

:: Kids First

A Campaign For A High-Quality Public Education



October 7, 2021

2 1 - 0 0 3 3

Anabel Renteria
Initiative Coordinator
Office of the Attorney General
State of California
PO Box 994255
Sacramento, CA 94244-25550

RECEIVED

OCT 7 2021

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Re: Request for Title and Summary for Proposed Initiative

Dear Initiative Coordinator:

With this letter I submit a proposed statewide ballot measure, entitled The Constitutional Right to A High-Quality Public Education Act, in accordance with Article II of Section 10(d) of the California Constitution. I am the proponent of the measure and a registered voter in the State of California. Please prepare a circulating title and summary of the measure as provided by law.

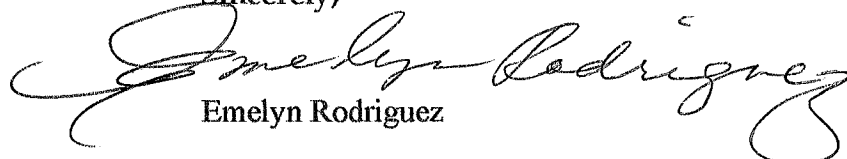
Enclosed with this letter and text of the proposed measure is a check in the amount of \$2,000 and the affidavits required by the Elections Code.

For purposes of inquiries from the public and the media, please direct them as follows:

Michael H Trujillo Jr
Mike@brysongillette.com
818 968 6048

Thank you for your time and attention processing my request.

Sincerely,


Emelyn Rodriguez

THE CONSTITUTIONAL RIGHT TO A HIGH-QUALITY PUBLIC EDUCATION ACT

Section 1. Title

This measure shall be known and may be cited as the “Constitutional Right to a High-Quality Public Education Act.”

Section 2. Findings and Declarations

The people of the State of California find and declare the following:

- (a) A strong public education system is the foundation of our democracy. High-quality public schools provide a ladder of opportunity for all children in California, offering them the skills necessary to participate fully in the economy, our democracy, and our society. High-quality public schools improve the quality of life for every Californian.
- (b) According to the National Assessment of Education Progress, even before the 2020-2021 pandemic closed schools serving millions of children, only 34% of California’s 4th graders in public school were reading at grade level. California also has one of the widest achievement gaps in the nation, with only 22% of Latino and 18% of African-American students reading at grade level.
- (c) Despite the low quality of California’s public schools, politicians and bureaucrats have persisted in adopting and defending policies that restrict the availability of a high-quality public education for all children. Many of California’s education laws and policies do not put the interests of students first, such as: forcing children to attend low-quality public schools; redirecting funding to the education bureaucracy that was intended to benefit underserved students; creating school schedules and calendars that serve the interests of bureaucrats and special interests instead of students and their families; retaining consistently poor-performing employees; and adopting policies that protect abusive school employees or otherwise undermine school safety.
- (d) The existing California Constitution guarantees only that public education be free. It makes no mention of school quality. Indeed, the largest school district in the State recently cited the California Constitution’s silence on school quality to justify its decision to cut 12 million instructional hours for students, with the damage landing

hardest on low-income children and children of color. Further, courts have consistently ruled that because there is no right to a high-quality education, parents have no right to challenge such unjust and inequitable practices that impede access to a high-quality public education. Establishing a constitutional right to a high-quality public education will finally empower public school parents with a seat at the table to advocate for the interests of students.

- (e) All children deserve the opportunity to reach their full potential, but California's education bureaucracy has failed to deliver on the promise of public education for generations of children. To remedy this failure, the California Constitution should be amended to enshrine an inalienable right to a high-quality public education that puts the interests of students first, regardless of race, ethnicity, gender, sexual orientation, economic status, disability, primary language, neighborhood, or community.

Section 3. Amendment to the California Constitution

Section 5.5 is hereby added to Article IX of the California Constitution to read as follows:

- (a) All public-school students shall have the right to a high-quality public education that provides them with the skills necessary to fully participate in the economy, our democracy, and our society.
- (b) The right to a high-quality public education shall not be denied by any state or local law, regulation, policy, or official action.
- (c) Any law, regulation, policy, or official action pertaining to public education that does not put the interests of students first shall be deemed to deny this right.
- (d) The remedies to enforce this right to a high-quality education shall be limited to invalidating, or otherwise enjoining, the offending law, regulation, policy, or official action. The remedies for this right shall not include new mandates for taxes or spending.
- (e) The right to a high-quality public education belongs to all public-school students attending any public pre-school, kindergarten, elementary, or secondary school.

- (f) An action to enforce the right to a high-quality public education may be brought by any parent or guardian of a public-school student or an organization representing public school students.

Section 4. General Provisions

- (a) Section 3 shall be self-executing.
- (b) The provisions of this act are severable. The people of the State of California declare that any provision of this act that is held to be invalid by any court of competent jurisdiction shall not affect the validity of the remaining provisions of this act.
- (c) In the event that this initiative measure and another ballot measure or measures addressing the constitutional standards for public education shall appear on the same statewide election ballot, the other ballot measure or measures shall be deemed to be in conflict with this measure. If this initiative measure receives a greater number of affirmative votes, this measure's provisions shall prevail in their entirety, and the provisions of the other ballot measure(s) shall be null and void.