

LEGISLATIVE RESEARCH UNIT

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TEXTBOOK SHORTAGE IN CHICAGO PUBLIC SCHOOLS

asked whether any bills have recently been introduced in Illinois to address the lack of textbooks in public schools, and what other states have done to address the problem. A constituent, who tutors a Chicago Public School student, said the student lacks textbooks for most classes. We found no recent Illinois bills addressing textbook shortages. We describe below the Illinois Textbook Loan Program, and actions that California recently took to alleviate its textbook shortage problem. We also describe North Carolina and Texas laws on providing textbooks to students.

Illinois

Under the so-called Illinois Textbook Loan Program, the State Board of Education buys instructional materials chosen by school districts or schools, and lends them to schools for student use. Although the School Code section creating this program says it is for students from kindergarten to 12th grade, it is currently offered only in grades 7-12. The State Board's Internet site comments that "The program funding is intended to provide supplemental dollars for student materials and does not provide total funding for all instructional materials."¹ To participate, schools must register with the Illinois State Board of Education (ISBE), and must comply with compulsory attendance laws and with Title VI of the Civil Rights Act of 1964² (which prohibits exclusion of any person from a program receiving federal financial assistance due to race, color, or national origin³).

Funding in fiscal year 2009 will be about \$42.8 million (\$40 per student). The allotment of that money among schools is based on their enrollments for grades 7-12 either in 2007, or

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at the end of September 2008. ISBE's Internet site for districts and schools applying for the program recommends that they request 5% over their projected allotments. It explains that unforeseen circumstances (such as some schools not using their allotments, or vendors lowering prices) could cause some funding to be left over. Ordering begins December 1, 2008 and ends March 15, 2009.⁴

California

A class action called *Williams v. State of California* was filed against the state and its education agencies in 2000, alleging that students were denied equal educational opportunities due to various problems that included inadequate instructional materials. The suit was settled in 2004, with the state agreeing to allocate \$138 million in added funding for instructional materials and school facility repair.⁵

While the case was proceeding through the courts, the legislature enacted several laws to help ensure textbook availability. One requires each county superintendent of schools to investigate textbook availability at low-performing schools. If a school lacks textbooks, the superintendent is to notify the school and allow it an opportunity to remedy the situation. If the deficiency is not remedied, the county superintendent is to ask the California Department of Education to buy the required textbooks. Any funds so spent are considered a loan to the district.⁶

Another law set up a system allowing students, staff, and parents to make formal complaints if, among other problems, a student lacks textbooks, including textbooks for use at home or after school to complete homework assignments.⁷

North Carolina

The state provides free basic textbooks to public school students. The State Board of Education makes an annual evaluation of the funds needed for textbooks and requests sufficient appropriations for that purpose.⁸

To help low-wealth counties, a 2007 law called for supplemental funds to be appropriated to local school administrative units for fiscal years 2007-2008 and 2008-2009. These funds can be used to buy textbooks.⁹

Texas

Textbooks are provided free to students.¹⁰ If a school district or open-enrollment charter school does not have enough copies of a textbook for the next school year, and additional

copies are not available from the publisher or depository, the district or school can buy used textbooks and be reimbursed from the state textbook fund, or return the textbooks in exchange for a different textbook.¹¹ The state textbook fund contains money set aside by the State Board of Education and funds gained from the state's sale of disused textbooks.¹²

We hope this information is helpful. Please let us know if we can be of further assistance.

Sincerely,

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Notes

1. "Textbook Loan Program" (downloaded Oct. 1, 2008 from ISBE Internet site).
2. 105 ILCS 5/18-17.
3. 42 U.S. Code secs. 2000d to 2000d-4a.
4. State Board of Education, "Textbook Loan Program" (downloaded Sept. 23, 2008 from ISBE Internet site).
5. California Department of Education, "The Williams Case—An Explanation" (undated but described as "last reviewed" on June 2, 2008; downloaded from the Department's Internet site).
6. Cal. Educ. Code, subsec. 1240(i), enacted by 2004 Cal. Stats., ch. 900.
7. Cal. Educ. Code, sec. 35186, enacted by 2004 Cal. Stats., ch. 900.
8. N.C. Gen. Stat., sec. 115C-96.
9. 2007 N.C. Adv. Legis. Serv., ch. 323.
10. Tex. Educ. Code, sec. 31.001.
11. Tex. Educ. Code, sec. 31.104.
12. Tex. Educ. Code, sec. 31.021.