

## DECLINE TO SIGN INITIATIVE 22!

**Initiative 22** is a ballot initiative proposed for **2026** by **Advance Colorado**, a deep-pocketed conservative political nonprofit that doesn't disclose its donors. It says:

Be it Enacted by the People of the State of Colorado:

SECTION 1. In the Constitution of the state of Colorado, add section 18 to article IX as follows: Section 18. Education - school choice.

(1) PURPOSE AND FINDINGS. THE PEOPLE OF THE STATE OF COLORADO HEREBY FIND AND DECLARE THAT K-12 STUDENTS HAVE THE FUNDAMENTAL RIGHT TO EQUAL OPPORTUNITY TO ACCESS A QUALITY EDUCATION; THAT PARENTS AND GUARDIANS HAVE THE FUNDAMENTAL RIGHT TO DIRECT THE EDUCATION OF THEIR CHILDREN; AND THAT SCHOOL CHOICE INCLUDES NEIGHBORHOOD, CHARTER, PRIVATE, AND HOME SCHOOLS, OPEN ENROLLMENT OPTIONS, AND FUTURE INNOVATIONS IN EDUCATION.

(2) EACH K-12 STUDENT HAS THE FUNDAMENTAL RIGHT TO SCHOOL CHOICE AS EXERCISED BY THEIR PARENT OR LEGAL GUARDIAN.

### What is Initiative 22?

- It's the new version of Amendment 80 from 2024, which the voters defeated.
- It's a proposed amendment to the Colorado Constitution that is unnecessary, duplicative, and misleading.
- It's a way to disguise "school choice" – which Colorado already legally has – with a way to divert public tax dollars to bankroll elite private school tuition.
- It's the first step toward creating a voucher system that could devastate public schools in the state.

**A voucher system** would divert critical resources from Colorado public education, which has been underfunded for a decade by \$10 billion. Voucher funds are funneled to unaccountable private schools that are not required to meet state standards or teach scientifically sound curriculum. These schools can and do openly discriminate against children with special needs or disabilities or families that don't fit their economic, religious, racial, or ideological standards. Voucher programs primarily benefit families who are already using private schools.

## Colorado Voucher History

### Ballot Initiatives

- 1992 - Amendment 7 to pass vouchers - Failed, with only 33% of the vote
- 1996 - Amendment 17 on "parental rights" which might have enabled vouchers - Failed with only 42% of the vote
- 1998 - Amendment 17 providing a tax credit to parents for education - Failed with only 39% of the vote
- In 2003, a school voucher program passed for 11 school districts by a Republican legislature. In 2004, the state Supreme Court ruled the program unconstitutional.
- 2011 – Douglas County SD institutes vouchers for private schools – 2017 the district school board repealed the program
- 2024 – Amendment 80 on school choice that includes private and homeschooling – Failed

### Pro-voucher bills failed since 2016

- Tax Credits for Nonpublic Education
- Parent Choice In Low -performing School Districts
- Education Income Tax Credits For Nonpublic School
- Education Income Tax Credits For Nonpublic School
- Income Tax Deduction For 529 Account K -12
- Child Safety Accounts
- Special Education Opportunity Scholarships
- Support For Literacy Enrichment For Young Students
- Income Tax Deduction For 529 Account K -12 Expenses
- No 529 Account Income Tax Deduction for K -12 Expenses
- Income Tax Deduction For 529 Account K -12 -12
- Create School Safety Account And Related Tax Credits
- Student Equity Education Funding Programs
- Choice In Low -performing School Districts
- Income Tax Credits for Nonpublic Education
- Funding For Educational Opportunities

## FAQ's

### What is “public school choice”?

- Public school choice refers to policies that allow parents to choose which public school their children will attend, rather than being restricted to their assigned neighborhood school.
- This can involve options like public schools within or outside their district, charter schools, magnet schools, or district-run online schools.

### What is “private school choice”?

- Private school choice allows families to use public funds to help pay for non-public schools, including those classified as private, parochial/religious, and independent.
- The Colorado Constitution prohibits public funds from going to religious schools.

### Are private schools actually schools in a legal and organizational sense?

- Private schools are not actually “schools” in Colorado. Legally they are small businesses that don’t have to follow the same laws that public schools do – such as laws against discrimination, protecting special education students, having certified teachers with education degrees – so they can get state funding.
- Private schools in Colorado are NOT schools because neither your local school district nor the Department of Education have any jurisdiction over them.

### What are the laws protecting “school choice”?

- Open Enrollment: C.R.S. 22-36-101: This law allows parents to enroll their children in any public school in the state that has available seats.
- Charter Schools Act (C.R.S. 22-30.5-101 through C.R.S. 22-30.5-704): Charter schools are publicly funded schools that are allowed to set up their own educational program. They are run by their own private school boards.

### What are vouchers?

- Vouchers are public funds from state taxes given either directly to parents for the cost of private school tuition or deposited to the private school of choice.
- Under Initiative 22, vouchers could be given to parents who homeschool.
- Vouchers are usually not enough to cover a full year of tuition at a private school. Research has shown that those who benefit the most from vouchers are wealthy people whose children already attend private school.

### What are other terms for vouchers, and how are they used?

- **Education Savings Accounts:** State funds that can be put into individual accounts to pay tuition for private schools, tutoring, or approved educational expenses.
- **Tax Credit Scholarships:** Tax credits given for donating to organizations that provide private school scholarships - companies claiming to be nonprofits that charge the state millions in fees.
- **Refundable Tax Credits:** Income tax refunds in the amount of private school tuition.

### How would private school choice harm public education?

- It would cause huge state and district budget cuts, teacher layoffs, and overcrowded classrooms, especially in already under-resourced school districts.
- In rural districts, private schools are not available, yet their tax dollars would still fund them.
- Lack of accountability and transparency.

### What does “future innovations in education” mean?

- This is a vague term that is inappropriate to be in the state Constitution.
- While it is intended to ensure that the scope of school choice remains broad and adaptable, encompassing models that may emerge in the future, this provision could include ANY program that educates anyone on anything.