



StateNotes

Finance

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Constitutional Language: State Obligations for Public School Funding

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Each state is obligated to provide its residents with a system of public education under the rules of their constitution; however, the specific type of education each state must supply varies. This *ECS StateNote* provides the language in each state's constitution that pertains to state obligations for public school funding. It includes links to each constitution and reference points for state funding of religious education and disabled student services, as well as age and school year provisions where applicable.

For more information regarding constitutional provisions for school finance, governance and religion, see "State Constitutions and Public Education Governance" (Todd Ziebarth, ECS, October 2000).

State	Location	Education Provision Language	Religious Restrictions	Disabled Students	Student Age	School Year
Alabama	Article XIV, Section 256	"A liberal system of public schools"	Yes Article XIV: 263	Not addressed	Yes 7-21	N/A
Alaska	Article VII, Section 1	"A system of public schools open to all children of the state"	Yes Article VII: 1	Not addressed	N/A	N/A
Arizona	Article 11, Section 1	"A general and uniform public school system, which system shall include: 1. kindergarten schools, 2. common schools, 3. high schools, 4. normal schools, 5. industrial schools, 6. universities"	Yes Article 11: 7	Yes Article 11: 1B	Yes 6-21	Yes 6 months
Arkansas	Article 14, Section 1	"A general, suitable and efficient system of free public schools and shall adopt all suitable means to secure to the people the advantages and opportunities of education"	No	Not addressed	Yes 6-21	N/A
California	Article 9, Section 5	"A system of common schools"	Yes Article 9: 8 Article 16: 5	Not addressed	N/A	Yes 6 months
Colorado	Article IX, Section 2	"A thorough and uniform system of free public schools throughout the state"	Yes Article IX: 7 Article II: 4	Not addressed	Yes 6-21	Yes 3 months

State	Location	Education Provision Language	Religious Restrictions	Disabled Students	Student Age	School Year
Connecticut	Article 8, Section 1	"Free public elementary and secondary schools in the state"	No	Not addressed	N/A	N/A
Delaware	Article X, Section 1	"A general and efficient system of free public schools"	Yes Article X: 3	Yes Article X: 1	N/A	N/A
Florida	Article IX, Section 1	"A uniform, efficient, safe, secure and high quality system of free public schools that allows students to obtain a high quality education"	Article 1:3	Not addressed	N/A	N/A
Georgia	Article VIII, Section 1	"An adequate public education"	Article I: Section II: VII	Not addressed	N/A	N/A
Hawaii	Article X, Section 1	"A statewide system of public schools free from sectarian control"	Yes Article X: 1	Not addressed	N/A	N/A
Idaho	Article IX, Section 1	"A general, uniform and thorough system of public, free common schools"	Yes Article IX: 5	Not addressed	Yes 6-18	N/A
Illinois	Article X, Section 1	"An efficient system of high quality public educational institutions and services"	Yes Article X: 3	Not addressed	N/A	N/A
Indiana	Article 8, Section 1	"A general and uniform system of common schools, wherein tuition shall without charge, equally open to all"	Yes Article I: 6	Not addressed	N/A	N/A
Iowa	Article IX, Section 12	"The education of all youths of the state, through a system of common schools"	No	Not addressed	Yes 5-21	Yes 3 months
Kansas	Article 6, Section 1	"Intellectual, educational, vocational and scientific improvement by establishing and maintaining public schools, educational institutions and related activities, which may be organized and changed in such manner as may be provided by law"	Yes Article 6: 6c	Not addressed	N/A	N/A
Kentucky	Section 183	"An efficient system of common schools throughout the state"	Yes Section 189	Not addressed	N/A	N/A
Louisiana	Article VIII, Section 1 (page 86)	"A public educational system" PREAMBLE: "The goal of the public educational system is to provide learning environments and experiences, at all stages of human development, that are humane, just and designed to promote excellence in order that every individual may be afforded an equal opportunity to develop to his full potential"	No	Not addressed	N/A	N/A
Maine	Article VIII, Section 1	"Public schools"	No	Not addressed	N/A	N/A
Maryland	Article VIII, Section 1	"A thorough and efficient system of free public schools"	No	Not addressed	N/A	N/A

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Massachusetts	Chapter 5, Section II	"To cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections, and generous sentiments among the people"	Yes Articles of Amendment: Article XVIII	Not addressed	N/A	N/A
Michigan	Article VIII, Section 2	"Free public elementary and secondary schools as defined by law"	Yes Article VIII: 2 Article I: 4	Yes Article VIII: 8	N/A	N/A
Minnesota	Article XIII, Section 1	"A general and uniform system of public schools"	Yes Article XIII: 2 Article I: 16	Not addressed	N/A	N/A
Mississippi	Article 8, Section 201	"Free public schools"	Yes Article 8: 208	Yes Article 8: 209	N/A	N/A
Missouri	Article IX, Section 1	"Free public schools for the gratuitous instruction of all persons in this state"	Yes Article IX: 8	Not addressed	Yes under 21	Yes 8 months
Montana	Article X, Section 1 (1), Article X Section 1 (3)	(1) "It is the goal of the people to establish a system of education which will develop the full educational potential of each person. Equality of educational opportunity is guaranteed to each person of the state." (3) "a basic system of free quality public elementary and secondary schools"	Yes Article X: 6	Not addressed	N/A	N/A
Nebraska	Article VII, Section 1	"Free instruction in the common schools of this state"	Yes Article VII: 11	Yes Article VII: 11	Yes 5-21	N/A
Nevada	Article 11, Section 1, 2	"A uniform system of common schools"	Yes Article 11: 9, 10	Not addressed	N/A	Yes 6 months

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New Hampshire	Part 2nd, Article 83	"To cherish the interest of literature and the sciences, and all seminaries and public schools, to encourage private and public institutions, rewards, and immunities for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and economy, honesty and punctuality, sincerity, sobriety, and all social affections, and generous sentiments, among the people"	Yes Part 2nd: Article 83	Not addressed	N/A	N/A
New Jersey	Article VIII, Section IV	"A thorough and efficient system of free public schools for the instruction of all children in the state"	No	Not addressed	Yes 5-18	N/A
New Mexico	Article XII, Section 1	"A uniform system of free public schools sufficient for the education of, and open to, all children of school age in the state"	Yes Article XII: 3	Not addressed	N/A	N/A
New York	Article 11, Section 1	"Free common schools, wherein all the children of this state may be educated"	Yes Article 11: 3	Not addressed	N/A	N/A
North Carolina	Article IX, Section 2	"A general and uniform system of free public schools...wherein equal opportunities shall be provided for all students"	No	Not addressed	N/A	Yes 9 months
North Dakota	Article VIII, Section 1	"A system of public schools which shall be open to all children of the state of North Dakota and free from sectarian control"	Yes Article VIII: 1, 5	Not addressed	N/A	N/A
Ohio	Article 6, Section 2	"A thorough and efficient system of common schools throughout the state"	Yes Article 6: 2	Not addressed	N/A	N/A
Oklahoma	Article XIII, Section 1	"A system of free public schools wherein all the children of the State may be educated"	No	Yes Article XIII: 2	Yes 8-16	Yes 3 months

State	Location	Education Provision Language	Religious Restrictions	Disabled Students	Student Age	School Year
Oregon	Article VIII, Section 3, 8	3: "A uniform, and general system of Common schools" 8: "The Legislative Assembly shall appropriate in each biennium a sum of money sufficient to ensure that the state's system of public education meets quality goals established by law, and publish a report that either demonstrates the appropriation is sufficient, or identifies the reasons for the insufficiency, its extent, and its impact on the ability of the state's system of public education to meet those goals"	No	Not addressed	Yes 4-21	N/A
Pennsylvania	Article III, Section 14	"A thorough and efficient system of public education to serve the needs of the Commonwealth"	Yes Article III: 15	Not addressed	N/A	N/A
Rhode Island	Article XII, Section 1	"Promote public schools and public libraries, and to adopt all means which it may deem necessary and proper to secure to the people the advances and opportunities of education and public library services"	No	Not addressed	N/A	N/A
South Carolina	Article XI, Section 3	"A system of free public schools open to all children in the State"	Yes Article XI: 4	Not addressed	N/A	N/A
South Dakota	Article VIII, Section 1	"A general and uniform system of public schools wherein tuition shall be without charge, and equally open to all; and to adopt all suitable means to secure to the people the advantages and opportunities of education"	Yes Article VIII: 16 Article VI: 3	Not addressed	N/A	N/A
Tennessee	Article XI, Section 12	"Uniform system of free public schools"	No	Not addressed	N/A	N/A
Texas	Article 7, Section 1	"An efficient system of public free schools"	Yes Article 7: 5	Yes Article 7: 9a	N/A	N/A
Utah	Article X, Section 1	"Education systems including: (a) a public education system, which shall be open to all children of the state; and (b) a higher education system"	Yes Article X: 9 Article I: 4	Not addressed	N/A	N/A
Vermont	Chapter II, Section 68	"A competent number of schools ought to be maintained in each town unless the general assembly permits other provisions for the convenient instruction of youth"	No	Not addressed	N/A	N/A

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Virginia	Article VIII, Section 1, 2	1: "Free public elementary and secondary schools for all children of school age throughout the Commonwealth, and shall seek to ensure that an educational program of high quality is established and continually maintained" 2: "Standards of quality for the several school divisions shall be determined and prescribed from time to time by the Board of Education, subject to revision only by the General Assembly."	Yes Article VIII: 10, 11 Article I: 16	Not addressed	N/A	N/A
Washington	Article IX, Section 1, 2	1: "It is of paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex" 2: "a general and uniform system of public schools"	Yes Article IX: 4 Article I: 11	Not addressed	N/A	N/A
West Virginia	Article XII, Section 1	"A thorough and efficient system of free schools"	Yes Article III: 15	Yes Article XII: 12	N/A	N/A
Wisconsin	Article X, Section 3	"District schools, which shall be as nearly uniform as practicable"	Yes Article X: 3 Article 1: 18	Not addressed	Yes 4-20	N/A
Wyoming	Article 7, Section 1 (page 28)	"A complete and uniform system of public instruction, embracing free elementary schools of every needed kind and grade"	Yes Article 7: 8 Article 1: 19	Not addressed	N/A	N/A
American Samoa	Article I, Section 15	"A system of free and non-sectarian public education"	Yes Article 1: 15	Not addressed	N/A	N/A
Puerto Rico	Article II, Section 5	"A system of free and wholly non-sectarian public education"	Yes Article II: 5 Article II: 3	Not addressed	N/A	N/A

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