

Know Your Rights: Instructional Materials

A Research Brief from the Safeguarding Sound Basic Education Project

The Campaign for Educational Equity undertook an extensive research project investigating educational inadequacies in high-needs schools around New York and published findings about widespread violations of students' educational rights. This research brief summarizes our key findings about *instructional materials*.

The Constitutional Requirement for Instructional Materials



The New York State constitutional requirement to provide all students the “opportunity for a sound basic education” demands that all schools be equipped with sufficient and up-to-date instrumentalities of learning and be able to provide all of their students with *appropriate instructional materials, including books, supplies, libraries, educational technology, and properly appointed laboratories*. Each school must be able to provide at least the following:

-  Sufficient number of reasonably current books, including textbooks, hard-covered or paperback books, workbooks, software, or any other content-based instructional materials in an electronic format to ensure that such instructional materials are available to all students in school and at home;
-  An up-to-date library media center, providing a sufficient number of up-to-date books and instructional technology and software;
-  Sufficient and up-to-date instructional technology including computers, related hardware such as printers and appropriate software and supplies;
-  Sufficient basic classroom supplies such as chalk, paper, pencils, and markers;
-  Sufficient and up-to-date subject-area specific instructional materials and equipment; and
-  Sufficient classroom furniture and equipment.

What Is the Constitutional Right to a Sound Basic Education?

For all the details, see page 4.

How Schools Measured Up

Lack of Sufficient and Up-to-Date Books

Over two-thirds of the high-needs schools we studied statewide (25 of 33) were unable to meet the requirement for sufficient up-to-date books for student use.

- Fully one-third of the schools lacked enough textbooks in one or more subjects to provide each student with a book during class time.
- For lack of enough books, nearly two-thirds of the schools (21 of 33) couldn't allow students to take textbooks home to review material covered during class, to complete homework assignments, or to study for a test. At many schools, teachers had only a single classroom set used by all students taking the course.
- Nine schools had outdated textbooks. One school had social studies textbooks that were more than 12 years old.
- Though not all schools had begun to align curricula with the Common Core State Standards, five schools said they lacked adequate resources to purchase textbooks aligned with the Common Core in math and English, though alignment is now required.
- Nearly half of the schools lacked classroom libraries to provide students with reading material at their reading level.

Inadequate Library-Media-Center Materials

Two-thirds of the schools (22 of 33) lacked adequate resources to maintain an up-to-date library media center for their students. Of these, 21 reported that they were unable to provide students with an appropriate collection of up-to-date books and magazines. Eight schools reported that they lacked an adequate number of computers, leaving many students without access to databases and other resources for online research or computers on which to type assigned papers.

Lack of Functional Instructional Technology

Over two-thirds of the schools (23 of 33) lacked sufficient functional and up-to-date instructional technology.

- Nearly all of these schools reported that a lack of basic computer hardware, such as desktop and laptop computers and interactive whiteboards and projectors, impeded teaching and learning.
- Five schools, three of them in New York City, lacked reliable internet access.
- Twelve schools lacked enough printers and 13 schools lacked enough copiers; schools also lacked sufficient paper and ink or toner cartridges to print needed instructional materials reliably.

Critically, these schools also reported that a lack of personnel and resources to maintain or repair existing technology rendered much of the instructional technology they had functionally unusable.

Basic Classroom Supplies Funded by Teachers and Parents

Nearly two-thirds of the schools (21 of 33) could not afford to purchase adequate basic classroom supplies. Teachers and administrators at 15 of those schools spent from \$100-\$2,000 per year of their own money, with most falling within the \$200-\$500 range, to purchase basic supplies that their schools could not afford. Many schools relied on parents to provide school supplies, though they acknowledged that this was a financial strain for many families.

Shortage of Basic Subject-Area Materials and Equipment

Over two-thirds of the schools (23 of 33) lacked supplies necessary for teaching and learning in particular subjects, like science, math, physical education, art, and music.

- Fourteen schools lacked necessary equipment and materials to instruct students in science. These schools had out-of-date laboratories without sinks or running water, lacked enough microscopes or other basic lab equipment, and didn't have mandated showers to use in case of accidents with chemicals. As a result, in a number of schools, including high schools, students were not able to conduct basic experiments on their own.
- Sixteen schools lacked enough calculators, compasses, protractors, and other math tools. In most, students were not permitted to take these tools home because their schools couldn't replace them should some students lose them. In several of these schools, this limited teachers in the kind of homework they could assign. One school acknowledged that it did assign math homework requiring graphing calculators, although students were not allowed to take them home—and students who could not afford their own were therefore at a disadvantage.
- Six schools—two elementary schools, two middle-grade schools, and two high schools—lacked up-to-date maps to provide appropriate instruction in geography and history.
- Four schools—two elementary schools and two middle schools—lacked sufficient basic equipment in good repair to provide physical education instruction. One school had little more than a few balls, cones, and jump ropes for its entire physical education program.
- Nine schools lacked basic art supplies such as paint, clay, easels, and smocks. In one middle school reported that its art teacher had resorted to demonstrating art projects for lack of sufficient materials for the students to make the projects themselves.
- At two schools, students whose families could not afford to rent or purchase an instrument could not participate in band because the school lacked resources to provide enough instruments to all students who wanted to play one. (However, most schools had no band or other participatory music programs whatsoever.)

Classroom Furniture and Equipment Inappropriate, Insufficient, or Broken

Nine of the 33 schools lacked enough basic classroom furniture in good repair and appropriately sized for their students.

- Five couldn't afford to replace broken chairs, desks, bleachers, and/or lockers. At one school, the custodian was forced to duct-tape broken desks because the school did not have the resources to replace them.
- One middle school had elementary-sized desks that were uncomfortably small for its students, and one elementary school lacked sufficiently small chairs for its prekindergarten classes.
- Two schools lacked enough classroom furniture to accommodate all of their students, requiring some students to sit in folding chairs while their classmates sat at desks.

What Is the Constitutional Right to a Sound Basic Education?

New York’s highest court ruled in the *Campaign for Fiscal Equity (CFE)* case that the state has a constitutional obligation to provide every student the opportunity for a sound basic education, which it characterized as a “meaningful high school education.” The Regents have defined that education as one that will allow each student to meet a challenging set of academic standards and will prepare every high school graduate to be “college and career ready.”

To provide a sound basic education, the court said every school must have

- sufficient numbers of qualified teachers, principals, and other personnel;
- suitable and up-to-date curricula;
- an expanded platform of services for struggling students;
- adequate resources for students with disabilities and English language learners;
- appropriate class sizes;
- sufficient and up-to-date books, supplies, libraries, technology, and laboratories;
- a safe, orderly environment; and
- adequate and accessible facilities.

The Campaign for Educational Equity has detailed the specific resource requirements in each of these areas in a report, *Essential Resources: The Constitutional Requirements for Providing All Students in New York State with a Sound Basic Education*.¹

Are Constitutionally Mandated Resources Available in New York Schools?

We studied the availability of basic educational resources in the eight areas listed above in 33 schools around the state that enrolled large numbers of students from low-income households, students below proficiency in basic skills, English language learners, and/or students with disabilities. Our study found a number of serious deficiencies, which we describe at length in our report, *Deficient Resources: An Analysis of the Availability of Basic Educational Resources in High-Needs Schools in Eight New York State School Districts*.²

¹ For the full report, see www.tc.edu/equitycampaign/essentialresources

² See www.tc.edu/equitycampaign/deficientresources

Connect with the Campaign for Educational Equity!



The Campaign for Educational Equity
Teachers College, Columbia University
525 W. 120th Street, Box 219
New York, New York 10027



www.facebook.com/CampaignforEducationalEquity



[@EduEquity](https://twitter.com/EduEquity)



equity@tc.edu



<http://educationalequityblog.org/>

Visit the Campaign’s website (www.equitycampaign.org) for the full reports, our policy recommendations, and more on our projects. Please reach out if you have feedback or questions about how we can work together.

© 2013