legislature to extend it to religious schools.

Choice then exploded in Wisconsin. Choice was expanded to Racine schools for the 2011-'12 school year and statewide for the 2013-'14 school year.

The reach of choice now in Wisconsin, compared to a first-year total of 300 low-income Milwaukee students attending seven schools, is stunning.

*In the current 2016-'17 school year, 32,759 students statewide are enrolled in choice programs. That total breaks down this way: 27,302 Milwaukee students; Racine, 2,464; and statewide, 2,993. They attend 121 Milwaukee-area private schools, 19 Racine private schools and more than 100 private schools statewide.

*Choice is a \$244.6 million program this year — \$167 million in state aid to operate the program and \$77.6 million in property taxes levied by local school districts to offset lost state aid. In the 1990-'91 school year, choice cost a total of \$1.4 million; in the 1996-'97 school year, \$14.2 million.

*Per-student state payments for choice students increased to \$7,323 for grades kindergarten through eighth grade, and \$7,969 for students in grades nine through 12, this year. Those payments are scheduled to go up next year.

*Income guidelines have also increased significantly, allowing many more families to qualify for choice. According to the Legislative Fiscal Bureau, a family of four — two



parents and two children — can qualify for the Milwaukee and Racine choice programs with a family income up to \$80,401 this year. The same four-person family can qualify for statewide choice programs with an annual income of \$52,263.

*According to estimates, three out of every four schools participating in choice are church-run.

*There are no limits on the number of Milwaukee and Racine children who can enroll in choice programs. The limit of students that public school districts statewide can lose to choice schools will rise to 2 percent in the 2017-'18 school year, and 3% in the 2018-'19 school year.

Sure, there were growing pains.

Howard Fuller has worked to help low-income African-American children in Milwaukee learn more for almost 35 years as a state and county official and as MPS superintendent. He is in a unique position to assess the history of choice.

In an interview, Fuller said the late Rep. Annette “Polly” Williams, who is credited with being the “mother” of choice because of her advocacy on behalf of African-American Milwaukee children in the 1980s, eventually “became really disenchanted” because so few private schools had black administrators and teachers.

Williams felt choice had been “hijacked,” Fuller added. “I told Polly, ‘Once choice started, you can’t control it. New people come in.’”

Many legislators and Milwaukee-area leaders deserve credit, Fuller added, “But you don’t have choice without Tommy....Tommy was different.”

Thompson was right — then and now — on why choice is needed, Fuller said.

“In America, if you have money, you’ve got a way out. I really did believe in giving low-income and working-class families options. It didn’t matter to me whether it was Lutheran or Catholic schools.”

Are children in Milwaukee choice schools getting a better education than those in MPS schools?

“Some are, some aren’t,” Fuller said, adding:

“A voucher is not a school. A voucher is just a financing mechanism to get a kid to school...You should have parents’ choice, but there has also got to be a way that there is accountability built into that system.”



In a February interview at his Madison home, Thompson was asked about his legacy as the “father” of choice. The question prompted a broad grin.

“Choice wouldn’t have happened without me,” the only four-term governor in Wisconsin history said. “Anytime you have choice, things get better. Competition brings out the best. That’s what choice is doing.”

“I’m very proud of it. Look where it’s going across the nation. And now — with Betsy DeVos as the new secretary of education — it’s going to get ever bigger.”