

guage will take him all the way. Mr. Kirkland and Delegate Frank J. Blair, Sixth District of Baltimore City, another backer of equality language feel it will require the legislature to provide outright grants for low cost long-term loans applicable after graduation. They say the words of the clause may compel some form of assistance to students whose economic status might force them to leave high school before graduation to find a job."

I submit this is an accurate report. This is exactly the basis upon which this language was adopted by the Committee, and while favoring the principle, the minority does not feel, especially in view of the fact that no testimony was elicited from witnesses on this point, like rushing headlong into such a commitment. I must take exception with Delegate Wheatley when he says the Committee rejected this interpretation.

We agree with the majority that any language about anti-discrimination in education is repetitive and unnecessary in this constitution. By means of Amendment No. 3 to R&P-1, we have adopted overwhelmingly a proposal that no one in the State shall be subjected to discrimination by the State.

This certainly would apply to education, and we feel that any repetition of this point would be unnecessary.

Now, this language, equal educational opportunities, presents many problems. I will not go into the details of them because I think they are contained on pages 3, 4 and 5 of the minority memorandum, but the point is that the language has never appeared in any constitution of any state of this union. No one really knows what it means, although the majority has indicated that they know at least one specific application of it.

I would like to close this part of the discussion by just mentioning that the proposer of this language really was Dr. James Coleman of Johns Hopkins University who wrote a very famous report last year for the Federal Office of Education titled "The Quality of Educational Opportunity;" and I suppose that this would be a piece of source material if language like this were adopted. He said, that some of the difficulties and complexity of any solution derived from the premise that our society is committed to overcoming not merely inequality in the distribution of educational resources, classrooms, teachers,

libraries, etc., but inequality in the opportunity for educational achievement is a task far more ambitious than has ever been attempted by any society, not just to offer in a passive way equal access to educational resources, but to provide an educational environment that will free a child's potentialities for learning from the inner qualities imposed upon him by the accident of birth into one or another home and social environment.

I think that Delegate Wheatley has indicated that the majority has already fallen back from its position supporting a mandatory language in this section. This would be the least that would be acceptable to the minority in view of the impressive definition and the lack of any guidance from construction of other states. It is urged by the minority that this language should be struck from the constitution altogether.

Section 3, regarding the school fund, perhaps needs no more to be said because Delegate Wheatley has apparently conceded that this provision is no longer needed and will be struck by consent.

Sections 4 and 5 really contain the heart of the statutory structure of education as it now exists in the Maryland Code Article 77. What has been done is that the statutory structure has been elevated from the statute into the constitution, and part of the thinking seems to be that this is a constitutional reward to be offered to boards that have existed for a long time and have apparently done their job quite well. Delegate Wheatley said that local boards have been in existence since 1826, and they have stood the test of time. The same is true for the State Board of Education, which has stood the test of time; and therefore its powers and responsibilities should be set out in the constitution.

We submit that this backward-looking approach of testing a set-up and a statute for a while and then moving it along and graduating it, to use an educational term, into the constitution is a dangerous one and will frustrate to a great degree the intent, I am sure, of the educators of this State, because it will allow them no further flexibility.

Now, I want to talk for a minute about the relationship between the State Board of Education and local boards. It has been suggested that this is a "delicate balance". The majority agrees or has suggested it is a delicate balance, but the minority feels the balance would be greatly upset if this language of the majority report is adopted.