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To: House Committee on Education

From: Erin Maguire, Equity & Inclusion for EWSD

Date: April 22, 2021

Re: Testimony on S.13: Implementation of the Pupil Weighting Factors Report

Thank you for the opportunity to address you today regarding S.13 on behalf of the Essex Westford School District. The potential implications of the implementation of the Pupil Weighting Factors Report submitted to the legislature following a lengthy study led by UVM researchers are of critical importance for Vermont. In the study's models addressing inadequacies of the current pupil weighting factors in the current funding formula, the Essex Westford School District stands to lose a sizable amount of programming in order to maintain a reasonable tax rate. We have several areas of comment today to ensure that equity is centered while also limiting impossible financial implications for school districts most financially impacted by the models.

The Importance of Equity

The Essex Westford School District has undertaken efforts to center equity in our district. Part of this effort is to recognize the distribution of resources as it relates to historically marginalized populations. As a basis of EWSD's equity work, we believe in redistributing resources to invest in those who have been historically undersupported by institutions. We are also centering the voices of those people who have not historically been at the decision-making table. This work comes in many forms and has been impactful within our district. It is for this reason that we deeply understand the reasons for the discussions about the current weighting formula considerations. We understand the need to resituate the weighting to address the needs of students based on the information provided by the UVM researchers. It would be unreasonable for EWSD to stand for equity and then deny the reasons for this important body of work.

Input for the Task Force

We are supportive of the Task Force makeup and powers and duties contained in S.13. In addition, it seems critical that testimony from practitioners who will be implementing the decisions of the Task Force have a clear voice in this process. We appreciate the engagement with our state-wide education organizations within the bill. We also recommend that the task force be required to model impacts to large and small districts (possibly a sampling approach could be used) through simulation activities with administrators responsible for those systems prior to implementing final decisions. We have seen the effects of policies that have not been modeled out to assess impact. It seems important this takes place.

Phasing in the Impact of Weighting Factor Changes

While we understand the issue at hand and support the concepts of equity in the context of the state funding formulas, sudden drops in funding will substantially shift the ability of the district to continue to offer the programs and services presently in place. Rather than a sudden drop in funds, which can be extremely challenging to manage and will likely pit program against program within the district in an attempt to be

maintained, we support a phased-in approach to allow for intentional shifts. This will allow efficiencies and gradual reductions to support our work in implementing any of the presented models without a sudden tax increase that would be unmanageable for our taxpayers.

Investing in Education as an Outcome

It has been many years since the Brigham case sought to create equity in the Vermont education financial system. Equity of financial access for VT schools was the purpose of the ruling by the Vermont Supreme Court. The changes over the years to address this same goal are numerous and this is another attempt to reach that goal. In this light, it seems important to ensure that districts move ahead and increase spending and investment in education rather than a decrease in their tax rates if they receive financial gain from the modeling. We highly recommend that if money is going to be displaced from places like EWSD through weighting students requiring increased resources and investment in other parts of the state, the implementation of these models expect those investments rather than decreasing the tax rates of school districts benefiting from the weighting changes. Otherwise, we will not be addressing the equity issue at hand.

The Intersection of Act 173 Census Funding Implementation and the Pupil Weighting Factor Report

Of concern to several statewide organizations and to EWSD is the intersection of implementation of the census funding model in Act 173 and the implementation of the Pupil Weighting Factors Report. The implementation of the Act 173 census funding model promises to decrease the state investment in special education and shift costs over time to the local side of the ledger. The impact of this change has yet to be fully understood and implementation has been put off due to implementation issues and because of the COVID 19 pandemic. The committee should be required to carefully consider the financial impact of Act 173 on top of a substantial shift in the pupil weighting factors. Simulation of the collective impact should be required.

Special Education Maintenance of Effort

VCSEA and several directors of special education have testified related to the federal Maintenance of Effort (MOE) requirements for local school districts in relation to Act 173. It is also critical to note here related to the implementation of the Pupil Weighting Factor Report. To be clear, Local Education Agencies (LEAs) must spend at least as much money on special education (state funds + local funds) as they did the prior year or risk losing the difference between the two years in spending in federal dollars. There are some specific exemptions that are allowable to explain away a decrease in spending, but developing program efficiencies is not one of them. It is important to note that districts cannot substantially cut special education spending due to federal MOE requirements. This means that for districts implementing a decrease in resources due to the census shift or the pupil weighting factor changes, special education will not be the place the money is ultimately “saved” or “cut” without losing substantial federal dollars.

Recommendations: Therefore, EWSD recommends the following:

- 1. Phase in the change in a way that allows for intentional planning for reduction versus drastic cuts in a single year to budgets.**
- 2. Expect investment in students where financial increases take place for districts from this change as opposed to using the funds for tax reductions.**
- 3. Run simulations on final decisions of the Task Force to ensure a quality understanding of the impact statewide.**
- 4. Expect the Task Force to simulate the weighting factor changes in the context of the implementation of the Act 173 census funding model across the state prior to finalizing their recommendations.**
- 5. Create a clear understanding in the rules or implementation plan that districts are expected to meet the federal MOE requirements for special education during these funding shifts.**