

Popular Name

An Amendment to the Education Clause of the Arkansas Constitution, to be known as the "Educational Rights Amendment of 2024".

Ballot Title

An amendment to the Constitution to be known as the Educational Rights Amendment of 2024 to require identical State academic standards and identical State standards of accreditation for all schools that receive the benefit of local or State funds, including student and school assessments of those standards; to deny any non-public school that fails to comply with identical State academic standards and identical State standards of accreditation, including student and school assessments of those standards, the benefit of local or State funds; to expand the State's obligation to ever maintain a general, suitable, and efficient system of free public schools to include: (1) universal access to voluntary, early childhood education for students three (3) years old until they qualify for Kindergarten; (2) universal access to voluntary afterschool and summer programs necessary for the achievement of an adequate education; (3) assistance to children who are within 200% of the federal poverty line so that such children can achieve an adequate education and overcome the negative impact of poverty on education; and (4) supports and services that fully meet the individualized needs of students with disabilities to allow them meaningful access to integrated education; and to ensure that an adequate education means, without limitation, that every child educated in the school should develop to full capacity a minimum of: (1) literacy; (2) mathematical ability; (3) knowledge of government sufficient to equip the individual to make informed choices as a citizen; (4) self-knowledge sufficient to intelligently choose life work; (5) vocational or advanced academic training; (6) recreational pursuits; (7) creative interests; and (8) social ethics.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF ARKANSAS:

Section 1. All Schools That Receive Tax Dollars Must Comply with Equal Standards

The State must require every primary or secondary school that receives the benefit of local or State funds to comply with identical State academic standards and identical State standards of accreditation, including student assessments and school assessments of such standards.

Receiving the benefit of local or state funds includes:

- (a) appropriations for the benefit of the school;
- (b) appropriations or designations of such funds for the benefit of any student attending the school to cover or defray costs of attending the school;
- (c) tax benefits or tax credits for the benefit of the school, or for the benefit of any student attending such school, or for the benefit of the student's parents or guardians, to help cover or defray the costs of attending the school; or
- (d) any other source of public funds.

Section 2. Noncompliance with Standards for Non-Public Schools

The failure of any non-public school to comply with identical State academic standards and identical State standards of accreditation, including student and school assessments of such standards, shall result in the loss of the benefit of local or State funds as described in Section 1.

Section 3. Expanding State Obligation To Ever Maintain A General, Suitable, And Efficient System Of Free Public Schools To Include Early Childhood Education, Afterschool And Summer Programs, Assistance For Children In Poverty, And Quality Special Education.

(a) The State's obligations to ever maintain a general, suitable, and efficient system of free public schools and to adopt all suitable means to secure to the people the advantages and opportunities of education include, without limitation, the provision of adequate human, facility, material, and financial resources, as well as the means to achieve such obligations.

(b) The State's obligations to provide an adequate education shall include, without limitation:

(1) universal access to voluntary, early childhood education for students three (3) years old until such students qualify for Kindergarten;

(2) universal access to voluntary afterschool and summer programs necessary for the achievement of an adequate education;

(3) assistance to children who are within 200% of the federal poverty line so that such children can achieve an adequate education and overcome the negative impact of poverty on education; and

(4) supports and services that fully meet the individualized needs of students with disabilities to allow such students meaningful access to integrated education.

(c) When interpreting or establishing the State's obligations, the courts shall not use the obligations enumerated in subsection (b) to limit or restrict the State's broad obligations under this Amendment or any other educational obligations prescribed in the Constitution.

Section 4. Definition of an Adequate Education

An adequate education means, without limitation, that every child educated in the school should develop to full capacity a minimum of:

(1) literacy;

(2) mathematical ability;

(3) knowledge of government sufficient to equip the individual to make informed choices as a citizen;

(4) self-knowledge sufficient to intelligently choose life work;

(5) vocational or advanced academic training;

(6) recreational pursuits;

(7) creative interests; and

(8) social ethics.

Section 5. Severability

If any provision of this amendment is determined to be void, voidable, or unenforceable, such determination shall not affect the other provisions of this amendment, which shall continue to be valid and in force. The provisions of this act are self-executing.