

2014 -- S 2397

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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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 12, 2014

Referred To: Senate Special Legislation and Veterans Affairs

1           RESOLVED, That a majority of all members elected to each house of the general  
2 assembly voting therefore, the following amendment to the Constitution of the state be proposed  
3 to the qualified electors of the state in accordance with the provisions of Article XIV of the  
4 Constitution for their approval and that it take place of Article XII, Sections 1 and 2, which are  
5 hereby amended, effective January 1, 2015, to read as follows:

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

18           Section 2. ~~Perpetual school fund. — The money which now is or which may hereafter be~~  
19 ~~appropriated by law for the establishment of a permanent fund for the support of public schools,~~

1 ~~shall be securely invested and remain a perpetual fund for that purpose.~~ Judicial enforcement. –  
2 This article shall be judicially enforceable. Any person or entity injured or threatened with any  
3 injury because of any non-compliance with its provisions shall be entitled to bring an action in  
4 Superior Court to enforce these provisions and to obtain declaratory and injunctive relief for any  
5 violation thereof. The prevailing plaintiff in any such action shall be entitled to an award of  
6 reasonable attorney's fees and reimbursement of costs, including, expert witness fees, from any  
7 party or parties adjudged liable.

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, 2015;

10 It is 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

J O I N T R E S O L U T I O N

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

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- 1           This amendment to the constitution of the state, if approved, would provide that it would
- 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, 2015.
- 5 The amendment would also provide for judicial enforcement of this provision.

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