

Dear Senate Committee on Education,

Thank you for your efforts to improve Oregon education, and especially for your concerns about student safety. We are a public school family and have never sent our children to private school. We have no personal interest in the concerns of private schools, however, we have very serious concerns about preserving the freedom of other families to choose private school for their children. SB 223 threatens the autonomy and very existence of private schools. It essentially turns private schools into de facto public schools. Oregon faced a similar issue a century ago with the Compulsory Education Act. In a unanimous decision, the Supreme Court held that the Compulsory Education Act infringed on the right of parents to control the upbringing and education of their children. "The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the state to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations." *Pierce v. Society of the Sisters of the Holy Names of Jesus and Mary*, 268 U.S. 510 (1925) (emphasis added). If enacted, SB 223 would likely share a similar trajectory.

Please do not jeopardize the future of private schools in Oregon or force families to fight to retain their ability to choose the education that best fits their family's needs.

Sincerely,
Wendy Bennion