

**CITY OF BALTIMORE
COUNCIL BILL 08-0091R
(Resolution)**

Introduced by: Councilmembers Henry, Middleton, Young, Holton, D’Adamo, Branch, Curran,
Conaway, Clarke, Reisinger, Welch

Introduced and read first time: November 17, 2008

Assigned to: Education Committee

REFERRED TO THE FOLLOWING AGENCIES: Baltimore City Public School System

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **An Education Rights Amendment to the United States Constitution**

3 FOR the purpose of supporting the adoption of an Education Rights Amendment that would
4 guarantee all citizens of the United States the right to a public education of equal high
5 quality.

6 **WHEREAS**, The 10th Amendment to the United States Constitution states: “The powers not
7 delegated to the United States by the Constitution, nor prohibited by it to the State, are reserved
8 to the States respectively, or to the people.”

9 **WHEREAS**, The right to an education is not one of the rights guaranteed by the Constitution,
10 and education is thus primarily reserved to the states as a “state right”.

11 **WHEREAS**, America’s current states’-rights-based educational system – consisting of 50
12 states, over 3,000 counties, tens of thousands of cities, and some 15,000 school districts with
13 85,000 schools, each with varying degrees of opportunity, funding, and quality – is structurally
14 separate and unequal.

15 **WHEREAS**, Our nation’s unwavering commitment to equal opportunity for all of our citizens
16 requires that the foundation and core of our democracy be an informed and engaged citizenry
17 benefitting from universal access to a free, high quality, public education for every child.

18 **WHEREAS**, A free, high quality, public education is a fundamental civil and human right that
19 should be protected by the United States Constitution.

20 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, that the
21 Baltimore City Council supports the passage of an Education Rights Amendment that would
22 provide substantially as follows:

23 SECTION 1. All citizens of the United States shall enjoy the right to a
24 public education of equal high quality.

25 SECTION 2. The Congress shall have power to implement this article by
26 appropriate legislation.

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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1 **AND BE IT FURTHER RESOLVED**, That the City Council calls upon Maryland’s Delegation to
2 Congress and the Maryland General Assembly to propose, support, and adopt this Education
3 Rights Amendment.

4 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to all members of
5 Maryland’s Delegation to Congress and to the chairs of Baltimore City’s House and Senate
6 Delegations to the General Assembly.