



Page Amendment Question & Answer

Does the Page Amendment endanger educational choice and parental rights?

The Page Amendment does not endanger educational choice or parental rights. The Page Amendment empowers families. Conservative think tank American Enterprise Institute published a paper that stated constitutional amendments that make “high-quality public education a constitutionally protected civil right” actually “shift the balance of power away from the education establishment toward families.”

Would the phrasing codifying public education as a fundamental right create an exclusive path to be argued against private and home education options as they are not public or controlled by the state?

Page Amendment text: “All children have a fundamental right to a quality public education...”

Minnesota recognized the fundamental right to education in *Skeen v. State of MN* (1993). Since *Skeen* was decided, the state has NOT used the fundamental right to education doctrine to alter parental rights to opt out of the public school system or to control homeschooling. The Page Amendment would not make public school compulsory. Many rights are enumerated in the state (and federal) constitution, but there are not requirements that a person avail themselves of their rights. The idea that a child would be pressed into choosing to use a specific right enumerated in the constitution would be contrary to how the state understands and applies other enumerated rights. For example, the MN Constitution confers a right to practice religion freely but offers no requirement to practice religion. The MN Constitution confers a right to vote, but not all Minnesotans vote.

Why does this proposed amendment strike out reference to us as a republican government and replace it with democracy? We are not a direct democracy but a constitutional republic?

Page Amendment text: “that fully prepares them with the skills necessary for participation in the economy, our democracy, and society...”

The term “democracy” is used in the amendment to mean representative democracy, as distinct from direct democracy.

Isn't the answer that we do not need higher standards, but a higher percentage of students achieving the basic standards already set?

Page Amendment text: “measured against uniform achievement standards set forth by the state”.

Uniform achievement standards, as measured by the state, are critical to ensuring that the system is oriented to outcomes and is held accountable. What gets measured gets done. The proposed amendment does not alter, in any way, current laws that allow students to withdraw from public education. The proposed amendment would NOT force homeschool families to teach Minnesota academic standards or have homeschool children take the Minnesota comprehensive assessments.



While the state does have a duty to provide quality schools as one option to fulfill this right, isn't the education of children first a duty that resides with parents and the state's job is to provide resources, such as quality public schools, for those families who choose to use them?

Page Amendment text: "It is a paramount duty of the state to ensure quality public schools that fulfill this fundamental right."

The state has a duty to provide public education to students – this duty was established when Minnesota became a state in 1857. The Page Amendment ensures the state provides a quality education. The Page Amendment elevates the standard for public education from "adequate" to "quality" to ensure that all children receive quality public education. Families who opt out of public education will continue to provide the education that is best for their children. The Page Amendment will ensure that what the state provides is quality education, and it directs the state to establish "quality", measure it, and appropriately fund public education.

Who decides when a "child's right" has been violated? What is a violation?

Families decide whether they believe their child's right has been violated and whether they want to seek remedies from the state. Families and students who are not receiving a quality education can demand remedies through the legislature and/or the courts.

Is it a violation if a parent chooses a NON-PUBLIC schooling option?

Similarly, it is not a violation if a parent chooses a non-public option. Parental rights to opt out of the public school system are not impacted by the proposed amendment.

Is it a violation if the curriculum is not approved or controlled for quality assurance by the state?

As explained above, the proposed amendment does not force Minnesota academic standards (or assessments) on private and non-public schools or homeschool families. Minnesota does not dictate curriculum to public schools, and it does not and could not dictate curriculum to private and non-public schools and homeschool families. What the Page Amendment does is compel the public school system to be more student-centric and of higher quality. It does not alter, in any way, the rights of parents to opt out of the public school system.

If a child would like to attend public school but the parents have weighed the pros and cons and decided a local private school is a better option, is the child's right being denied and does the state intervene?

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