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INITIATIVE PETITION

The Secretary of State is responsible for reviewing each initiative petition to ensure they comply with the procedural requirements established in the Oregon Constitution.

Accordingly, after review and consistent with the Secretary's duty to uphold the Oregon Constitution's procedural requirements, the Secretary has rejected Initiative Petition **2024-001**, proposed for the November 5, 2024, General Election.

Draft Ballot Title Caption

Amends Constitution: State funds provided for private school/ homeschooling; parents may select among public schools within district

Chief Petitioner

Marc Thielman 34392 Garoutte Road Cottage Grove, OR 97424

The Secretary has determined it does not comply with the procedural requirements established in the Oregon Constitution for initiative petitions. In particular, the Secretary has determined that the Initiative Petition does not comply with the requirements of Article XVII, section 1, of the Oregon Constitution. The purpose of this requirement is to allow voters to express their opinions separately on each proposed change to Oregon's fundamental law.

The Oregon Constitution gives voters the right to consider and vote on these changes separately and it is the Secretary's duty to protect that right by rejecting initiative petitions that would violate that right.

In the Secretary's view, IP **2024-001** makes at least three unrelated changes to the Oregon Constitution. These include:

- Giving parents of public-school children a new constitutional right to choose to have their child attend any public school in their school district that has room, even if it is outside their attendance area;
- Creating a new constitutional requirements for school funding, which tell the state to finance any private educational methods a parent chooses, specify how the state must calculate and provide the funds, and explain how parents may spend the funds;
- Requiring the state to fund religiously based education, thus implicitly amending Article I, section 5, of the Oregon Constitution, which prohibits the state from spending treasury funds for the benefit of any religious or theological institution.

In making the determination the Secretary of State reviewed the text of Initiative Petition **2024-001**, considered all procedural constitutional requirement comments filed, and received counsel from the Attorney General.

More information, including the draft ballot title and text of the petition, is contained under [2024 Initiatives, Referendums and Referrals](#) available at www.oregonvotes.gov.

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CONSTITUTIONAL REQUIREMENT RULING

Initiative Petition No.	Date Filed	Comment Deadline	Certified Ballot Title Due
2024-001	September 29, 2021	January 3, 2022	January 19, 2022

Draft Ballot Title Caption

Amends Constitution: State funds provided for private school/ homeschooling; parents may select among public schools within district

Marc Thielman 34392 Garoutte Road, Cottage Grove, OR 97424

Procedural Constitutional Requirement Commentor

Donna Kreitzberg P.O. Box 3242, Tualatin, OR 97062

Margaret Olney 210 SW Morrison Street, Suite 500, Portland, OR 97204

Steven Elzinga P.O. Box 2247, Salem, OR 97308

Certification

I have reviewed the above-captioned initiative petition, including any comments submitted regarding constitutional requirements, and find that:

It **complies** with the procedural constitutional requirements.

It **does not comply** with the procedural constitutional requirements.

Shemia Fagan, Secretary of State

01/19/2022

Dated