



U.S. Department of Justice

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IMMEDIATE RELEASE

May 8, 2025

Private School Settles with Justice Department to Address Discrimination Against Children with Disabilities

Richard G. Frohling, Acting United States Attorney for the Eastern District of Wisconsin, announced that on May 8, 2025, Wisconsin Montessori Society, Inc., d/b/a Milwaukee Montessori School (MMS) agreed to injunctive relief and payment of \$290,000 to resolve allegations that it failed to provide full and equal enjoyment of its educational services to children with disabilities, in violation of Title III of the Americans with Disabilities Act (ADA), 42 U.S.C. §§ 12131-12189.

MMS is a private day school that offers pre-K through grade 8 education. Private schools, day care centers, and other places of education are generally prohibited from discriminating on the basis of disability under Title III of the ADA. Disabled individuals protected under Title III include both individuals with an actual disability – meaning “a physical or mental impairment that substantially limits one or more major life activities of such individual” – as well as individuals “regarded as having such an impairment.”

Since at least 2018, MMS has discriminated against young children with disabilities. MMS has: (1) denied, on the basis of disability, participation in its educational services to disabled children by expelling and refusing to admit them; (2) denied disabled children equal participation in MMS’s educational services by repeatedly sending them to the office, seating them separately from other students, and sending them home early because of manifestations of their disabilities; and (3) failed to make reasonable modifications for disabled children. MMS’s discriminatory actions are evidenced by the experiences of ten children described in the Settlement Agreement.

“Children with disabilities have the right to access the educational opportunities offered by private schools, including Montessori schools,” said Acting United States Richard Frohling. “This settlement is an important reminder that the ADA’s obligations extend to private schools and their treatment of students with disabilities.”

Under the settlement agreement, MMS will pay monetary damages of \$240,000 to compensate aggrieved persons as well as a civil penalty of \$50,000 to the United States. It also includes injunctive relief that requires monitoring and reporting, and MMS has voluntarily taken some steps to address the government's findings.

The ADA authorizes the U.S. Department of Justice to investigate complaints and undertake periodic reviews of covered entities. The Department of Justice is also authorized to commence a civil lawsuit in federal court and to seek injunctive relief, monetary damages, and civil penalties.

Assistant United States Attorneys Lisa Yun and Nia Schmaltz represented the government in this matter. The claims resolved by the settlement are allegations only; MMS does not admit liability for the allegations.

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