

RESOLUTION OF THE CITY COUNCIL

No. 192

Approved June 1, 2022

WHEREAS, In 1993, the Massachusetts Supreme Court found that the Commonwealth had a constitutional duty *"to ensure the education of its children in the public schools."* and shortly thereafter, the Massachusetts Legislature passed, and Governor William Weld signed the Education Reform Act into law, and also provided an additional \$2 billion in school aid over several years and;

WHEREAS, The Massachusetts Reform Act ushered in an era of accountability, and the increase in funding significantly narrowed the achievement gap and;

WHEREAS, Since the enactment of the Reform Act, Massachusetts' students' performance on national and international assessments annually leads the nation and;

WHEREAS, In 1995, the Rhode Island Supreme Court found, in a lawsuit brought by the Pawtucket and Woonsocket school districts, that education is not a guaranteed right and also held that *"... the education clause did not intend to guarantee an "equal, adequate, and meaningful" education because both at the time article 12 was adopted, and for decades afterward, there was no requirement that public education be provided at all in this state."* and;

WHEREAS, In 2014, the Rhode Island Supreme Court reaffirmed their 1995 ruling in a suit again brought by the Pawtucket and Woonsocket, but also stated that *"We emphasize that we are deeply concerned by the conditions of the schools in Pawtucket and Woonsocket..."* and;

WHEREAS, We believe Rhode Island has an obligation to provide the resources to guarantee students an equitable, adequate, and meaningful education and;

WHEREAS, On March 15, 2022, the Rhode Island Senate unanimously passed Senator Roger Picard's Resolution 2022 - S 2095 to place a Referendum before the voters in 2022, amending Article XII of Rhode Island's Constitution by making education a fundamental right and adding *"...it shall be the additional duty of the general assembly and the state to guarantee an equitable, adequate and meaningful education to each child."* and;

WHEREAS, 2022 - S 2095 was referred to the House Committee on State Government and Elections, where Representative Mary Messier has a companion Resolution, and both Resolutions need to be passed by the Committee for consideration by the full House of Representatives.

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council hereby respectfully requests the House Committee on State Government and Elections and the Rhode Island House of Representatives pass Senate Bill S - 2095 and its House companion, thus causing a referendum to be placed before the voters, amending Article XII to make education a fundamental right in the State of Rhode Island.

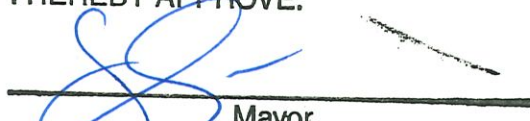
IN CITY COUNCIL
MAY 19 2022

READ AND PASSED


JOHN J. ISIOZZI, PRESIDENT

Tina L. Mathias
ACTING CLERK

I HEREBY APPROVE.


Mayor
Date: 6/1/22

LC003670

IN GENERAL ASSEMBLY

JOINT RESOLUTION

Introduced By: Senators Picard, Quezada, Lawson, Burke, and Zurier

Date Introduced: January 25, 2022

RESOLVED, That a majority of 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 the place of Article XII, Sections 1 and 2, which are hereby amended, effective January 1, 2023, to read as follows:

OF EDUCATION

17 Section 2. ~~Perpetual school fund.—The money which now is or which may hereafter be~~
18 ~~appropriated by law for the establishment of a permanent fund for the support of public schools,~~
19 ~~shall be securely invested and remain a perpetual fund for that purpose.~~ Judicial enforcement. —

1 This article shall be judicially enforceable. Any person or entity injured or threatened with any
2 injury because of any noncompliance with its provisions shall be entitled to bring an action in
3 Superior Court to enforce these provisions and to obtain declaratory and injunctive relief for any
4 violation thereof.

5 RESOLVED, That this amendment shall take the place of
6 Section 1 and Section 2, Article XII, of the Constitution, effective January 1, 2023; and
7 be it further

8 RESOLVED, That the said proposition of amendment shall be submitted to the electors
9 for their approval or rejection at the next statewide general election. The voting places in the
10 several cities and towns shall be kept open during the hours required by law for voting therein for
11 general officers of the state; and be it further

12 RESOLVED, That the Secretary of State shall cause the said proposition of amendment
13 to be published as a part of this resolution in the newspapers of the state prior to the date of the
14 said meetings of the said electors; and the said proposition shall be inserted in the warrants or
15 notices to be issued previous to said meetings of the electors for the purpose of warning the town,
16 ward, or district meetings, and said proposition shall be read by the town, city, ward, or district
17 meetings to be held as aforesaid; and be it further

18 RESOLVED, That the town, city, ward, and district meetings to be held as aforesaid shall
19 be warned, and the list of voters shall be canvassed and made up, and the said town, ward, and
20 district meetings shall be conducted in the same manner as now provided by law for the town,
21 city, ward, and district meetings for the election of general officers of the state.

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LC003670
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

JOINT RESOLUTION

TO APPROVE, 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
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, equitable and meaningful effective January 1, 2023.

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