

# Know Your Rights: School Facilities

A Research Brief from the Safeguarding Sound Basic Education Project

The Campaign for Educational Equity undertook an extensive research project on educational inadequacies in high-need schools around the state and published findings about widespread violations of students' educational rights. This brief summarizes key findings about *school facilities*.

## The Constitutional Requirement for School Facilities



The New York State constitutional requirement to provide all students with the “opportunity for a sound basic education” means that all schools need to have a *physical environment favorable for learning that provides adequate and accessible facilities with enough light, space, heat and air to allow students to learn*. Specifically, the law requires each school to be able to provide at least the following:

- ✚ A structurally safe and adequately maintained school building or buildings;
- ✚ Sufficient windows to permit a view of the exterior and adequate levels of illumination;
- ✚ Controlled heating and ventilation in all areas to produce conditions suitable for learning and for the varying activities that take place inside the building;
- ✚ Sufficient space for a suitable number of classrooms of appropriate size;
- ✚ Adequate spaces for libraries, laboratories, auditoriums, gymnasiums, playgrounds, art rooms, etc.;
- ✚ Appropriate infrastructure to support instructional technology;
- ✚ Sufficient bathrooms with a safe and potable water supply and an adequate number of proper fixtures; and
- ✚ Sufficient accommodations to meet the accessibility needs of students and staff with disabilities such as ramps, bathrooms and elevators.

**What Is the Constitutional Right  
to a  
Sound Basic Education?**

For all the details, see page 4.



## How Schools Measured Up

### Inadequate Maintenance

A vast majority of the 33 high-needs schools we studied (28 of 33) were unable to provide students with adequately maintained school buildings.

- Nearly half the schools (15 of 33) had lost custodial personnel, and five schools had to reduce routine cleaning from daily to once every other day. Top-to-bottom cleanings had been reduced from several times a year to once a year.
- Eight schools were infested with mice and seven with cockroaches or other insects.
- One school had closed four classrooms because of leaks, two schools had quarantined rooms because of mold, three schools had closed bathrooms for lack of funds for repairs, and one school had to close a classroom because of a crumbling wall.
- A lack of adequate maintenance resulted in potentially dangerous conditions in a number of schools. For example, a fire alarm box in one school had been broken for two years; another school had a broken step on the main staircase; and in a third school, fire exit signs and handicap-access door handles were missing.
- Nearly half the schools (15 of 33) had serious roof or plumbing leaks, with water seeping or dripping into hallways, stairways, classrooms, lockers, computers, cafeterias, and auditoriums. Four schools had falling classroom ceilings, and one school had a large hole in the ceiling of a public area.
- In four schools, student bathrooms were cleaned only at night and were no longer sufficiently clean and hygienic for student or public use throughout the day.
- Four schools lacked staff to clean the cafeteria before its next use. In one school, the principal, assistant principal, and parent volunteers cleaned after lunch every day. Another school paid students to clean.
- Nine schools had inappropriately narrow hallways, in some cases, because facilities were meant for younger and smaller children or not built as schools at all. Overcrowding during class changes led to altercations among students.

### Lack of Appropriate Illumination

Six schools had spaces with inadequate lighting levels, largely due to a lack of resources to replace burned-out bulbs in overhead lights on a timely basis.

### Insufficient Heating and Cooling

A large majority of the schools (24 of 33) lacked suitable conditions for teaching and learning throughout the year due to insufficient heating and cooling.

- Five schools lacked adequate heating on cold days and, on occasion, students had to wear coats. Many more (23) lacked air conditioning in some or all classrooms.
- During the regular school year, five schools had to move students out of classrooms to other areas, such as the auditorium, because temperatures were too hot or too cold and were impeding teaching and learning.

## **Lack of Space for Appropriate Class Sizes**

Over half of the schools (18 of 33) lacked sufficient space for appropriate class sizes. In some overcrowded classrooms, students were sitting almost literally knee to knee.

- Three schools lacked a sufficient number of classrooms to teach the full required curriculum. A lack of space prevented one school from providing art, music, and language classes and forced another to limit electives and academic intervention services (AIS).
- Four schools converted closets and storage spaces into classrooms for English as a Second Language, special education, and AIS for lack of appropriate classroom space.

## **Inadequate Space for Libraries, Laboratories, and Gyms**

More than two-thirds of the schools (25 of 33) were unable to provide adequate facilities for libraries, laboratories, auditoriums, gymnasiums, playgrounds, and art rooms.

- Three schools had no library; two schools had libraries that were too small for the student body; and four co-located NYC schools lacked adequate access to the school library within their buildings.
- Seven schools did not have a science room or lab, and eight schools lacked enough science labs to accommodate their students (e.g., one school had one lab per 700 students and another had one lab per 800 students).
- Eight schools lacked appropriate auditoriums.
- Thirteen schools lacked appropriate gymnasiums, and five lacked adequate playground space or athletic fields.
- The cafeterias of four schools were too small to accommodate the school's population, forcing multiple lunch shifts, starting as early as 10:30 a.m.

## **Lack of Infrastructure for Technology**

A large majority of the schools (24 of 33) lacked appropriate wiring, outlets, bandwidth and the other infrastructure needed to support instructional technology.

## **Substandard Bathrooms**

Seventeen schools lacked enough bathrooms for students and staff.

- In one school, 2,000 girls had access to only ten bathroom stalls due to lack of funding to repair other bathroom facilities within the building.
- Several schools had only unisex bathrooms for adults, and teachers often had to wait in line to use a bathroom.
- Due to inadequate space elsewhere, some schools had converted bathrooms into offices, storage rooms, or in-school-suspension rooms.

## **Inadequate Building Accessibility**

Nearly half of the schools (16 of 33) were not fully accessible to mobility-impaired students or staff. In eight schools, auditoriums, playgrounds, swimming pools, computer rooms, and/or bathroom facilities were inaccessible. And eight schools were not accessible at all, lacking ramps, elevators, and accessible classrooms and bathrooms.



## 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*.<sup>1</sup>

## 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*.<sup>2</sup>

<sup>1</sup> For the full report, see [www.tc.edu/equitycampaign/essentialresources](http://www.tc.edu/equitycampaign/essentialresources)

<sup>2</sup> See [www.tc.edu/equitycampaign/deficientresources](http://www.tc.edu/equitycampaign/deficientresources)

### Connect with the Campaign for Educational Equity!



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