



**BROKEN
CHALK**

Submission to the Universal Periodic Review of the United
Nations Human Rights Council 4th Cycle – 50th Session

Right to Education

Country Review: The United States of America

Submitting Organization: BROKEN CHALK

April 2025

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Broken Chalk is an Amsterdam-based NGO established in 2020 that monitors and minimises worldwide human rights violations in education. We aim to promote universal and equal access to education for all.

We encourage and support achieving societal peace with our international sponsors and partners by advocating for intercultural tolerance, preventing radicalism and polarisation, and tackling educational inequalities.

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I. Introduction

1. The following report has been drafted by Broken Chalk as a stakeholder contribution to the fourth cycle of the Universal Periodic Review [UPR] for the United States of America (USA or U.S.). As Broken Chalk's focus is on combating human rights violations within the educational sphere, the contents of this report and the following recommendations will focus on the Right to Education.
2. According to the latest available data from the World Bank, 81.4% of individuals in the USA's population have achieved at least a fixed level of proficiency in functional literacy skills proportionally. The literacy percentage increased to 90.3% when examining only individuals with a high socioeconomic classification and decreased to 59.4% when examining only individuals with a low socioeconomic classification. Additionally, the literacy rate further increased to 83.9% relative to the mean level when the data was solely focused on individuals without an immigrant background. In contrast, the literacy rate dropped significantly to 67.2% when only individuals from an immigrant background were accounted for.ⁱ
3. Home to the top universities and tertiary education institutions around the globe, the United States of America performs slightly better than the OECD average for tertiary enrollment among individuals aged between 25 and 34, with 46% to 41% for men and 56% to 54% for women, respectively. However, when examining educational attainment for all individuals aged between 25 and 64, the USA performs significantly better than the OECD average of 40% attainment of tertiary-level education, with 50% of American individuals having obtained a tertiary-level educational degree.ⁱⁱ
4. The metrics on high degrees of educational attainment are further emphasised with figures such as an impressive 8% of American individuals aged between 25 and 64 not having completed at least an upper secondary education in 2022, in comparison to the OECD average of 20% of individuals aged between 25 and 64 not having completed at least an upper secondary level education.ⁱⁱⁱ Evermore impressive, the percentage of individuals aged between 25 and 34 without an upper secondary education attainment decreased by 3% between 2016 and 2023, and with a measurement of 6%, it is eight percentage points below the OECD average in 2023.^{iv}
5. As many countries across the globe have been negatively affected in the education sector from the COVID-19 pandemic, some even experiencing a double-digit decrease in the share of international students in tertiary education, the USA stands as an essential outlier with the share of international students remaining stable from 2019 to 2022, at 5% of all tertiary students.^v
6. A significant amount of investment in education comes from the public sector globally, particularly in compulsory or primary education. The United States is no exception, with 93% of investment in primary institutions coming from the state. The U.S. has also sustainably spent around 5.8% of its national GDP on primary education institutions from 2016 to 2021, slightly above the broad OECD average of 4.9% during the same period.
7. Although private expenditure towards the sustaining of pre-primary and tertiary educational institutions is the global norm, the United States has a lower share of public expenditure, 81%, towards pre-primary institutions when compared to the OECD average of 86%, and a significantly lower share of public expenditure of 39% when compared to the OECD average of 68%.^{vi}

II. Overview of the last UPR Cycle

8. Recommendations 145, 114, 313, 101, and 102 were the only recommendations received by the United States during the 3rd cycle of the UPR regarding the UN's propagation of SDG 4.^{vii}
9. In the last UPR cycle relating to the United States of America (3rd cycle, 36th session), the U.S. had supported Myanmar's recommendation 145, "to address the issue of racism, xenophobia, and bullying among children in schools."^{viii} However, the U.S. later on changed its support status to "share the ideals reflected in these recommendations and support them subject to the limitations

...” continuing to state that although the United States supports this ideal, it may not be achievable under the power of the Federal Executive Branch.^{ix}

10. Similar justifications for the modifications of previous support statements were presented by the U.S. regarding recommendation 114 from Switzerland “resolutely combat all forms of discrimination by guaranteeing equitable access to justice, medical care and quality education, as well as by ensuring that the use of force and firearms by the police is in compliance with human rights” and recommendation 313 from Botswana, “take further robust and comprehensive measures to promote wider and equitable access to quality education at all levels”.^x
11. In contrast, recommendation 101 from Greece “works across federal agencies and departments to foster more comprehensive education and training for state and local agencies and officials on human rights” and recommendation 102 from Cambodia “carries out additional anti-discrimination training for government officials at all levels and systematically” remained entirely in ‘support’ status.^{xi}
12. Since taking office on January 20, 2021, the Biden-Harris administration has significantly invested in education, as evidenced by the most significant one-time federal investment in K-12 schools.^{xii}
13. One of the most publicised aspects of the Biden-Harris administration was the Student Debt Relief Plan, which, due to economic hardships caused by the COVID-19 pandemic, had delayed the requirement for student loan repayment. Since then, the U.S. Congress has passed a bill to prevent the extension of the payment pause and to resume interest on student loans after September 1, 2023.^{xiii}
14. The federal U.S. government provided further relief funds. The most significant of these was the ESSER program, a \$189.5 billion funding allocation to state educational agencies for elementary and secondary education relief, which ended on September 30, 2024.^{xiv}
15. The ESSER program, established by the CARES Act in March 2020 under the Education Stabilisation Fund and subsequently improved upon with the Consolidated Appropriations Act 2021, the CRRSA Act, and the ARP Act, was passed by the 116th and the 117th U.S. Congress in response to alleviate the negative consequences of the COVID-19 pandemic on education.^{xv}
16. These acts enabled the further allocation of funds, where the \$75.2 billion Higher Education Relief Fund (HEER), the \$5.5 billion Emergency Assistance to Non-Public Schools (EANS), and the \$4.3 billion Governor’s Emergency Education Relief (GEER) were also established. The Education Stabilisation Fund thus mobilised all aspects of the USA’s educational institutions, providing funds to state educational agencies, higher education institutions, non-public schools, and governors across the USA.^{xvi}
17. However, not all states and U.S. territories were allocated the same level of funding. While states such as California, New York, Texas, and Florida received the most significant direct allocations, Puerto Rico and the District of Columbia received the most substantial sums per capita.^{xvii}
18. Interestingly, a study from the CALDER National Center for Analysis of Longitudinal Data in Education Research found that the effectiveness of the ESSER program and the allocation of funds varied across contexts and were significantly influenced by state-level factors, such as school accountability measures or union presence.^{xviii}
19. Researchers also found that ESSER has a significantly higher impact in lower-spending, compared to higher-spending, districts, and they further note that districts serving predominantly non-Black and non-Hispanic people experienced more substantial effects.^{xxi}

III. Funding Inequity

20. The most significant and the most interconnected challenge within the US education sector is funding inequity. The Center on Budget and Policy Priorities and the American University School of Education argue that because the public education sphere is supported in three parts, by the state (47%), the local government (45%), and the federal government (8%), that any significant deviation in one of the governmental institutions’ ability to provide funds will have a substantial impact on the overall allocated funds. As most of these funds are obtained by these governmental institutions

through property or state taxes on sales and income, and because taxation rates differ by neighbourhood, county, or state, schools situated in wealthier areas will have a substantially higher available education budget.^{xxii}

21. To further emphasise the importance of disparities in education funding allocation among different schools, studies conducted by the Center for American Progress reveal that the amount spent per school is directly related to students' academic achievements, and that inequitable allocation of funds results in significant disparities in students' academic success.^{xxiii}
22. Research from the Albert Shanker Institute further elaborates on the importance of funding for schools by outlining potential benefits to an increased budget, such as: smaller class sizes, additional supports, competitive teacher compensations that allow schools and districts to hire from a more qualified teacher workforce, early childhood programs, and the subsequently increased accountability of education institutions to the public because of their higher tax-collected budgets.^{xxiv}

IV. Barriers to Accessibility in Education: Economic, Regional, and Pandemic

23. The second challenge is inaccessibility in the education sector, which is primarily derived from inaccessibility due to household economic constraints, regional availability, and the COVID-19 pandemic.
24. The National Center for Education Statistics' IPEDS survey shows that low-income students are less likely to have access to advanced coursework, such as AP or IB programs, compared to their higher-income peers. Furthermore, families in the lowest income quartile often face barriers to early childhood education, with only 40% of the eligible children being enrolled in federally funded preschool programs.^{xxv}
25. Income disparities contribute to unequal access to school supplies, ranging from essential items like pencils and paper to more advanced technologies like internet connectivity, thereby exacerbating the educational divide.^{xxvixxvii}
26. Further drastic consequences of underfunded public schools, resulting from income disparities within the area, can materialise through schools employing their teachers as building caretakers during necessary renovations, schools lacking proper hygiene facilities, overcrowded classrooms, and unsafe school premises.^{xxviii}
27. Although rural schools account for nearly 20% of the U.S. student population, they receive significantly less funding per student compared to urban and suburban districts, which limits resources for infrastructure and educational programs.^{xxix} Geographic isolation in rural areas often results in fewer opportunities for students to access dual-enrollment programs or partnerships with local colleges. Furthermore, rural schools face challenges in providing mental health services, with only 1 in 5 rural districts having access to a full-time school psychologist or student-well-being coach.^{xxx}
28. Remote learning practices, as a consequence of the COVID-19 pandemic, disproportionately affected students without reliable internet access, with 16.9 million children lacking adequate connectivity for online education. Mental health challenges surged during the pandemic, with 35% of students reporting increased anxiety and depression, impacting their ability to engage in learning. Thus, the pandemic widened the achievement gap, with students in low-income schools falling behind by an average of 5 to 9 months in math and reading.^{xxxi}

V. Education Quality and Teacher Competency

29. The third educational challenge examined in this report is the quality of education and the quality of teaching personnel. As previously mentioned, the quality of teaching personnel and material relies heavily on the available funding and access, thus making these challenges within the US education sector heavily intertwined.

30. The National Assessment of Educational Progress (NAEP)'s 2022 national report card results reveal that a significant proportion of students have declined in math and reading proficiency, with only 36% of 4th graders and 34% of 8th graders performing at or above proficiency in math, highlighting a crisis in academic achievement.^{xxxii}
31. Disparities in teacher quality persist, as schools in low-income areas are significantly more likely to employ underqualified or inexperienced teachers, often due to lower budgetary requirements, which in turn impact student learning and educational outcomes. Curriculum quality further varies widely across states and districts, with many schools lacking access to up-to-date materials, technology, and culturally responsive teaching practices.^{xxxiii}
32. A further aspect of concern arises when the 2022 NAEP report is compared with the 2024 NAEP report. Results show that although the average Grade 4 mathematics score experienced a significant increase, the Grade 8 mathematics score remained stagnant, and more concerning, both the Grade 8 and Grade 4 reading scores experienced a considerable decrease.^{xxxivxxxv}

VI. Recommendations

33. Broken Chalk recommends increasing investments in teacher training and professional development programs, especially in low-income areas. Establishing mentorship initiatives and offering financial incentives to teachers who work in underserved communities can enhance teacher competency and retention. Programs like Baltimore's Model Teacher program can serve as a model.
34. Broken Chalk recommends the introduction of Attendance Officers in high-poverty areas to combat chronic absenteeism and improve educational access. These officers should adopt a solution-focused approach, reaching out to families to understand and address the barriers that prevent student attendance. Rather than adopting punitive measures, this approach would foster collaboration and provide families with the necessary support to ensure children attend school regularly.
35. Broken Chalk advocates for schools in economically disadvantaged areas to organise community-based events aimed at strengthening social ties and increasing school attendance. Events such as yard sales, clothing drives, and family dinners can encourage greater engagement from parents, guardians, and children who are absent, fostering a sense of belonging and involvement in the educational process.
36. Broken Chalk recommends equalising school funding formulas across districts to address disparities caused by local property taxes. This would ensure students in less affluent neighbourhoods have access to the same quality of education as those in wealthier areas.
37. Broken Chalk urges the federal and state governments to prioritise early childhood programs and allocate additional resources to reduce class sizes and improve teacher support in underfunded schools.
38. Broken Chalk advocates for increased accountability mechanisms to ensure efficient utilisation of funds, thereby enhancing student outcomes. Strengthening family-school connections can further improve attendance rates and foster a supportive environment that promotes students' academic growth.
39. Broken Chalk recommends increasing investments in rural schools to improve infrastructure and educational programs. Strengthening partnerships with local colleges for dual-enrollment programs and enhancing teacher recruitment in remote areas can help bridge rural-urban educational disparities. Additionally, ensuring access to full-time school psychologists and well-being coaches is vital to addressing students' mental health challenges.
40. Broken Chalk urges the government to enhance funding for technology and internet access in economically disadvantaged areas. Providing subsidised or free internet services and equipping

students with digital devices will address the digital divide highlighted by the COVID-19 pandemic.

41. Broken Chalk advocates for policies that expand access to early childhood education and advanced coursework for low-income families. Increasing federal support for preschool programs and providing financial assistance for essential school supplies are crucial steps. Investments should be made to reduce overcrowding, improve hygiene facilities, and foster engaging learning environments.
42. Broken Chalk suggests that teachers adopt the Montessori method, which involves providing personalised mini-lessons alongside the core curriculum within the same classroom. This approach allows students to receive instruction tailored to their individual skills and learning needs.
43. Broken Chalk advocates for data-driven interventions to enhance students' proficiency in key subjects, such as math and reading. Adopting frameworks such as the Multi-Tiered Systems of Support (MTSS) and the Response to Intervention (RTI) approach can help identify struggling students early and provide targeted support. Collaborative teaching strategies, such as co-teaching and instructional workshops, should also be promoted.
44. Broken Chalk urges the government to standardise curriculum content across states and districts to ensure equitable access to high-quality educational materials. This should include updating textbooks, integrating culturally responsive teaching practices, and leveraging modern educational technologies.
45. Broken Chalk recommends fostering teacher collaboration through weekly workshops with instructional coaches and administrators to improve education access for children.

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