

A question has been raised as to whether, if the Convention adopts Report No. 5, on Education, dated July 18, 1995, there is an effect on the debate with respect to local government. The answer to that question is that there is no effect on matters of local government. This is a totally different context.

The report is very clear. The report discusses first the responsibilities of the Secretary of Education who is appointed by the Governor with the advice and consent of the Senate. The report points out that "the executive branch responsibilities for carrying out Commonwealth laws are placed with the Secretary of Education insofar as these laws pertain to education." (p. 4)

Then the report says: "Any Commonwealth law with respect to education, including budget and appropriation, is to be executed and enforced by the Secretary." (p. 5) And the report goes on to discuss how the Secretary is to go about doing that.

The constitutional language applicable to the local school boards provides that they are responsible for "administration and instruction" at the local level. As they carry out their responsibilities at the local level, they must be faithful to the requirements of Commonwealth law. That is expressed in the sentence that says: "The local school board would be responsible for the faithful execution of certain of the laws and policies of the Commonwealth within the senatorial district." (pp. 9-10). In other words, to the extent that the Secretary allows certain of the Commonwealth's laws and policies to be carried out at the local level instead of the central level, then the local school boards are to do so in a way that is consistent with the Secretary's direction.