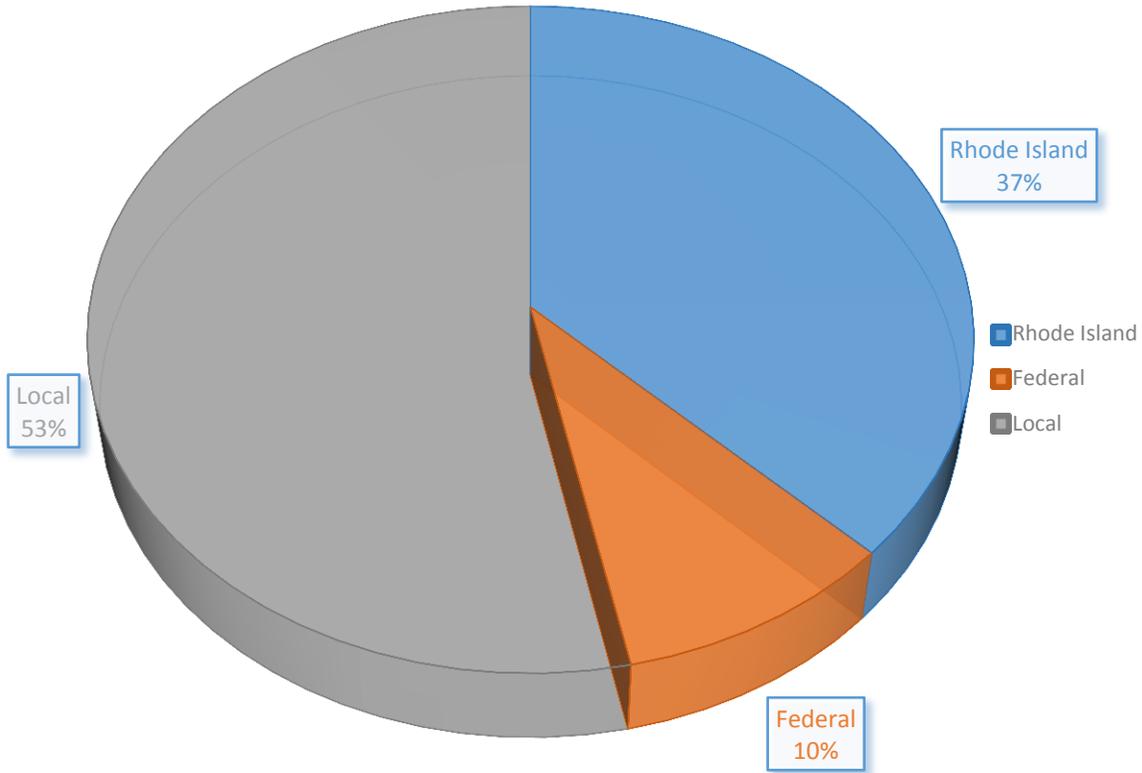
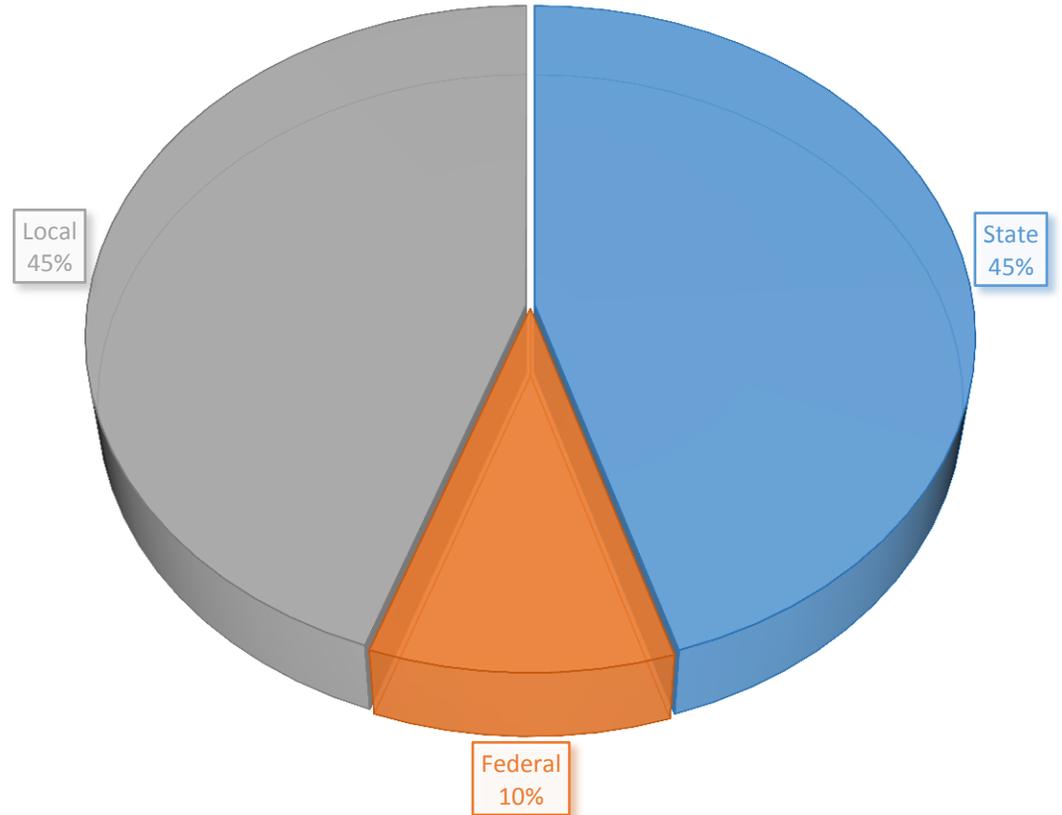


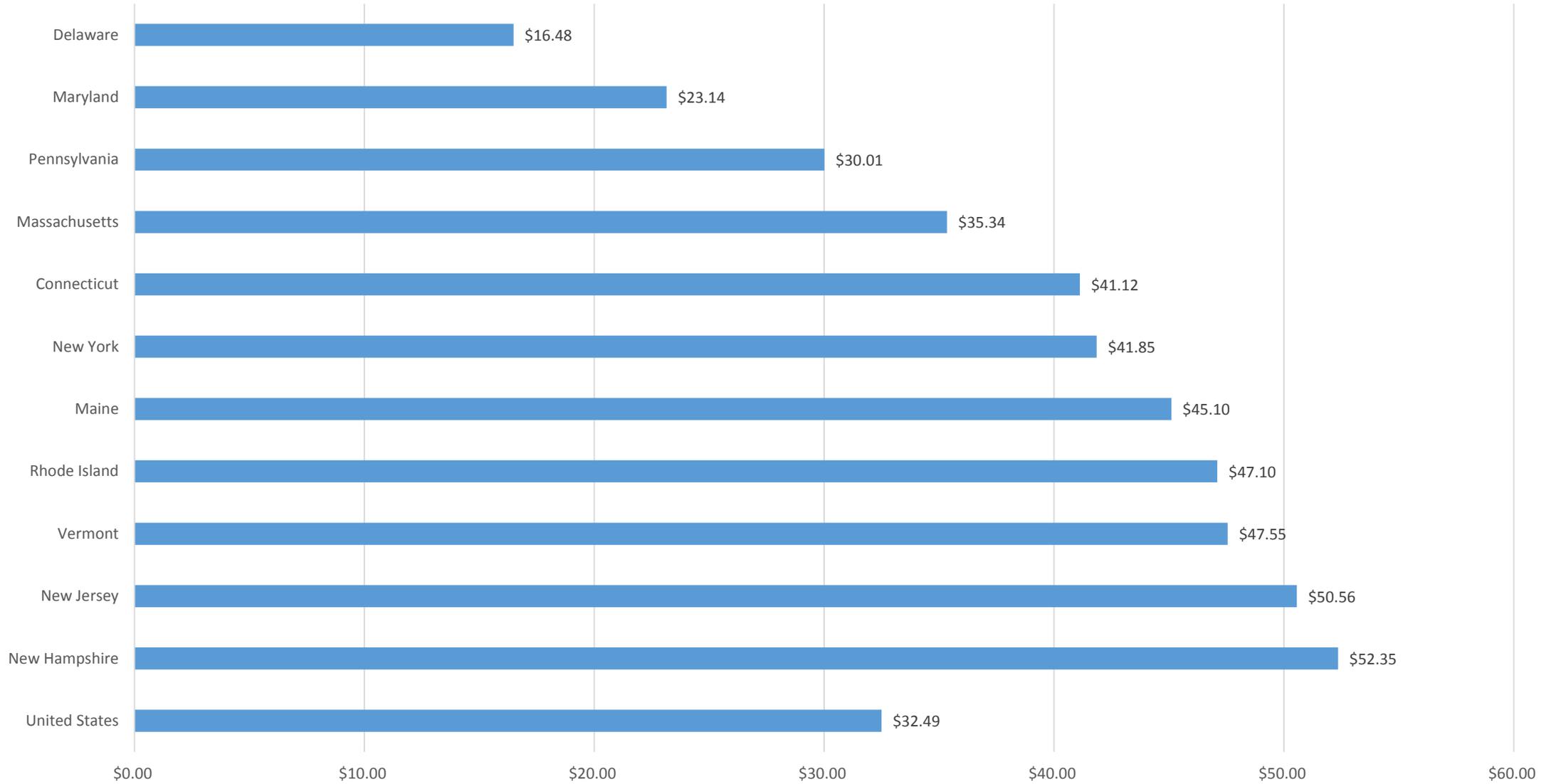
RHODE ISLAND SHARE RATIO OF EDUCATION FUNDING



US AVERAGE SHARE RATIO OF EDUCATION FUNDING



Property Taxes Per \$1000 of Personal Income



EDUCATION NOT A CONSTITUTIONAL RIGHT!

- In the early 1990's Woonsocket & Pawtucket file suit in Superior Court alleging that by relying on property taxes to fund education the State discriminated against students in communities that have low property tax capacity.
- Superior Court Justice Needham agreed with the Plaintiffs. The State appealed.
- In ruling on the appeal Justice Victoria Lederberg, writing for the entire court held that *"The education clause confers no such right, nor does it guarantee an "equal, adequate, and meaningful education."*
- In 1993, the Massachusetts Supreme Court ruled in McDuffy v Robinson that the education clause *"...imposes on the Commonwealth an enforceable duty to provide an education for all its children, rich and poor, in every city and town through the public schools."*
- In response to the Supreme Court's ruling, the Massachusetts Legislature enacted the Massachusetts Education Reform Act.

Massachusetts Success

- Massachusetts students consistently score highest on NAEP.
- If Massachusetts were a country, its eighth graders would rank 2nd in the world in science according to TIMSS.
- If Massachusetts were a country, its ninth graders would be tied for fourth in reading literacy on PISA.
- If Massachusetts were an NFL team Roger Goodell, based on their consistent success, would be paying Ted Wells to investigate them.

SECOND EQUITY LAWSUIT

- Pawtucket and Woonsocket filed a new suit in 2010. In addition, to alleging a violation of RI's Equal Protection clause the Plaintiffs claimed that Federal & State standards were not being met due to insufficient funding.
- Again the Supreme Court held that education is not a right under Rhode Island's Constitution. However, Chief Justice Suttell recognized that there are serious concerns about education funding in Rhode Island.
- *"In our opinion, the factual allegations in plaintiffs' complaint make a strong case to suggest that the current funding system is not beneficial to students in Pawtucket and Woonsocket, especially when compared to other municipalities. We are sensitive to plaintiffs' concerns, and yet our prior case law clearly declared that the General Assembly has exclusive authority to regulate the allocation of resources for public education."*

Original Article XII of Education:

Section 1. Duty of general assembly to promote schools and libraries. -- 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.

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

Section 3. Donations. -- All donations for the support of public schools, or for other purposes of education, which may be received by the general assembly, shall be applied according to the terms prescribed by the donors.

Section 4. Implementation of article -- Diversion of funds prohibited. -- The general assembly shall make all necessary provisions by law for carrying this article into effect. It shall not divert said money or fund from the aforesaid uses, nor borrow, appropriate, or use the same, or any part thereof, for any other purpose, under any pretence whatsoever.

Revised Article XII of Education:

Section 1. 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, 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 any other government agencies and officials responsible for delivering educational services 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.

Section 2. Judicial Enforcement. – This article shall be judicially enforceable. Any person or entity injured or threatened with any injury because of any non-compliance with its provisions shall be entitled to bring an action in Superior Court to enforce these provisions and to obtain declaratory and injunctive relief for any violation thereof. The prevailing plaintiff in any such action shall be entitled to an award of reasonable attorney’s fees and reimbursement of costs, including expert witness fees, from any party or parties adjudged liable.