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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION -- RIGHT TO AN ADEQUATE EDUCATION

Introduced By: Senator Roger Picard

Date Introduced: February 11, 2016

Referred To: Senate Education

RESOLVED, That a majority of all members elected to each house of the general assembly voting therefor, the following amendment to the Constitution of the state be proposed to the qualified electors of the state in accordance with the provisions of Article XIV of the Constitution for their approval and that it take place of Article XII, Sections 1 and 2, which are hereby amended, effective January 1, 2017, to read as follows:

6 ARTICLE XII

OF EDUCATION

Section 1. Duty of general assembly to promote schools and libraries Right to an adequate education. -- The diffusion of knowledge, as well as of virtue among the people, being essential to the preservation of their rights and liberties, it shall be the duty of the general assembly to promote public schools and public libraries, and to adopt all means which it may deem necessary and proper to secure to the people the advantages and opportunities of education and public library services. is itself a fundamental right of all Rhode Island residents. It shall therefore be the paramount duty of the general assembly, the department of education, and other government agencies to provide all Rhode Island residents with equal opportunities to receive an education that is adequate to permit them to achieve at high levels and to become lifelong learners, productive workers, and responsible citizens, and also to provide public library services, and to establish, maintain, or operate such institutions of higher and vocational-technical learning, adult education, and other public education programs that the needs of the people may require.

| 1 | Section 2. Perpetual school fund. The money which now is or which may hereafter be |
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| 2 | appropriated by law for the establishment of a permanent fund for the support of public schools, |
| 3 | shall be securely invested and remain a perpetual fund for that purpose. Judicial enforcement. – |
| 4 | This article shall be judicially enforceable. Any person or entity injured or threatened with any |
| 5 | injury because of any non-compliance with its provisions shall be entitled to bring an action in |
| 6 | Superior Court to enforce these provisions and to obtain declaratory and injunctive relief for any |
| 7 | violation thereof. |
| 8 | RESOLVED, That this amendment shall take, in the Constitution of the state, the place of |
| 9 | Section 1 and Section 2, Article XII, of the Constitution, effective January 1, 2017; and |
| 10 | be it further |
| 11 | RESOLVED, That the said proposition of amendment shall be submitted to the electors |
| 12 | for their approval or rejection at the next statewide general election. The voting places in the |
| 13 | several cities and towns shall be kept open during the hours required by law for voting therein for |
| 14 | general officers of the state; and be it further |
| 15 | RESOLVED, That the Secretary of State shall cause the said proposition of amendment |
| 16 | to be published as a part of this resolution in the newspapers of the state prior to the date of the |
| 17 | said meetings of the said electors; and the said proposition shall be inserted in the warrants or |
| 18 | notices to be issued previous to said meetings of the electors for the purpose of warning the town, |
| 19 | ward, or district meetings, and said proposition shall be read by the town, city, ward, or district |
| 20 | meetings to be held as aforesaid; and be it further |
| 21 | RESOLVED, That the town, city, ward, and district meetings to be held as aforesaid shall |
| 22 | be warned, and the list of voters shall be canvassed and made up, and the said town, ward, and |
| 23 | district meetings shall be conducted in the same manner as now provided by law for the town, |
| 24 | city, ward, and district meetings for the election of general officers of the state. |
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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION -- RIGHT TO AN ADEQUATE EDUCATION

| 1 | This amendment to the constitution of the state, if approved, would provide that it would |
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| 2 | be the paramount duty of the general assembly, the department of education, and other |
| 3 | government agencies to provide Rhode Island residents with equal opportunities to receive an |
| 4 | education that is adequate to permit residents to achieve at high levels, effective January 1, 2017. |
| 5 | The amendment would also provide for judicial enforcement of this provision. |
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