

State Highest Courts That Have Affirmed the Primacy of Education for Civic Participationⁱ

State	Citation	Quotation
Arizona	Roosevelt Elementary Sch. Dist. v. Bishop, 877 P.2d 806, 812 (Ariz. 1994)	“The conventioners [of the state constitution] believed that an educated citizenry was extraordinarily important to the new state . . . As the heated debates about education as a requirement for voting show, the conventioners believed that a free society could not exist without educated participants.”
Arkansas	Lake View Sch. Dist. No. 25 v. Huckabee, 91 S.W.3d 472, 492 (Ark. 2002) (citing DuPree v. Alma Sch. Dist. No. 30, 651 S.W.2d 90, 93 (Ark. 1983))	Education is “the essential prerequisite that allows our citizens to be able to appreciate, claim and effectively realize their established rights.”
California	Serrano v. Priest, 487 P.2d 1241, 1255-56 (1971)	First, education “is a major determinant of an individual's chances for economic and social success in our competitive society; second, education is a unique influence on a child's development as a citizen and his participation in political and community life.... Thus, education is the lifeline of both the individual and society.
Connecticut	Conn. Coal. For Justice in Educ. Funding, Inc., 990 A.2d 206, 227 (Conn. 2010)	“We conclude . . . that . . . the state constitution embodies a substantive component requiring that the public schools provide their students with an education suitable to give them the opportunity to be responsible citizens able to participate fully in democratic institutions, such as jury service and voting”
Florida	Bush v. Holmes, 919 So.2d 392, 405–06 (Fla. 2006) (citing Coalition for Adequacy & Fairness in School Funding, Inc. v. Chiles, 680 So.2d 400, 409 (Fla. 1996) (Overton, B., concurring))	Stating that the state education clause “was placed in our constitution in recognition of the fact that education is absolutely essential to a free society under our governmental structure . . .” and that “a people who mean to be their own governours must arm themselves with the power that knowledge gives”
Georgia	McDaniel v. Thomas, 285 S.E.2d 156, 165 (Ga. 1981)	“[E]ducation ‘must provide each child with an opportunity to acquire the basic minimum skills necessary for the enjoyment of the rights of speech and of full participation in the political process.’”
Hawaii	Spears v. Honda, 449 P.2d 130, 134 (Haw. 1968)	“Article IX . . . is permeated with a strong recognition of the importance and unique function of public education in a democratic state”

Illinois	Comm. for Educ. Rights v. Edgar, 672 N.E.2d 1178, 1194 (Ill. 1996)	“Plaintiffs contend that an education . . . is closely tied to the basic rights of democracy. Amici amplify the point, asserting that ‘[a] . . . sound education . . . provides meaning and substance to other fundamental rights—including the right to speak, the right to enjoy an occupation of choice and the right to vote.’ . . . [P]laintiffs and amici perceptively characterize the relationship between education and certain basic aspects of citizenship”
Indiana	Bonner v. Daniels, 907 N.E.2d 516, 522 (Ind. 2009)	Strong evidence exists of “a prevailing public sentiment in 1850 that a public education system was needed . . . to protect Indiana’s democracy”
Kansas	Gannon v. State, 319 P.3d 1196, 1233, 1236 (Kan. 2014)	“[A]n efficient system of education must have as its goal to provide each and every child with . . . sufficient knowledge of economic, social, and political systems to enable students to make informed choices [as well as] sufficient understanding of governmental processes to enable the student to understand the issues that affect his or her community, state, and nation”
Kentucky	Rose v. Council for Better Educ., Inc., 790 S.W.2d 186, 189–90 (Ky. 1989)	“‘Education . . . is the very foundation of good citizenship.’ . . . [This statement] reflect[s] the goals set out by the framers of our Kentucky Constitution.”
Massachusetts	McDuffy v. Sec’y of the Exec. Office of Educ., 615 N.E.2d 516, 554 (Mass. 1993)	“An educated child must possess . . . ‘sufficient knowledge of economic, social, and political systems to enable students to make informed choices [as well as] sufficient understanding of governmental processes to enable the student to understand the issues that affect his or her community, state, and nation’”
Michigan	Sheridan Rd. Baptist Church v. Mich. Dep’t of Educ., 396 N.W.2d 373, 380 (Mich. 1985) (quoting Brown v. Topeka Bd. of Ed., 347 U.S. 483, 493 (1954))	“Education is the very foundation of good citizenship.”
Minnesota	Skeen v. State, 505 N.W.2d 299, 310 (Minn. 1993) (citing Bd. of Educ. of Sauk Centre v. Moore, 17 Minn. 412, 416 (Minn. 1871))	“The object [of the state constitution provisions on education] is to insure . . . an education which will fit [its citizens] to discharge intelligently their duties as citizens of the republic.”
Montana	Concerned Parents v. Caruthersville Sch. Dist. 18, 548 S.W.2d 554, 558 (Mont. 1977)	“[E]ducation is fundamental to democracy and . . . the state should assume the primary educational role.”

Nebraska	Citizens of Decatur for Equal Educ. v. Lyons-Decatur Sch. Dist., 739 N.W.2d 742, 760 (Neb. 2007)	Although “Nebraska’s Constitution Does Not Confer a Fundamental Right to Equal and Adequate Funding of Schools, no court questions the vital importance of public education in a democratic society.”
Nevada	In re L.A.W., 348 P.3d 1005, 1009 (Nev. 2015)	“[P]ublic education . . . [is] the foundation of meaningful democratic participation.”
New Hampshire	Claremont Sch. Dist. v. Governor, 635 A.2d 1375, 1378, 1381 (N.H. 1993) (internal citations omitted)	“The [state education clause] . . . declares that knowledge and learning spread through a community are [] essential to the preservation of a free government . . . and that [] spreading the opportunities and advantages of education [] is a means to the end of preserving a free, democratic state. . . .”
New Jersey	Robinson v. Cahill, 303 A.2d 273, 295 (N.J. 1973)	“The Constitution’s guarantee must be understood to embrace that educational opportunity which is needed in the contemporary setting to equip a child for his role as a citizen and as a competitor in the labor market.”
New York	CFE v. State, 801 N.E.2d 326, 330 (N.Y. 2003)	“[A] sound basic education conveys . . . skills fashioned to meet a practical goal: meaningful civic participation in contemporary society. This purposive orientation for schooling has been at the core of the Education Article since its enactment in 1894.”
North Carolina	Leandro v. State, 488 S.E.2d 249, 255 (N.C. 1997)	“[A] ‘sound basic education’ . . . will provide the student with . . . sufficient fundamental knowledge . . . to enable the student to make informed choices with regard to issues that affect the student personally or affect the student’s community, state, and nation.”
North Dakota	Bismarck Pub. Sch. Dist. v. State, 511 N.W.2d 247 (N.D. 1994) (quoting State v. Shaver, 294 N.W.2d 883, 897 (N.D.1980))	“The State of North Dakota has a recognized and conceded interest in assuring the sufficient education of the children of the residents of the states to enable them to be viable citizens in the community.”
Ohio	DeRolph v. State, 677 N.E.2d 733, 736-(Ohio 1997)	“Over the last two centuries, the education of our citizenry has been deemed vital to our democratic society and to our progress as a state.”

South Carolina	Abbeville Cty. Sch. Dist. v. State, 767 S.E.2d 157, 160-161 (S.C. 2014)	<p>“A “minimally adequate” education includes “the provision of adequate and safe facilities in which students have the opportunity to acquire:</p> <p>(1) The ability to read, write, and speak the English language, and knowledge of mathematics and physical science;</p> <p>(2) A fundamental knowledge of economic, social, and political systems, and of history and governmental processes; and</p> <p>(3) Academic and vocational skills..”</p>
South Dakota	Davis v. State, 804 N.W.2d 618, 627 (S.D. 2011)	<p>“The constitution[] . . . guarantee[s] the children of South Dakota a constitutional right to an education that provides them with the opportunity to prepare for their future roles as citizens, [and] participants in the political system”</p>
Texas	Edgewood Indep. Sch. Dist. v. Kirby, 777 S.W.2d 391, 395–96 (Tex. 1989)	<p>“Delegates [at the Texas State Constitutional Convention in 1875] recognized the importance of a diffusion of knowledge among the masses . . . for the preservation of democracy”</p>
Vermont	Brigham v. State, 692 A.2d 384, 392–93 (Vt. 1997)	<p>“Nothing could be more indicative of the close connection in the minds of the framers between . . . civic responsibility . . . and public education than” the creation of the state constitution Virtue and Education clauses.</p>
Virginia	Scott v. Commonwealth, 443 S.E.2d 138, 142 (Va. 1994) (quoting Va. Const. art. I, § 15)	<p>“[F]ree government rests, as does all progress, upon the broadest possible diffusion of knowledge, and that the Commonwealth should avail itself of those talents which nature has sown so liberally among its people by assuring the opportunity for their fullest development by an effective system of education throughout the Commonwealth.”</p>
Washington	Seattle Sch. Dist. No. 1 v. State, 585 P.2d 71, 94 (Wash. 1971)	<p>“[T]he State's constitutional duty . . . embraces broad educational opportunities needed in the contemporary setting to equip our children for their role as citizens”</p>
West Virginia	Pauley v. Kelly, 255 S.E.2d 859, 877 (W. Va. 1979)	<p>“[A] thorough and efficient system of schools . . . develops . . . the minds, bodies and social morality of its charges to prepare them for . . . citizenship”</p> <p>“[E]very child [is legally entitled to] . . . knowledge of government to the extent that the child will be equipped as a citizen to make informed choices among persons and issues that affect his own governance”</p>

Wisconsin	Vincent v. Voight, 614 N.W.2d 388, 415 (Wisc. 2000)	“An equal opportunity for a sound basic education is one that will equip students for their roles as citizens”
Wyoming	Campbell Cty. Sch. Dist. v. State, 907 P.2d 1238, 1259 (Wyo. 2001)	“[W]e . . . conclude the framers intended the education article as a mandate to . . . equip[] [students] for their future roles as citizens . . . [and] participants in the political system”

ⁱ Source: Michael A. Rebell, *Flunking Democracy: Schools, Courts and Civic Participation* (2018). The highest courts in the other 18 states have not denied this proposition; they have not yet spoken to the issue.