

guage in the existing Constitution on the subject of education.

We of the minority feel that we are continuing in the tradition of the existing Constitution in the language that is more adaptable to present day needs.

Before getting into the specific language of the Minority Report and the objections to the majority, I would like to read a quote which I think sums up to a great degree the position of the minority. This quote was written by a group of educators from the State Department of Education that prepared a monograph for the New York State Constitution on the subject of education. I read from it: "most state constitutions contain provisions for higher education, particularly those that have so much statute-like detail in them. On the whole the existing provisions tend to handicap states involving coordinated systems of higher education and adjusting institutional programs to changing population trends and conditions."

This statement applies only to higher education, but we of the minority feel that words, as many lawyers in this room know, are really words of limitation; and they certainly are words of limitation on the subject of education.

Several editorials that have appeared recently in newspaper have made reference to constitutionalizing the status quo, and indeed this is exactly what would be done if the Majority Report were adopted; and so do not judge the interest indicated by the minority on the subject of education simply by the quantum of words that are used. We feel that education is done a much greater service by a few words and is given a chance to grow and prosper as it should.

I think that education probably is the most rapidly changing field that we now deal with in public life. A recent quotation from the *Washington Post* stated, "Ideas for reorganizing public education are being catapulted into the public arena like fireworks."

We of the minority believe that the State should be able to avail itself of these new ideas and adopt those that it feels can be helpful. We submit that under the majority proposal this would be well nigh impossible.

Now, I would like to turn to the specific language that is used by the majority. Please understand that in addition to the unique fact that the Committee Chairman

is not presenting the Majority Report but has joined the minority, and it is a 7-7-1 situation, there is another unique situation in respect to this report in that we in the minority recommend an entirely new substitute section. Those are the two paragraphs that appear on the minority report. Those sections will be offered as the debate schedule on your desk will indicate, as substitutions for the majority report.

I would begin where I think the majority should have begun its report, with a discussion of equal educational opportunities. This is certainly the credo of the majority report. Delegate Wheatley has attempted to indicate that this clause has no specific meaning, but should be looked forward to by the State as largely exhortatory language to lead education on; and he made the specific statement, and I jotted this down because I must take exception to it, that this does not mean free tuition to all people of the State at the higher education level and the graduate school level. This idea was specifically rejected, as he said, by the Committee and that this was "the greatest misinterpretation of the Majority Report".

I would like to read briefly from the Sunpapers article of November 10 entitled "Equal Education Pushed in State," and this appeared the day after this section was adopted by the majority of the Committee:

"In a general statement the Committee adopted language requiring the General Assembly to provide equal educational opportunities for all residents of this State. The Committee members say that their intent is to insure that all publicly financed schools, colleges and universities are equally accessible to all residents regardless of their economic status. Supporters of the equal opportunity clause say that it will require the General Assembly to enact legislation providing some form of financial assistance to persons who are poor but academically capable. Not only will the legislature have to provide means for poor students to obtain undergraduate degrees, but the suggested constitutional provision would also apply to postgraduate studies, its supporters insist."

This is a further quote:

"If a child is deprived and does not have the money, the State will have to insure that he can continue his studies according to Delegate Arthur W. Kirkland, Prince George's County. This lan-