

Wisconsin Institute for Law and Liberty: Argues school choice busing case in Seventh Circuit Court of Appeals

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Milwaukee Public Schools illegally denies busing to children at private MPCP school
September 18, 2018 – Milwaukee, WI – Today WILL attorney Anthony LoCoco participated in oral arguments at the United States Seventh Circuit Court of Appeals in Chicago on behalf of St. Joan Antida High School against the Milwaukee Public School District (MPS) for denying children their transportation rights.

Our client, St. Joan Antida High School, an all-girls high school in Milwaukee, educates about 145 students, with 93% being minority. It is an excellent school and one hundred percent of its 2016-2017 graduating class was accepted by colleges. But MPS refuses to transport its students to school.

Because the State of Wisconsin has expressed a concern about the safety for all students (and not just those in public schools), state law requires MPS to provide transportation to all students, whether they attend public or private schools, with reasonable uniformity. But MPS refuses to follow this law and has been denying students at St. Joan Antida their busing rights. The lawsuit against MPS asks the federal court to rule that MPS may not unlawfully favor its students by providing them with free and safe transportation and then discriminate against similarly-situated private school students by denying free and safe transportation to them.

In February, Judge Stadtmueller in the Eastern District sided with MPS, concluding that MPS could provide more generous transportation benefits to its own students than it does to private school students in order to save money. But St. Joan Antida argues that it is no more expensive to bus a private school student than a public school student, and state law makes clear that safe and reliable busing is supposed to be generally available to all students.

Today the case was heard in front of Judges Diane Sykes, Amy Coney Barrett, and Amy St. Eve in the Seventh Circuit.

More information on St. Joan Antida v. Milwaukee Public Schools can be found [here](#).