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From: Ms. Marla F Benavides and Debra Carroll

CC: Julia Jackson | MPA julia.jackson@coleg.gov, Cathy Eslinger, cathy.eslinger@coleg.gov

Date: February 3, 2023

Re: **Proposed initiative measure concerning the Fundamental Rights of Parents.**

The Parent Right in Education

Concerning the fundamental right of parents to direct the upbringing, education, and care of their minor children.

Citizens' initiative: 2023

SUBJECT: PARENT'S RIGHT AMENDMENT.

SUMMARY

For Education years commencing on and after November 2024, the ballot initiative amends the compulsory education section, and establishes a parent right in education that sets forth specific parental rights relating to directing the upbringing and raising of children, a contractual basis obligation for parents to sue if the public school, the higher standard of best interest of the child, and the clearly sets the role of parents and the school regarding the education. The Amendment requires that the government cooperate with the parents when making decisions and prohibits the government from usurping the parents absolute right in rearing their children as they see fit; in short it defines the role parents have to direct the education of their children and decide the school of choice that best fits their child(ren)'s needs.

The amendment prohibits an individual, corporation, association, organization, state-supported institution, or individual employed by any of these entities from procuring, soliciting to perform,

arranging for the performance of, or performing a surgical procedure upon a minor without written or verbal consent from the minor's parent.

The People of Colorado find that a fundamental right of parents to direct the upbringing, education, and care of their minor children is needed to check and balance the government interest. The People further find that important information relating to a minor child should not be withheld, either inadvertently or purposefully, from his or her parent, including information relating to the minor child's health, well-being, and education, while the minor child is in the custody of the school district. The People also find it is necessary to establish a consistent mechanism for parents to be notified of information relating to the health and well-being of their minor children.

**Article IX. Education. Section 11. Compulsory
education.PARENT RIGHTS.**

BE IT ENACTED BY THE PEOPLE OF THE STATE OF COLORADO, AMENDS THE COLO. CONST.

ART. IX, SECTION 11 AS FOLLOWS:

The People of Colorado finds that a good education, being necessary for the security of free people, a parent's right to direct the upbringing, education and care of their minor children is necessary for the wellbeing of every child; this right of parents to raise and train their children shall not be infringed.