Safeguarding Students’ Rights to A Sound Basic Education

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 all students the opportunity for a sound basic education, which it defined as a “meaningful high school education, one that prepares them to function productively as civic participants.” The Regents have defined such a “meaningful high school 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 all students with the opportunity for a sound basic education, the CFE court held that the state must ensure “at least” the following resources:

- sufficient numbers of qualified teachers, principals, and other personnel
- suitable and up-to-date curricula
- an expanded platform of programs to help students who are at risk of failing
- 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
- adequate and accessible school buildings

The Campaign for Educational Equity has prepared a detailed compendium of all of the specific resources each school must be able to provide in order to meet constitutional sound basic education requirements. The report called Essential Resources: The Constitutional Requirements for Providing All Students in New York State with a Sound Basic Education (2012).
Are Constitutionally-Mandated Services Now Being Provided?

The Campaign for Educational Equity studied the availability of basic educational resources in the 8 areas listed above in 33 high-needs schools around the state. Our study found a large 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* (2012).

What Does the State Need to Do to Achieve Constitutional Compliance?

- Identify the essential resources and services that must be available to all students to meet state requirements and to comply with the constitution
- Assess the scope of current violations of students’ rights to the opportunity for a sound basic education
- Reduce costs by eliminating or revamping unnecessary mandates and provide school districts clear guidance on how to maximize cost efficiency and cost effectiveness while safeguarding constitutional educational services
- Develop and implement a new methodology to determine the costs of efficiently providing all students with the essential resources for a sound basic education
- Revise the state funding formulas to ensure that all schools receive sufficient resources
- Create state and local accountability mechanisms to ensure that, on an ongoing basis, schools have sufficient resources and are, in fact, providing all students the opportunity for a sound basic education.

Resources (available at [www.equitycampaign.org](http://www.equitycampaign.org))

For legal analysis of the right to a sound basic education in hard economic times, see Michael Rebell’s *Safeguarding Sound Basic Education in Times of Fiscal Constraint*, 75 Albany Law Review 1855 (2012).

For a compendium of the specific resources to which students are entitled in New York State, see *Essential Resources: The Constitutional Requirements for Providing All Students in New York State the Opportunity for a Sound Basic Education* (2012).

For findings from the Campaign’s research on resources available in high-needs schools across the state, see *Deficient Resources: An Analysis of the Availability of Basic Educational Resources in High Needs Schools in Eight New York State School Districts*(2012).
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