

Vermont Social Equity Caucus Members Call on Committees of Jurisdiction to Reflect True Educational Equity in Funding Formula for English Language Learners

January 25, 2022

To House and Senate Leadership, the Chairs of the House and Senate Committees on Education, and the Chairs of the House Committee on Ways & Means and the Senate Committee on Finance:

The undersigned members of the SEC have looked forward to seeing an implementation plan for revised pupil weights in *all* weighting categories. And so while we appreciate the incredibly hard work of the *Task Force on the Implementation of the Pupil Weighting Factors Report* (Task Force), we are deeply concerned that no weight was proposed for English language learner (ELL) students in their final report. These recommendations place this cohort of students on a very different structural path in Vermont's education funding models, with a higher degree of scrutiny on whether their stated needs are justified. Using weights is a proven way to give districts the independence and flexibility they need to equitably resource ELL students. We feel it's important to articulate at this time why a weight for ELL students should still be under consideration.

Further, the SEC believes any legislation to correct pupil weights should acknowledge harm faced by school districts whose student populations were underweighted for the past 25 years. For example, acknowledging the challenge of passing sufficient school budgets when, according to the weights, adequate spending was deemed overspending. A clear acknowledgement of the state's responsibility, not only for harm done, but for the causes that led to such harm, is essential to building trust with the communities that have experienced this harm. It gives meaning to institutional reforms and also guarantees non-repetition.

In place of an ELL weight, the Task Force has recommended using categorical grants. They heard testimony suggesting that a categorical aid program could work well for certain districts, particularly with small but growing numbers of ELL students. This, however, is not the case for districts with larger ELL student populations. Therefore the SEC believes any legislation on this matter must include an ELL weight as the default, while allowing districts to opt-in to a grant program in lieu of ELL weighting if that more effectively resources ELL students in their schools. Professor Kolbe suggested considering this approach in her January 11, 2022 memo to the Task Force, saying "Given the heterogeneity in need among Vermont districts, it also may be worth considering a hybrid policy approach that allows districts to opt into different approaches for cost adjustments (e.g. weights or categorical grant.)" We agree with this thinking and hope it receives due consideration as an option.

Of course, if categorical aid programs are used for any districts in lieu of weights, they must use empirically sound grant amounts. The Task Force put forward provisional grant amounts in their final report, but they were not derived from the UVM/Rutgers study's results. They were, instead, modeled on past spending in VT as well as spending on ELL students by school districts nationally. In the Task Force's final report the authors acknowledge, "*While the \$5,000 per pupil compares generously with most other states, it may not be sufficient in the Vermont context. At the writing of this final report, the Task Force awaits*

further analysis from Professor Kolbe and her team on both the cost equivalencies of the weights outlined in their October 28, 2021, memo and their recommendation for an ELL categorical aid amount.”

In her January 11, 2022 memo Professor Kolbe suggests modeling a grant program on past spending could be problematic. In reference to ELL programs in other states, Kolbe explains, *“ELL adjustments contained in most contemporary state school funding policies are not cost based, and instead reflect legacy policy or were politically derived.”* Further, Professor Kolbe says the following about treatment of ELL students in many educational cost studies, *“In fact, some school funding studies do not explicitly consider the additional cost of educating ELL students. That said, all methods agree that current funding levels in most states are insufficient to meet specified performance standards.”* This information from Professor Kolbe emphasizes the need to include empirically sound ELL categorical grant amounts for districts who elect to use and not simply to base grant amounts on what we see others doing regionally.

So what grant amount would be appropriate for the ELL students? Professor Kolbe states, *“..if the goal is to develop a categorical grant program that provides a per pupil grant amount that reflects the average cost to schools of educating an ELL student, then our estimate can best be understood as the typical additional cost of educating an ELL student to common outcomes for FY2018.”* And, *“For FY 2018, the average additional cost of educating an ELL student to common outcomes was \$22,947.”* Professor Kolbe goes on to explain that, assuming an annual escalation of 2%, this would equal an average additional cost in FY 2023 of \$25,335 per ELL student. It seems that this amount per student, not \$5,000, should be the starting point for a conversation about ELL grants in lieu of weights.

While we acknowledge an opt-in ELL grant program for some districts could work at the right funding level, communities and school districts with the highest numbers of ELL students are telling us they value weighting and what it affords. Take, as a devastating example, the impact of the current Task Force recommendations on the Winooski School District, where 35 percent of students are identified as multilingual learners (ML). As one school official noted:

“If weights are not implemented as recommended by Prof. Kolbe, we will have to eliminate all of the new ML staff we hired using ESSER funds. These positions include: three liaison/interpreter positions, two ML teacher positions and one ML intake and family engagement coordinator. Other ESSER-funded positions at risk: elementary literacy and math interventionists (one each), one HS reading interventionist, one elementary behavior interventionist. These positions support ML learners in addition to other students who have been identified as in need of additional support.

We will also be unable to move forward with expansion of our pre-K program, which will not only benefit ML students, but the 62 percent of families who live in poverty in this community. The new poverty measure disadvantages Winooski because it excludes ELL learners from the count and relies on families completing FRL paperwork, which we currently do not require them to complete due to our high percentage of poverty, which makes us eligible for the Community Eligibility Provision (CEP).

The CEP program makes it possible for us to provide breakfasts and lunches free to all students, regardless of their income status, because more than 40 percent of our student population receives SNAP nutrition benefits. So, in order for us to have all the paperwork completed in a timely way so that we get an accurate picture of poverty in our community, we will have to hire more people to support families - translating the paperwork and having it completed.”

These impacts on a school serving one of the largest populations of ELL students in the state are unacceptable and we expect any legislation to move toward implementing the empirically derived weights to ensure we are providing adequate resources to all students, not causing greater harm to our most vulnerable populations.

We hope the impacts of each possible path forward will be thoroughly vetted by our House and Senate Education Committees. These are not questions of education financing, as much as questions of education equity and best practices for resourcing learning. Our ELL students and the Limited English Proficient families that support their learning are some of our newest Vermonters and contain immense potential to positively transform our state. They need and deserve the best possible start to become our future citizens and leaders, and they are entitled to this by our constitution. We lament the loss of workforce and population in our state’s government, while we have an incredible opportunity to invest in our young learners in a way that would give them the true foundation they need and deserve.

Respectfully submitted,

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Co-Chairs of the Social Equity Caucus

Additionally undersigned,

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