

calling for a broadened educational view and thereby follows the committee recommendations.

Section 2 has been subject to the greatest misinterpretation by the critics. I will read it to you: "The General Assembly shall provide by law for equal educational opportunities for all residents. Fears have been raised this will lead to a never-never world with dangers as yet unimagined. The minority will further argue that such a Constitutional provision would make Maryland unique." With this the majority is in complete agreement. Maryland has often been the forerunner in educational matters. Much more, however, must certainly be done in this respect.

It is at this point that the majority feels the minority is mostly incorrect in its interpretation. The terms of section 2 in no way mandate free public education at all levels. In fact, this specific question was raised in the Committee and was specifically rejected. We in no way mean to include a mandate of a basket-to-the-casket approach of free education. We believe, instead, that mere references to anti-discrimination are not sufficient. These are negative in approach and very limiting. Equality of educational opportunity cannot be measured purely in terms of number of dollars spent per child for books purchased or schools built. It must be judged instead in terms of the end product of the system. We must evaluate the child who has completed that degree of formal education offered him by the State in his ability to cope with the problems of the society. The determination of equality or inequality of development will point up the opportunity which has been afforded him. Studies have shown conclusively that the students who are unable to compete because of inferior education ultimately become unskilled, unemployed citizens at best and at worst chronic welfare recipients or criminals. Having served on the Ways and Means Committee of the legislature, I can tell you that the choice of payment for welfare and crime is not optional: that is there whether we want it or not. The question raised by the amount of education to be provided is in effect an optional one. But the results of the failure to so provide are dramatic and have been demonstrated throughout this State and throughout the nation. Failure to provide equal educational opportunity is deleterious not only to those children so denied but to the society in which they are unable to participate fully. The judgment for providing this equal education opportunity must be set against the test of

reasonable differences which the legislature must consider.

Perhaps to make this point clear, we should say we are not setting any absolute standard of equality, but rather one in which the finding is in the seeking.

The Committee will ask to amend this section to clear doubts in the minds of some who have expressed them that the word "provided" be amended to "promote", thereby alleviating this difficulty.

To deny a commitment to this concept of equality of educational opportunity, is to make the entire democratic process of an informed citizen a sheer mockery. The General Assembly has a responsibility to work to this end in evaluating the needs of any given community at any given time.

Section 3 was written not in reference to an archaic school fund but instead, as the Committee expressed in a unanimous vote at one time, to insure that funds designated for educational purposes should not be appropriated for other purposes. This was a unanimous vote at that time and since then the Committee on Taxation and Finance has come up with those provisions relating to all funds in the State which would imply that such has been covered.

Moving to section 4, it is rather curious, at best, that the minority rejects the concept mentioned of a state board of education in the constitution. Twenty-three states recognize a state board of education. Yet the minority in their proposed section 804 refers to governing boards of higher learning and later in the section mention such types of acts which these boards can provide.

Again, the executive article which has been given tentative approval by the majority of the people here today was backed by a report which made specific provision for a board in the educational area. It apparently had anticipated some action in this field by the Committee referring to education.

We contend that after ninety-seven years in being, the naming of the State Board of Education and its superintendent selected by that board is complementary in nature with those sections providing for such exceptions in the executive article. Certainly it is restrictive only in the event that one is not committed to the lay board concept for the governing of educational institutions. It may well be desirable at this point to discuss what the concern is about