

Proposition__ : Constitutional Right to School Choice

Placed on the ballot by citizen initiative • Passes with a majority vote

1 **Proposition__ proposes amending the Colorado Constitution to:**

- 2 • create the right to school choice for children in kindergarten through twelfth
3 grade (K-12) and create the right for parents to direct the education of their
4 children; and
- 5 • define school choice to include public neighborhood and charter schools, private
6 schools, home schools, open enrollment options, and future innovations in
7 education.

8 **What Your Vote Means**

9 **YES**

10 A "yes" vote on Proposition__ creates a
11 constitutionally protected right to school
12 choice for K-12 children and their
13 parents, and specifies that school choice
14 includes all forms of current and future
15 education options, including private,
16 homeschool, and public education.

17 **NO**

18 A "no" vote on Proposition__ maintains
19 the current system of school choice in
20 state law.

21 **Summary and Analysis of Proposition__**

22 **Does Colorado law allow school choice?**

23 Under Colorado law students may attend any public school for free, even if they do not live
24 in the school district. Public schools include neighborhood schools, charter schools, and
25 some online schools. Each school district has policies allowing parents to enroll students in
26 the public school of their choice. State law also permits parents to choose non-public
27 education options, such as private schools or home schools. Public schools receive public
28 funding from local and state governments. Private schools and home schools do not receive
29 any public funding.

30 **What does this measure do?**

31 Proposition__ creates a constitutional right to school choice and equal opportunity for K-12
32 children. The measure also creates the new right of parents to direct the education of their
33 children. Neighborhood and charter schools, private schools, home schools, open
34 enrollment options, and future innovations in education are included in the new
35 constitutional definition of school choice.

1 **Will the measure change school choice laws in Colorado?**

2 The measure results in no immediate change to state law, or the enrollment policies of
 3 school districts. Parents may continue to choose a variety of K-12 school options for their
 4 children. The state legislature currently makes laws to govern public education and how
 5 schools are funded. By creating a new constitutional right to school choice for children and
 6 parents, Proposition__ may affect how the legislature makes policies about school choice.
 7 For instance, the measure would prevent the legislature from eliminating school choice in
 8 the future. The measure may also lead to additional changes to state law via court
 9 interpretation or direction.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

10 **Argument For Proposition__**

11 1) Proposition__ guarantees that school choice is a right of parents and children. By placing
 12 this right in the Constitution, Coloradans affirm their commitment to a parent's right to
 13 choose an appropriate school for their children, including all forms of schools, both
 14 public and private. A constitutional measure ensures this right cannot be taken away by
 15 future legislatures.

16 **Argument Against Proposition__**

17 1) The Colorado Constitution already guarantees a free public education and Colorado
 18 already has robust school choice laws that allow parents to choose from many public
 19 school options, or choose to educate their children in private or home schools. The
 20 measure may conflict with current law prohibiting public funding for private education
 21 and will require interpretation by the courts. Ultimately, this could result in redirecting
 22 funding from public schools to private and home schools.

23 **Fiscal Impact of Proposition__**

24 State and school district spending. Proposition__ has no immediate impact on education-
 25 related spending by the state or school district, but may increase their spending on legal
 26 expenses and planning costs. Depending on how the measure is interpreted by the courts
 27 and the state legislature, the measure may change the allocation of state or local funding for
 28 education.