

SCHOOL CHOICE AMENDMENT

Whereas, every Oregon child deserves an equal opportunity to receive a quality education;

Whereas, an Oregon family's zip code or income level should not be a barrier to what education their children receive;

Whereas, allowing Oregon families the right to choose among various schools and educational programs will provide fairness to all the children;

Whereas, many Oregon schools persistently fail children from disadvantaged backgrounds, and children with special needs;

Whereas, Oregon schools rank in the bottom twenty percent nationally for quality and safety;

Whereas, parents are now aware that education comes in different forms, some of which do not fit the needs of their children;

Whereas, no child should be trapped in a particular school or form of schooling that does not fit the educational needs of the child;

Whereas, parents have the primary right and duty to educate their children;

Whereas, parents are uniquely aware of what is best for their children;

Whereas, parents want to choose the schooling options to ensure that their children receive the best education possible;

Whereas, empowering parents and their children with the opportunity to customize the education that best serves the children will improve the children's happiness and success in school;

Whereas, introducing competition among schools will lead to innovative and cost-saving improvements to the content and delivery of education to all Oregon students;

Whereas, improving the education that Oregon children receive will improve the lives of Oregon residents;

Therefore, Be It Enacted by the People of the State of Oregon:

SCHOOL CHOICE AMENDMENT

1. This Section is added to Article VIII of the Oregon Constitution. This Section shall be called the School Choice Amendment.
2. Each parent has the right to choose the school which the parent's child attends, as provided in this section.
3. For purposes of this section:
 - a. "Parent" means the person or persons who have legal custody of a child.
 - b. "Child" means an Oregon resident of school attendance age for grades Kindergarten through twelfth grade.
 - c. "School" means a public school, a private school, or a home school program, including a nonpublic school education program using school choice services.
 - d. "School district" means a public school district established by the state.
 - e. "Attendance zone" means an area within a school district which is designated as the assigned area in which resident parents send a child to a specific public school.
 - f. "School Choice Account (SCA)" means an education savings account established for the parent, held and administered by a nonprofit organization chosen by the parent.
 - g. "School Choice Services" means the methods of educating the child, including tutoring, curriculum and supplemental materials, uniforms, educational services and therapies, exam and testing fees, education hardware and software, textbooks and other instructional materials, and tuition, including dual-credit classes, for private schooling, nonpublic online learning programs, and vocational, life-skills, career or technical schooling; transportation fees paid to a fee-for-service transportation provider; tuition, textbooks, and fees at postsecondary institutions of higher education, including colleges, universities and career, technical or vocational schools; and management fees for the SCA charged by the nonprofit organization administering the SCA. Any SCA funds left over yearly will rollover, and after the child graduates from high school, any remaining SCA funds may be used to pay for the child's costs at a college, university, or vocational school in Oregon.
4. Within each school district, a parent has the right to choose a public school for the parent's child to attend, for the appropriate grade level, for each school year, regardless of any attendance zone established by the school district. The school district shall provide full education services for such child if room exists in the chosen school, with one exception: the school district has no obligation to provide transportation where a choice is made for the child to attend a public school outside the attendance zone where the child resides.
5. For each school year, the Legislative Assembly shall calculate a Basic School Support funding amount, which is the greater of (i) \$9,500; or (ii) the average amount per public

school student of the formula revenue for distribution by the state to all school districts and education service districts.

6. a.) A parent may notify the State Department of Education that the parent chooses to have a child attend a private school, or participate in a home school program and not engage in compulsory attendance at a public school within a school district. Notice shall be given to the State Department of Education by hand delivery, by postal first-class mail, or by email, delivered to the State Department of Education at any of its offices, provided such notice is delivered fifteen (15) business days prior to the date the child will begin such nonpublic education. The notice shall identify the child and the child's age, shall specify that the parent has chosen to have the child educated at a private school or through a home school program, and shall request participation in a school choice account.

b.) Upon receipt of notice as specified above, the State Department of Education shall deliver school choice funds, all of which funds shall be considered tax-free funds, on the same schedule the legislative appropriation is delivered to any school district, as follows: Eighty percent (80%) of the Basic School Support amount to a school choice account for the parent, to be used to pay the school choice services for the child. The amount of funding delivered by the State Department of Education to the school choice account shall be prorated for the number of months remaining in the school year for parents choosing to participate after the beginning of the school year.

c.) The parent and education providers who receive or use school choice funds to educate the child will not be required to change their creed, education practices, admission policy or curriculum. The actions of the parent and education providers will not be deemed to be the actions of the state.
7. This Section is effective upon passage and applies to schooling provided from July 1, 2025, onwards.

