

OPEN ENROLLMENT 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:

OPEN ENROLLMENT AMENDMENT

1. This Section is added to Article VIII of the Oregon Constitution. This Section shall be called the Open Enrollment Amendment.
2. Each Parent has the right to choose the Public 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. "Public School" means an Oregon public school providing education to any child in K-12, including charter schools.
 - d. "School District" means a public school district established by the state.
 - e. "Attendance Zone" means an area within a School District that is designated as the assigned area in which resident parents send a child to a specific Public School.
 - f. "Resident School District" means the School District in which the Child resides.

- g. “Chosen School” means the Public School chosen by the Parent for the Child to attend under this Section.
 - h. “Chosen School District” means the School District that includes the Chosen School.
 - i. “Equitable Lottery” means the process to select a Child to attend a Chosen School under this Section in the event that there are more applicants who wish to attend a Chosen School than there is space in the Chosen School. The process must give each participating Child an equal chance of selection.
 - j. “School Year” means the time Oregon public school students receive education services during a twelve-month period.
4. As a method of voluntary school choice for a Child, a Parent whose Child is not then subject to expulsion or suspension in the Child’s current school has the right throughout each School Year to choose any Public School within the state for the Parent’s Child to attend, for the appropriate grade level. Except as provided below, the Chosen School District shall then admit a Child for enrollment at the Chosen School under this Section.
- a. For any classroom space or program in the Chosen School for each School Year, a Child who is a resident of the Attendance Zone of the Chosen School shall be given first priority if the Chosen School has an Attendance Zone; any other Child who is a resident of the Chosen School District shall be given second priority; and a Child who is not a resident of the Chosen School District shall be given third priority.
 - b. The Chosen School District may deny a Child outside the Attendance Zone of the Chosen School permission to enroll in the Chosen School if there is no remaining classroom space or capacity within a particular program, unless enrollment is required by federal law. Prior to denying the Child, the Chosen School District shall make every possible reasonable and good faith effort to accept the Child under this Section.
 - c. If there are more applicants for the Chosen School than there are remaining spaces available for the same priority level, the Chosen School District shall select a Child to attend the Chosen School by an Equitable Lottery process.
 - d. In selecting a Child to attend the Chosen School, the Chosen School District may not deny consent nor give priority based on race, religion, creed, sex, gender, ethnicity, political belief, national origin, disability, terms of an individualized education program, income level, proficiency in the English language or athletic ability.
 - e. Once a Child is admitted for enrollment by the Chosen School, the Child shall become an Open Enrollment Student.

5. An Open Enrollment Student shall be considered a resident of the Chosen School District.
 - a. The Chosen School District shall accept all credits toward graduation earned by the Child in any previous School District, private school, or homeschool.
 - b. Once enrolled in a school within the Chosen School District, and unless expelled, the Chosen School District shall provide the Open Enrollment Student with free and appropriate public education, and the Open Enrollment Student shall not need to reapply in subsequent years for enrollment in the Chosen School District.
 - c. Except as required by federal law, the Chosen School District shall not be required to provide transportation outside the Attendance Zone of the Chosen School District to an Open Enrollment Student.
 - d. The Resident School District shall provide the Chosen School District with a complete copy of the Open Enrollment Student's school records.
6. To enable a Parent to make an informed decision about open enrollment under this Section, each School District shall make readily and easily available to a Parent of the School District detailed information about the statewide, year-round open enrollment application process, including a simple statewide application form, how and where to obtain and submit the application form, whom to contact with questions about open enrollment, and when and how notification of acceptance or denial will be provided to the Parent by the School District.
7. This Section applies to schooling provided from July 1, 2025, onwards.

