

I have significant concerns with the proposed amendment to the Minnesota Constitution, several of which are listed below:

1. Compared to the current Minnesota Constitution, which has served the state well with clarity and direction, the proposed amendment contains language that is obscure and misleading.

a. The term “fundamental right” appears twice and is used as if it is fact. However, there is no mention in the Minnesota Constitution, the Declaration of Independence, nor the United States Constitution of a right to an education of any sort. Using the term “fundamental right” does violence to a correct notion of what fundamental rights are, and would suggest that a child who received a private education was being denied a fundamental right.

b. The term “quality” is also used twice. How would quality be defined, and by whom.....the parents who love their children and want the best for them, or the state which really has no personal interest in the child, other than so they can participate in the economy? (As a side note and as far as I have observed, people can participate in the economy whether or not they have any education.) The wording of the proposed amendment clearly indicates it would be the state deciding the definition. That would be a huge governmental overreach, and is very troubling.

c. The term “fully prepare” is wide open for interpretation. Children have different capacities and learn differently. Suggesting that the state can guarantee them some specific

opportunity or that the state could ever know what is their full potential is misleading and can only lead to disappointment.

d. The term “democracy” is used in the proposed amendment, but our country and state is a republican form of government as mentioned in the current constitution, not a democracy.

e. Uniform achievement standards can only measure academic achievement. They cannot measure character or emotional stability or wisdom, which are far more important qualities in life.

2. Changing the current constitution is totally unnecessary and dangerous.

a. It would replace the responsibility of the parent to see that the child is educated, and of the legislature to see that an efficient system of public schools existed, to a so-called right of a child to a quality education. There is no more right to a “quality” education than there is a right to a quality job, or a quality place to live, or a quality income.

b. It would place the state in control of education rather than the parents and the local school districts. It would be far more effective to put more emphasis on strengthening the home and parents. The well-functioning home is the bedrock of our society. I would suggest something like, “The parental right to direct education includes the right to choose (as an alternative to public education) private, religious, or home schools, and the right to make reasonable choices within public schools for one’s child.”

c. It would diminish the individuality of the student by measuring him with a test of conformity to a standard set by the state. We are not designed as robots to function on a civic assembly line of state elites.

3. The financial impact of this proposed amendment could be devastating.

a. The proposed amendment would produce a fertile field for lawsuits. What happens if a graduate has trouble finding a job and says he was not provided a quality education, and then sues the state? Since homeschooling has demonstrated much success in turning out a quality student and one who is well-prepared for life, what would happen if a child insisted

on being homeschooled? Would his parents be forced to withdraw him from public school? If a child was being homeschooled and had time of rebellion against his parents, would the court remove him from the home and place him in the public school? If a child was having trouble learning at school, would the state be forced to provide a private tutor?

b. There is already an overloaded court system.

Most people would agree that we should have a strong educational system in place, but this proposed amendment would do nothing that the current constitution does not already provide.

I also realize that perhaps this proposed amendment is really aimed at public schools, but does changing the wording really address the concern of achievement gaps? How would giving the child a right that is not in the constitution improve the education? When did parental rights disappear?

I am concerned that this proposed amendment would lay the groundwork for the stripping away of more parental rights, and open the door for stronger state control of the family. It is the role of the state to see that children are educated, but it is not the role of the state to mandate early education or to approve the curriculum or methodology. A good education is important, but it is not the answer to society's problems.

A state government calling a "**quality public education**" a "**right**," without any clear definition of who decides or how "quality" is defined is problematic. This effectively removes the power of parents and local school boards to determine what they want for their own children. It places all educational authority in the court system, or state inspectors, where "quality" will be defined. This requires further legislation where decisions on curriculum, delivery, materials, facilities, and other aspects are determined by the state - rather a "paramount duty of the state."