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Ms. Martha Brown, Deputy Commissioner
Department of City Development
809 North Broadway
Milwaukee, WI 53202

Dear Ms Brown and City of Milwaukee Common Council Committee:

On March 18, 2016, I received email regarding to the Milwaukee City Attorney's opinion for the qualification of "Education Operators". It is indicating that the definition of "Education Operator" by Milwaukee City Attorney is based on 1) **Merriam-Webster Dictionary; and 2) Wisconsin State Legislature, Chapter 118.40**. Then, dawning conclusion as the followings,

> Wisconsin statutes dedicated to school age Children (i.e. kindergarten through high school). As such, the phrase "operator of a private school", would be "a person who or entity that runs a non-public school with a similar curriculum and student makeup as the public schools."

In another word, the above definition can be expressed as the private schools "must be involved in the education of students in kindergarten through 12th grade."

Candidly speaking, we are not familiar with Wisconsin State Legislature**, Chapter 118 - General School Operations**. But after did some research and carefully reviewed the whole chapter 118, *https://docs.legis.wisconsin.gov/statutes/statutes/118*, we found that the Chapter 118.165, did the following definitions for "Private Schools":

> (1) An institutions is a private school if its educational program meets all of the following criteria:
>
>   (a) The primary purpose of the program is to provide private or religious-based education.
>   (b) The program is privately controlled,
>   (c) The program provides at lest 875hours of instruction each school year.
>   (d) The program provides a sequentially progressive curriculum o fundamental instruction in reading, language arts, mathematics, social studies, science, and health. This subsection does not require the program to include in its curriculum and concept, topic, or practice in conflict with the program's religious doctrines or to exclude from its curriculum any concept, topic or practice consistent with the program's religious doctrines.

(e) The program is not operated or instituted for the purpose of avoiding or circumventing the compulsory school attendance requirement under s. 118.15 (1) (a) and (am).

(f) The pupils in the institution's educational program, in the ordinary course of events, return annually to the homes of their parents or guardians for not less than 2 months of summer vacation, or the institution is licensed as a child welfare agency under s. 48.60(1).

(2) An institution may request the state superintendent to approve the institution's educational program as a private school. The state superintendent shall base his or her approval solely on the criteria under sub.(1).

It is clearly that the state law does not limited or casted private school's student age on children age from Kindergarten through High School.

Indeed, Marquette University is well-know private school in the city of Milwaukee, no one doubt that it is not a private school just because all students attend the school beyond high school age. From this point, no one further critical that the university operator is not an Education Operator.

As we stated on the Letter of Interest, we are planning to buy a property for the purpose of housing an **ESL (English as the Second Language) School** for international student from Asia countries, especially from China. These students are generally high school graduates or those who already completed academic coursework at high school, just need to improve English in speaking, listening, reading and writing for college entry test, like SAT, ACT, TOEFL, IELTS and then study at universities in the state of Wisconsin and USA.

It is important that the **ESL School** is not same or similar to other adult's schools, like vocational schools, beauty schools, nursing schools, and other various professional schools with a purpose for educating adults for job or professional career basis. Those school kind organizations focus on training none school age people in particular skills for jobs or hobbies, e.g. But the school we are trying to have is an English Language Institute to teach school age students for knowledge base language learning purpose and then get into colleges for further study. They are normally under age 21, and still are kids or children. They will be full time students and may still under guardian.

So, with my unstinting, the ESL Language School has big difference in both purpose and students from adult school, professional school, secondary school or skills school.

What we are thinking is that whether a school can be classified as a "private school", whether a school operator to be considered as an "education operator", all should be measured by both State and Federal laws, related rulings and exact the purpose for what the school will do. It should not only be evaluated by student age.

We understand that buying Wisconsin surplus school property have to be qualify as an "Education Operators". To be as an "Education Operators", the Entity of **English as Second Language Institute** or the **ESL School** need to be recognized as a private school by city of Milwaukee. After did consultation with State of Wisconsin Department of Public Instruction, and comparing with Wisconsin State Legislature, Chapter 118 - General School Operations. We believe that the school we are planning to have in the city of Milwaukee met all Wisconsin

private school requirements. Then, I am writing this letter to you and the city Common Council Committee for further consideration.

We really appreciate city Clerk, Commissioner, Attorney and Common Council Committee to process and work seriously on our proposal. However, for whatever results made finally by the city Common Council Committee, we would like to thank you for all kind of assistants and considerations.

Sincerely yours,

Zhoucai Fan
Investor and Investors representative