

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, 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;

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 an Oregon resident who is a parent, guardian, custodian or other person with the authority to act on behalf of the Child.
 - b. "Child" means an Oregon resident of school attendance age for grades Kindergarten through twelfth grade ("K-12") who is eligible to enroll in an Oregon K-12 public school.
 - c. "School Choice Option" means the education of the Child that is not received in an Oregon K-12 public school setting. This includes education received at a private school, in a homeschool setting or with School Choice Services.
 - d. "School Choice Account" or "SCA" means an account created for a Parent that is administered by a nonprofit organization.
 - e. "School Choice Services" means the items or services that a Parent can purchase using the SCA, including tutoring; educational services and therapies; exam and testing fees; computer hardware, technological devices, educational software and applications; school uniforms; textbooks, curricula or other instructional materials, including any supplemental materials; tuition and fees for private schooling,

homeschooling, nonpublic online learning programs, vocational, life-skills, career or technical schooling, dual-credit classes, and postsecondary institutions of higher education; fees for summer or specialized, after-school education programs; transportation fees paid to a fee-for-service transportation provider; and management fees for the SCA charged by the nonprofit organization administering the SCA.

- f. “School Year” means the time Oregon public school students receive education services during a twelve-month period. For funding calculation purposes, this includes any times that government funding is transferred during each twelve-month period.
 - g. “Eligibility Date” means the date that the Child will no longer be enrolled in an Oregon K-12 public school as attested to by the Parent in the Notice described in Section 5. In the years after the Parent first attests that the Child will no longer be enrolled in an Oregon K-12 public school, and provided the Child remains unenrolled in an Oregon K-12 public school, the eligibility date means the date that is the first day of the school year for the school district in which the Child resides.
 - h. “Basic School Support Funding Amount” means for each School Year, from the funding appropriated by the Legislative Assembly for schools, the greater of (i) \$9,500; or (ii) the average amount per public school student of the state school fund formula revenue for distribution to school districts and education service districts.
 - i. “School Choice Funds” means Eighty Percent (80%) of the Basic School Support Funding Amount.
4. As a method of voluntary school choice, a Parent has the right to choose the School Choice Option with funding in a School Choice Account for the Parent’s Child.
5. A Parent who chooses the School Choice Option with funding in a School Choice Account shall be entitled to receive School Choice Funds provided the Child is not enrolled in and attending an Oregon K-12 public school.
- a. To elect to receive a School Choice Account, a Parent shall notify the state agency overseeing education (the “Agency”) at any of its offices, by the Parent’s choice of hand delivery, postal first-class mail, email or similar method. The notice shall inform the Agency (i) the Parent intends to opt-out of their assigned public school and receive a School Choice Account; (ii) the Child’s name and the Eligibility Date; and (iii) the name and address of the nonprofit organization chosen by the Parent to administer the School Choice Account (the “Notice”).
 - b. For a Parent eligible to receive School Choice Funds, a Parent’s election to receive funding in a School Choice Account on behalf of the Child shall automatically renew each year through the year the Child completes high school unless earlier terminated by written notice of termination to the Agency from the Parent. The

Parent's Notice and receipt of School Choice Funds shall satisfy Oregon's compulsory school attendance requirements.

6. The School Choice Funds shall be deposited into the Parent's School Choice Account at the nonprofit organization chosen by the Parent; the funds, and any interest or earnings on the funds, shall be considered tax-free funds.
 - a. The Agency shall transfer the School Choice Funds to the nonprofit organization on the same distribution schedule that the Agency transfers the legislative appropriation of funds to school districts across the state, but in no event less frequently than monthly with the first monthly transfer beginning in the month following the month in which the Agency received the Parent's Notice. The amount of School Choice Funds delivered by the Agency to the School Choice Account shall be prorated for the portion of the School Year beginning on the Eligibility Date.
 - b. School Choice Funds, once deposited into a School Choice Account, are no longer public funds.
 - c. Any SCA funds left over yearly will roll over, and after the Child completes high school, any remaining SCA funds may be used to pay for School Choice Services at a college, university, vocational or trade school in Oregon.
7. A Parent who receives funding in a School Choice Account under this Section may use the funds in the School Choice Account to pay third parties for the School Choice Services for the Child.
8. Neither the Parent nor the education providers who receive or use School Choice Funds will be required by the state to change their creed, education practices, teaching credentials or qualifications, admission policy or curricula. The actions of the Parent and education providers will not be deemed to be the actions of the state.
9. This Section applies to schooling provided from July 1, 2025, onwards.

