

Know Your Educational Rights: School Libraries

A Research Brief from the Safeguarding Sound Basic Education Project

The Center for Educational Equity undertook an extensive research project investigating educational inadequacies in high-needs schools around the state and published findings about widespread violations of many students' educational rights. This research brief summarizes its key findings about *school libraries*.

The New York Constitutional Requirement for School Libraries

Today's school libraries do much more than circulate books. Essential functions of modern school-library programs include not only fostering a love of reading and research, but also working with classroom teachers to help students find, understand, evaluate, and apply information in order to solve both academic and real-world problems. Effective school librarians (also known as "school library media specialists") are integral partners in helping students develop essential skills that prepare them for college, careers, and civic participation.



The New York State constitutional requirement to provide all students the "opportunity for a sound basic education" demands that all schools include a *sufficient and up-to-date library media center providing a sufficient number of books and up-to-date instructional technology and software*.

In grades 7 and 8, schools must provide at least one period per week of instruction in library and information skills.

All middle and high schools must provide students with access to certified school library-media specialists. Schools with fewer than 700 students must have at least a part-time certified school librarian. Schools with 700-1,999 students must have at least one full-time librarian, 2,000-2,999 students require two full-time librarians, 3,000-3,999 need three, and so on, adding another librarian for every 1,000 students.¹

Each middle and high school library is required to offer students library collections containing *at least* the following:

under 200 pupils, 1,000 volumes; 200-500 pupils, 3,000 volumes; 501-1,000 pupils, 5,000 volumes; over 1,000 pupils, 8,000 volumes.²

What Is the Constitutional Right to a Sound Basic Education?

For full details, see page 4.

¹ See Title 8, Section 91.2 of the New York Codes, Rules and Regulations.

² See Title 8, Section 91.1 of the New York Codes, Rules and Regulations.

How Schools Measured Up

Lack of Library Space

Although all schools are required to maintain a school library, many do not.

- Two of the 33 study schools we visited had no library whatsoever.
- Two schools had a library facility that was too small for its student enrollment.
- Four co-located New York City schools (schools housed in a single building with one or more other schools) lacked adequate access to a shared library. And, as indicated below, three schools had closed their libraries for lack of staffing.
- Many libraries were closed for a number of weeks each year because, for lack of adequate space elsewhere in the school, the library was being used to accommodate students taking standardized tests.

Lack of Sufficient Up-to-Date Library Materials and Equipment

Overall, two-thirds of the schools (22 of 33) lacked adequate materials and equipment to maintain a sufficient and up-to-date library media center.

- Nearly all of these (21 of 22) were unable to provide students with an appropriate collection of up-to-date books and magazines.
- Eight schools lacked an adequate number of computers for their library, leaving many students without access to research databases and other online resources or computers on which to type assigned papers. This can be particularly problematic for students who lack computers at home.

Lack of Sufficient Numbers of Library-Media Specialists

While all schools are required to provide students with access to a school library, only middle and high schools are required to have certified librarians. However, more than half of the middle and high schools in our study (13 of 23) were unable to meet New York State's minimum requirements to provide all students with adequate access to certified and adequately trained library-media specialists.

Elementary schools are not required to have librarians. However, for lack of a full-time library-media specialist, nearly all of the schools that served these grades were unable to provide their students with adequate and appropriate library services. In five of the 11 elementary schools, students had no access to a certified librarian.

New York City fared worst in this area. None of the 12 New York City schools in our sample were staffed by a sufficient number of certified librarians.

- Three schools serving elementary and middle school students had closed their

libraries for lack of a librarian.

- Four schools technically shared a librarian with other schools in their building or in a nearby building, but students had very limited or no library access and received no instruction in library skills.
- Two schools had no library and no librarian.
- Of the three NYC schools in our sample that had their own libraries, two had no certified librarian and one lacked a sufficient number of librarians for a school of its size.

Required Library and Information-Skills Instruction Not Provided

New York State requires that all students in grades 7 and 8 receive at least one period of instruction in library and information skills per week. Yet virtually all of the schools serving these grades (11 out of 12) were unable to meet this requirement.

- One librarian who served an under-resourced middle-grade school was responsible for library services for the entire district, lacked time to provide the required information-skills instruction, and barely had time to perform basic library duties, such as circulating books and other learning resources, nevermind classroom instruction and personalized research support.
- Nearly half of the schools serving middle grades (5 of 11), all in New York City, could not meet the requirement because they had no library media specialist.

An additional nine schools met the bare minimum library-personnel requirements, but considered those requirements insufficient for a sound basic education. Five of these schools received minimal services from a librarian whom they shared with another school or schools in their district; the amount of time the librarian was in their school was not adequate to provide the range of library services and instruction that students needed to meet library-related state learning standards.

Other Evidence

[The Wall Street Journal](#) reported in August 2013 that there were only 333 certified librarians serving NYC's 1,700 schools.³

On August 9, 2013, the NYC Department of Education requested a variance from the New York State Education Department, asking to be exempted from the state's minimum staffing requirements for certified school library media specialists. On September 15, 2014, the New York State Commissioner of Education denied their request and directed NYC to comply with librarian staffing regulations.

Is your school able to meet the constitutional requirement for school libraries?

Tell us your story by emailing equity@tc.columbia.edu or calling 646-745-8282.

³ <http://online.wsj.com/news/articles/SB10001424127887324769704579006604137520932>

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, career and civic 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 Center 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 bit.ly/Essential_Resources

² See bit.ly/Deficient_Resources

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