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1 Although education may not be a fundamental right, everyone must receive an adequate state-funded education by virtue of simply being human.

(A) True

(B) False

Answer: (B) False

2 Without knowledge there can be no understanding as to the meaning of important human rights such as liberty and equality.

(A) True

(B) False

Answer: (A) True

3 Jefferson stated that it was important to give people knowledge in order to safeguard the public against tyranny.

(A) True

(B) False

Answer: (A) True

4 Vladimir Lenin referred to the absence of education as the curse of ignorance.

(A) True

(B) False

Answer: (B) False

5 Horace Mann believed that the Commonwealth was obligated to provide education to all citizens for the purpose of international economic competiveness.

(A) True

(B) False

Answer: (B) False

6 The Bill of Rights and the Fourteenth Amendment to the U.S. Constitution enunciate negative rights or negative liberties that the government shall not deny.

(A) True

(B) False

Answer: (A) True

7 Individual state constitutions are designed similarly to the Federal Constitution and also enunciate negative rights and liberties that shall not be denied.

(A) True

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(B) False

Answer: (B) False

8 Recent decisions by the U.S. Supreme Court have rejected any affirmative or positive right to government aid for education or welfare.

(A) True

(B) False

Answer: (A) True

9 Negative liberty is the liberty that John Stuart Mill analyzed the social and political world in terms of a struggle between liberty and authority.

(A) True

(B) False

Answer: (A) True

10 According to Berlin, negative freedom permits one to form a particular of life, freedom to become an autonomous human being, freedom to have equal prospects in life.

(A) True

(B) False

Answer: (A) True

11 Positive rights were set forth best by George Washington in his Virginia Bill for the More General Diffusion of Knowledge (1779).

(A) True

(B) False

Answer: (B) False

12 Education is considered a fundamental right under the equal protection clause contained in the Fourteenth Amendment of the U.S. Constitution.

(A) True

(B) False

Answer: (B) False

13 State constitutions are different from the U.S. Constitution in that they include various levels of explicit requirements, or mandates required of the state legislatures.

(A) True

(B) False

Answer: (A) True

14 A fundamental right is:

(A) inherent in the individual

(B) constitutes a protected claim that need not be earned

(C) found in moral law

(D) all of the above

Answer: (D) all of the above

15 Horace Mann often is referred as:

(A) Father of public schools

(B) first Secretary of Education

(C) founder of the Educators' Insurance Co.

(D) none of the above

Answer: (A) Father of public schools

16 The U.S. Constitution, i.e., the Bill of Rights, was written so that:

(A) Congress is mandated to provide a System of Public Schools

(B) Common schools are required state institutions

(C) Congress cannot deny certain Rights of Individuals

(D) all of the above

Answer: (C) Congress cannot deny certain Rights of Individuals

17 Under the Equal Protection Clause of the 14th Amendment of the U.S. Constitution, the U.S. Supreme Court ruled in San Antonio Independent School District No.1 v. Rodriguez that:

(A) education is a fundamental right

(B) funding disparities among states and localities are prohibited

(C) the uneven distribution of burdens or benefits resulting from poorly designed state school finance systems are permissible

(D) none of the above

Answer: (C) the uneven distribution of burdens or benefits resulting from poorly designed state school finance systems are permissible

18 The Supreme Court in Rodriguez held that state constitutional requirements:

(A) commit the state to explicit public goals

(B) compel state legislatures to enact policies for implementation of the goals

(C) alter the terms of political discourse

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(D) all of the above

Answer: (D) all of the above

19 In order for a plaintiff to prevail in equity and/or adequacy litigation:

(A) file the complaint in a state trial court

(B) the state trial court must rule that education is a fundamental right

(C) the state constitution must bestow to the individual a positive right to an

(D) education

(E) none of the above

Answer: (A) file the complaint in a state trial court