

Funding English Learner Education

Making the Most of Policy and Budget Levers

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EL INSIGHT #5

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1 Funding an Equitable K-12 School System

In a country with high levels of wealth inequality, institutional racism that has affected communities for generations, and a tradition of strong local control over schools, budgeting for equity is a critical element of realizing the nation's promise of equal opportunity for all students in the United States. But despite decades of research documenting resource inequalities across communities,¹ states have yet to implement school funding formulas that ensure adequate and equitable funding for all children in K-12 schools.

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It is frequently stated that the quality of students' education should not be based on their zip code—that is, when schools are primarily funded through local tax revenue, it would be unfair for some communities not to have sufficient resources while others provide their children and youth enormous advantages. There is also widespread agreement that some students need more and different resources than others. Both of these equity issues are highly

relevant to English Learners (ELs), who make up nearly 10 percent of the U.S. school population, have unique learning needs, and are disproportionately likely to attend low-resourced schools with high concentrations of ELs and low-income students.²

Under the 1974 U.S. Supreme Court decision *Lau v. Nichols*, schools have an obligation to provide services to ELs to ensure they have access to the same education as their non-EL peers. Naturally, to do this, schools need funding to hire teachers, purchase materials, develop curricula, and carry out administrative functions. While many schools and districts have made big strides since *Lau* to improve EL instruction, the COVID-19 pandemic has shined a spotlight on critical areas where progress remains inadequate, including training general education teachers to work with ELs and increasing schools' capacity to meaningfully engage parents with limited English and/or digital literacy skills. Gaps in learning opportunities resulting from COVID-19-related school building closures—as well as the trauma of the pandemic and the associated economic downturn—are predicted to have an outsized impact on ELs and to reverberate for years to come, and schools will need to prioritize resources for interventions to help EL students recover.³

Title III of the *Every Student Succeeds Act* (ESSA) is the most frequently discussed source of funding for EL education, but there are numerous policy and

budget mechanisms that determine the level of resources available. These include how much funding is available from federal, state, and local sources; administrative considerations such as the rules for how such funds are distributed; and whether stakeholders within and outside a school system are sufficiently well-informed and empowered to participate in the budgeting process. This brief lays out why these mechanisms are relevant to EL education and how they work, and it suggests how stakeholders might advocate for improvements in their states, districts, and schools.

2 Education Funding Basics

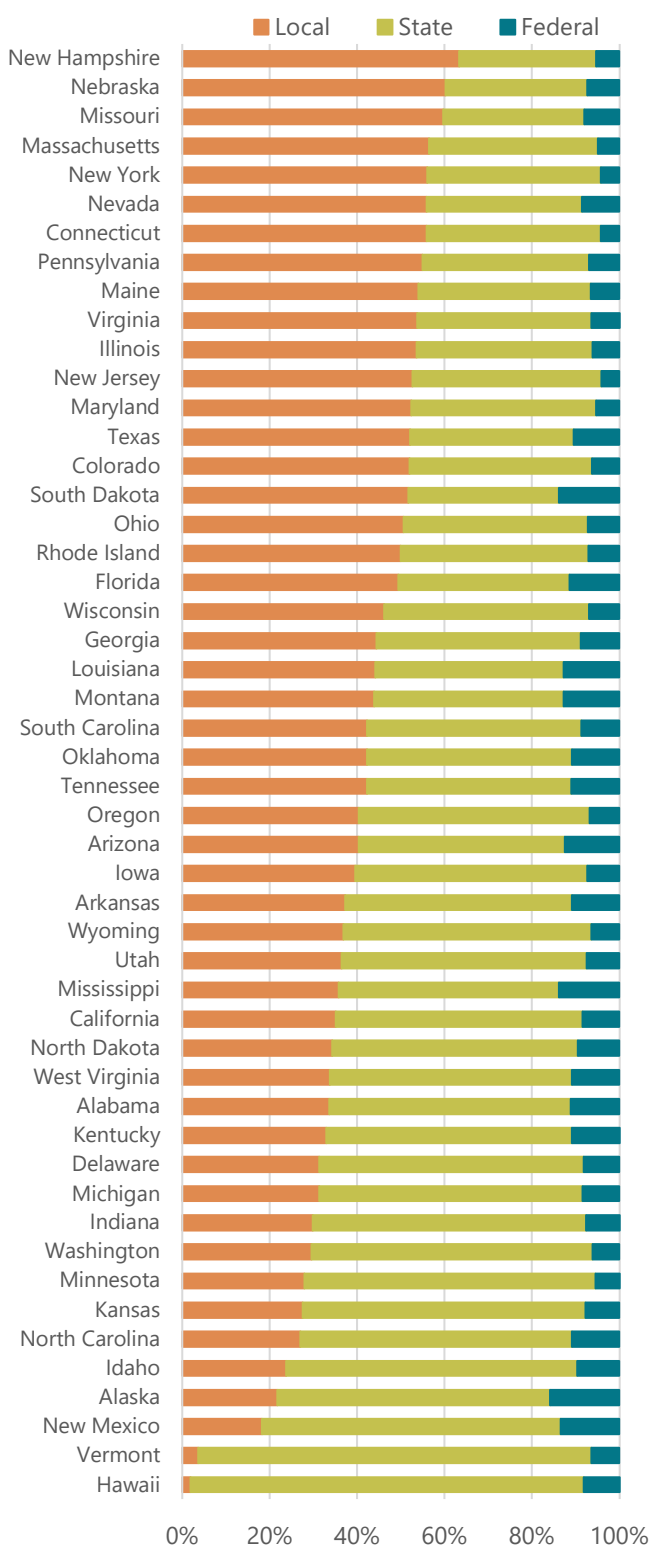
K-12 education funding is exceptionally complicated, having been shaped over decades by a changing demographic, pedagogical, and political landscape. This section describes how money is allocated in the education system, how researchers define school funding fairness, and the broad trends in education that shape policy conversations about funding.

A. Sources of Funding

Federal, state, and local funding sources each contribute to K-12 education spending, but the breakdown is different in each state (see Figure 1). In school year 2017–18, the federal government contributed about 8 percent of K-12 funding nationwide. The remainder comes from state and local revenue sources, with the state’s share varying from 33 percent in New Hampshire to 98 percent in Hawaii.⁴

Federal funding generally aims to support students at risk of educational failure and to build state and local capacity. Federal funds are often referred to by the chapter number, or title, of ESSA that authorizes the spending, such as Title I for children living in poverty and Title III for ELs—both of which will be discussed in Section 3 of this brief. The largest

FIGURE 1
Share of K-12 Revenue from Local, State, and Federal Sources, by State, School Year 2017–18



Source: National Center for Education Statistics, “Table 235.20. Revenues for Public Elementary and Secondary Schools, by Source of Funds and State or Jurisdiction: 2017-18,” updated August 2020.

federal funding sources are formula grants. This means that each year the U.S. Congress allocates a total dollar amount for each grant, and this is then divided up among the states according to how many students they have in a given circumstance (those from low-income families, ELs, students with disabilities, and so on). States provide each school or district with their share and also keep a small amount of the grant for administration and providing support such as professional development. Schools generally have to maintain records demonstrating that federal funds were used for their intended purpose.

State dollars are intended to help even the playing field for local school districts that have less capacity to generate revenue and those that have larger shares of students with significant learning needs.

Traditionally, U.S. schools have primarily been locally funded, but state funding is increasingly critical to school budgets. State dollars are intended to help even the playing field for local school districts that have less capacity to generate revenue and those that have larger shares of students with significant learning needs.⁵ Local revenue generally comes from property taxes, and state revenue from sources such as income and sales taxes and lotteries. Most states determine their contribution to each school district by setting a basic per-pupil amount that is then adjusted based on numerous factors such as grade level, the cost of living in different localities, and student characteristics (such as being an EL). In general, each district's state and local funding is combined to create the core of its annual budget.

Some schools also benefit from private sources of funding, such as foundations, philanthropies, or money raised by school-based organizations such as

parent-teacher associations. Finally, some governmental and nongovernmental organizations provide in-school services such as health care, mentoring, or parenting classes to students and their families. Though not strictly part of school budgets, these resources are critical to students' healthy development and school success.

B. *Funding Adequacy*

Although state funding for K-12 education is intended to ensure that districts with the most limited resources and the greatest needs can provide the same education to their students as those in more advantaged districts, many states—even those providing a greater share of funds compared to localities—are not doing enough to meet this goal. This is well illustrated in a study by school finance researcher Bruce Baker and his colleagues,⁶ which evaluated state funding systems on three key indicators of school funding fairness:

- ▶ **Effort:** How much of a state's fiscal capacity (gross state product) is spent on K-12 education?
- ▶ **Adequacy:** Do states spend enough in districts at different poverty levels to achieve national average test scores?
- ▶ **Progressivity:** Do higher-poverty districts receive more funding than low-poverty districts?

Their analysis found that only about half of states send more money to high-poverty districts than low-poverty ones, and only a handful provide enough funding to the districts with the greatest share of students in poverty for those students to achieve academic outcomes on par with the national average. Looking at school funding by district poverty level is highly relevant to ELs because children living with at least one immigrant parent are more likely than those with only U.S.-born parents to

live in poverty,⁷ and ELs are disproportionately likely to be served by federal Title I programs for students in poverty (see Section 3.B.).⁸ Furthermore, state funding formulas aimed at mitigating the effects of poverty may not benefit ELs as much as other low-income youth. For example, 77 percent of ELs identify as Hispanic/Latino,⁹ and a 2020 study found that school spending is lower in predominately Latino districts than in predominately Black districts with similar shares of low-income students. While this is true in both high- and low-spending states, the study's authors also found that states with large Latino populations have substantially cut education funding since the 2008 recession.¹⁰

Over the last 50 years, public school advocates have challenged state school funding systems in 46 states. Early lawsuits emphasized inequities between richer and poorer districts. Starting in the mid-1980s and gaining steam with the standards-based reform movement of the 1990s, advocates argued—mostly successfully—that widespread funding inadequacy in low-income and minority communities denies students the opportunity to receive a sound basic education as guaranteed in state constitutions. School finance reforms following successful lawsuits have improved the level and fairness of school spending, and some research has tied those developments to

better long-term outcomes for students.¹¹ Recently, several high-profile cases have argued that inadequate state funding for education denies children a fundamental right to be economically self-sufficient and to participate in a democratic society.¹²

C. *An Expansive View of EL Funding*

At one time, it might have sufficed to take a narrow view of EL funding. For example, stakeholders concerned with EL education might have only investigated how targeted funds such as Title III support English language development instruction. However, a number of trends in educational policy and practice—many shaped by legal requirements—point to the need to take an expansive view of who within a school is responsible for EL education, what constitutes EL services, and how to hold schools accountable for supporting ELs. The themes discussed in this subsection are foundational to a number of the key concerns about school funding systems that will be discussed in Sections 3 through 6 of this brief.

Looking beyond Title III

In discussions about funding EL education, many advocates focus on the role of federal funds, especially

BOX 1 The Role of Cost Studies in Funding Decisions

When state legislatures set funding levels for public schools, their decisions often reflect a combination of historical funding levels and political compromise. In an effort to use more empirical information, courts sometimes require states to undertake a cost study and use its findings to make recommendations for how much a state should spend on education. There are several different methodologies, but cost studies are generally based on an analysis of student outcomes and current spending along with professional judgment of student needs and research evidence of what interventions could improve outcomes. Some cost studies base their recommendations on how much it costs to educate a student in a district achieving average or better test scores. Although they lend an air of scientific evidence to policymaking, cost analyses have faced criticism that they are subjective and based on faulty assumptions. Even so, the results of such studies are rarely translated directly into policy; they are generally one consideration among several that legislatures use to make financial decisions.

Source: Michael A. Rebell, Henry M. Levin, Robert Shand, and Jessica R. Wolff, *A New Constitutional Cost Methodology for Determining the Actual Cost of a Sound Basic Education* (New York: Center for Educational Equity, Teachers College, Columbia University, 2016).

Title III grants to support EL and immigrant students (see Section 3.A. for more information on these grants). To an extent, this focus on the federal level makes sense because there are several important legal protections for ELs in federal law, such as the *Lau v. Nichols* case.¹³ However, it is states and localities that are legally responsible for funding the activities to meet schools' civil rights obligations—that is, core EL services—not the federal government. In fact, schools are not allowed to use federal funds for their core EL services.

It is important to look at how all funding that enters the school system can be leveraged to best serve ELs.

Similarly, ELs must be served by specific educational programs other than Title III. The *Civil Rights Act of 1964* requires schools to give ELs equitable access to services such as federal programs for students who are disabled, experiencing homelessness, or living in poverty. And federal guidance forbids schools from admitting or excluding students from any program, such as gifted and talented or literacy support, on the basis of their English language proficiency level.¹⁴ As a result, it is important to look at how all funding that enters the school system can be leveraged to best serve ELs.

EL Education as a Shared Responsibility

In addition to considering federal and state obligations to ELs, it is important to consider how pedagogy has changed in ways that might influence resource allocation from the ground up. The definition of what it means to be an EL and the nature of EL instructional services have shifted over the last 20 years. Insights from language acquisition research and policy changes to align EL identification procedures with the federal definition of who is an EL have led schools to expand how they think about EL instruction. Rather than focusing only on developing

basic conversational English, English as a second language (ESL) instruction¹⁵ is now organized to support ELs in developing the level of academic language proficiency needed to successfully participate in content area instruction.¹⁶ As a result, ELs are increasingly viewed as a shared responsibility for all members of a school's staff.¹⁷

This approach can be seen in schools in a number of ways, including professional development for general education teachers on how to effectively work with ELs, alignment of ESL instruction with the mainstream curriculum, and ESL teachers' work as collaborators and mentors for colleagues throughout the school. However, from an administrative point of view, EL policy at the state and district level typically originates from an office of EL instruction, which often lacks the authority to effect changes outside the EL program itself. In this context, it remains unclear whether the sense of shared responsibility for ELs promoted at the instructional level extends to the policy level. But with more schools and districts working to operationalize this idea of shared responsibility, it is important to think about how school budgets and governance structures can better align with the work that teachers do to support ELs across the curriculum.

Balancing Fiscal Flexibility with Accountability for Outcomes

Another broad trend in education policy is that, over the last 20 years, states have gradually shifted away from using targeted funds for specific educational purposes that impose spending priorities on districts. Instead, most states now fund districts through a per-pupil formula that is weighted to take into account various community and student characteristics. The latter system allows districts more flexibility to use funds as needed and to spend less time tracking dollars spent. It also reflects the integrated nature of educational programming, as support services are often offered within the general

education classroom and students qualifying for different programs may be best served in a mixed class that addresses their shared needs.¹⁸

To counterbalance the shift toward financial flexibility, states have increasingly relied on accountability mechanisms that track student outcomes, such as test scores and graduation rates; the assumption being that if one or more student subgroups are not meeting state standards, schools are not investing sufficient resources in their education. An important aspect of this accountability system is the public reporting of detailed information on student achievement so that parents and community members can advocate for schools to address inequities.¹⁹ Whereas tracking EL funding might once have meant monitoring school spending reports, these funding and accountability trends mean there is now an expectation that diverse stakeholders will use numerous pieces of information to evaluate whether schools are adequately serving ELs and will be part of discussions about how resources should be allocated to improve outcomes.

The Need for Holistic Approaches to Child Development

Finally, practitioners and policymakers increasingly take a holistic view of child development when considering what services a child might need in order to succeed academically. Research is clear that a child's societal and psychological circumstances, including living in poverty, mental and physical health conditions, and relationships with caring adults strongly influence school engagement and achievement. Studies also show that school-based student supports such as extracurricular enrichment, mental and physical health services, family education, and mentoring are effective in closing opportunity and achievement gaps for students at risk of educational failure.²⁰

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The experience of immigrant-background children and their families in the COVID-19 pandemic has underscored how academic engagement is affected by poverty, parental levels of education and English proficiency, trauma, health-care access, and other life circumstances. For example, while remote learning was challenging for many poor families who lacked access to digital devices and high-speed internet, this barrier was compounded for many immigrant-background children by their parents' limited digital literacy and schools' inadequate communication with non-English-speaking parents.²¹ It is likely that these experiences will only add to awareness of the importance of comprehensive supports through community schools, two-generation approaches, and other interventions that weave together expertise from social service, health, cultural, and educational providers. These services may be coordinated at the school level but funded through a range of public and private agencies, and they should be counted as resources that the school or district uses to support ELs.

3 Federal Funding Sources

Federal funding serves an important role in K-12 education, supporting students at risk of school failure and building state and district capacity to improve education for those students. Table 1 compares the five federal grant programs that are most relevant to ELs. While these five programs are the most obvious sources to fund services and improve instructional

quality for ELs, any federal program for which ELs should be part of district and state conversations qualify should meet their unique needs and, as such, about the resources available to support EL learning.

TABLE 1
Key Federal Funding Sources that Support K-12 English Learners

Name	Purpose	How Funds are Allocated to States	FY 2021 Appropriation	Number of Students (2017–18)
<i>U.S. Department of Education, Every Student Succeeds Act</i>				
Title I, Part A: Education for the Disadvantaged	To support the academic achievement of students in schools with high numbers or share of low-income students	Funding is primarily based on U.S. Census count of children in poor families. Formulas take into consideration poverty concentration and measures of school funding fairness in a state.	\$16,536,802,000	26,015,307 students served, of whom 3,968,088 were ELs
Title II, Part A: Supporting Effective Instruction	To improve teacher and administrator quality and increase poor and minority children’s access to effective educators	Each state receives the amount it was allocated by Title II, Part A in FY 2001, plus additional funds based on U.S. Census count of school-age children, with greater weight for low-income children.	\$2,143,080,000	N/A (support provided at the school and teacher level)
Title III: Language Instruction for English Learners and Immigrant Students	To support ELs and recent immigrant students	Funding is 80 percent based on a combination of U.S. Census count of LEP children and state EL counts, and 20 percent based on U.S. Census count of recent immigrant children.	\$797,400,000	5,018,685 ELs eligible, of whom 4,829,313 were served
Title I, Part C: Migrant Education Program	To mitigate educational disruptions caused by frequent moves across districts or states	Funds allocated based on state count of children who have moved within the past three years due to students or their parents seeking qualified seasonal or temporary agricultural jobs.	\$375,626,000	304,477 students eligible, of whom 122,246 were ELs
<i>U.S. Department of Health and Human Services, Refugee Support Services Formula Allocation</i>				
Refugee School Impact Grants	To support the academic performance and integration of refugee youth	Number of refugee children ages 5 to 18 served by the Office of Refugee Resettlement	\$14,850,000	Unknown

EL = English Learner; FY = fiscal year; LEP = limited English proficient.

Notes: A state count refers to the count of eligible students submitted by schools to their state department of education. The number of children served by Title III excludes students not enrolled in local education agencies receiving Title III funds or whose parents opted them out of services. Of the 304,477 children eligible for the Migrant Education Program, 216,661 were served; no comparable data could be found for the number of eligible ELs who were served. Allocations calculated by federal agencies may be based on data that are one to four years old, depending on the source.

Sources: David Nieto, “Migrant Education Programs under ESSA,” TransACT Blog, November 13, 2017; Letter from Heidi Stirrup, Acting Director, Office of Refugee Resettlement, to colleagues, *Fiscal Year 2021 Refugee School Impact Refugee Support Services Set-Aside*, September 29, 2020; *Every Student Succeeds Act of 2015*, Public Law No. 114–95, *U.S. Statutes at Large* 129 (December 10, 2015); Policy letter from E. Scott Lloyd, Director, Office of Refugee Resettlement, *Refugee School Impact Program*, October 16, 2018; U.S. Department of Education, “Department of Education Fiscal Year 2021 Congressional Action” (budget tables, U.S. Department of Education, Washington, DC, February 3, 2021); U.S. Department of Education, “ED Data Express,” accessed November 17, 2020.

A. *Title III*

The most targeted source of federal funding for EL education is Title III of ESSA, which authorizes funds to improve and enhance educational programs for ELs and recent immigrant students. The U.S. Department of Education determines each state's allotment of Title III funds annually, with 80 percent of the allocation based on the state's share of all ELs nationwide and 20 percent based on its share of recent immigrants.

States distribute their share of the federal grant to all school districts with an approved Title III plan, and districts may form a consortium in order to receive Title III funds if each would not have enough ELs to qualify for the \$10,000 minimum subgrant on its own. States may direct up to 15 percent of their Title III funds to districts that have recently experienced an increase in immigrant enrollment.²² Title III funds

are generally used for activities such as teacher training, supplementary instructional materials, summer and afterschool programs, and program evaluations and improvement; they may not be used for a district's core activities to meet its civil rights obligations (see Box 2).

Key Concerns: For many years, the U.S. Department of Education used state counts of EL enrollment to determine each state's share of Title III funds. Concerned about data quality, in 2005 the department began instead using the U.S. Census count of people ages 5 to 21 who speak English less than "very well."²³ But in recent years, the formula has once again factored in state EL counts. This change stemmed from a 2011 National Research Council report suggesting that both the Census and state counts had benefits and drawbacks, and that neither method consistently produced a higher count than the other. The report recommended weighting Cen-

BOX 2 The "Supplement, Not Supplant" Principle

Section 3115(g) of ESSA prohibits schools and districts from using Title III funds for activities that are the responsibility of states and localities. In other words, Title III funding must supplement, not supplant, state and local funding. A school would be violating this requirement if it used Title III funding to provide services required by laws other than ESSA, or if in a given year it used federal money to fund a service that in the previous year was funded with state and local money. Therefore, Title III funds cannot be used for core English as a second language instruction, developing or administering English language proficiency tests, identifying ELs, or meeting basic requirements for translation and interpretation for parents.

There is no uniform list of activities that are considered supplementary. An activity such as teacher professional development might not be considered supplementary if, for example, it is a requirement of a district's consent decree with the U.S. Department of Justice that settled a civil rights lawsuit, or if it was funded locally prior to the district receiving Title III funds. Other districts might be able to fund the same activity through Title III if their circumstances are different.

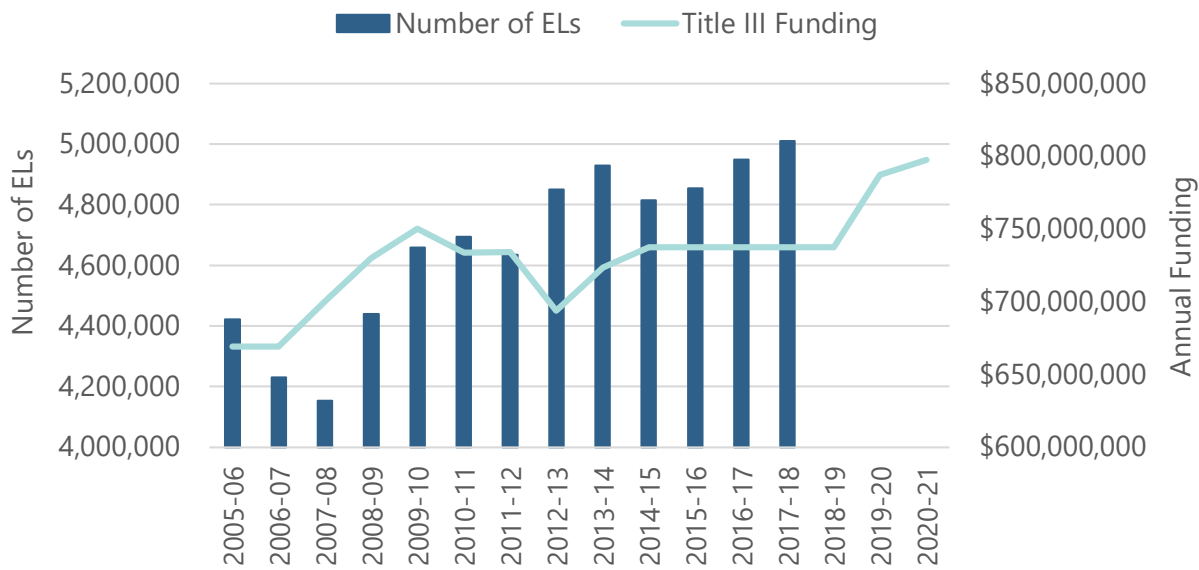
The principle of "supplement, not supplant" applies to many other titles of ESSA as well, although the regulations and guidance around its implementation vary slightly across programs.

Sources: Julie Sugarman, *Funding an Equitable Education for English Learners in the United States* (Washington, DC: Migration Policy Institute, 2016); U.S. Department of Education, "Non-Regulatory Guidance: English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA)" (guidance, U.S. Department of Education, Washington, DC, September 23, 2016).

sus data at 75 percent and state data at 25 percent, and this was the ratio used starting in fiscal year (FY) 2019.²⁴ However, since the report was written, most states have joined one of two consortia that share English language proficiency standards and assessments, and, under ESSA, states are required to have uniform criteria for entering and exiting students from EL status. These changes significantly remedy the main drawback of using state counts over Census counts, which is the lack of uniformity from state to state. As a result, the Department of Education could consider increasing the degree to which state EL counts are used to determine each state’s allocation so that each state’s share better reflects its own data on the number of ELs it serves.

A perhaps more urgent concern is that Title III funding has not kept up with growth in the EL student population. Figure 2 shows that both Title III funding and EL enrollment have increased over time. However, per capita funding has generally decreased from a high of \$169 per EL in school year 2007–08 to \$147 in 2017–18.²⁵ After five years of flat funding, Congress increased Title III funding to \$787.4 million in FY 2020 and then to \$797.4 million in FY 2021.²⁶ However, advocates have pressed for far greater increases to meet the needs of the growing student population.²⁷ As schools recover from the school building closures and remote learning necessitated by the pandemic, Title III funds will be critical for providing supplementary services to help ELs catch up with language development and academic content.²⁸

FIGURE 2
Title III Funding and EL Enrollment, School Years 2005–06 through 2020–21



Notes: Enrollment data up to school year 2010–11 count students served by EL programs, while data starting with school year 2011–12 include all identified ELs. EL student counts for 2018–19 and subsequent school years are not yet available from the federal government.
Sources: National Center for Education Statistics, “Table 204.27. English Language Learner (ELL) Students Enrolled in Public Elementary and Secondary Schools, by Home Language, Grade, and Selected Student Characteristics: Selected Years, 2008-09 through Fall 2017,” updated September 2019; National Center for Educational Statistics, “Table 47. Number and Percentage of Public School Students Participating in Programs for English Language Learners, by State: Selected Years, 2002-03 through 2010-11,” updated November 2012; U.S. Department of Education, “Department of Education Fiscal Year 2021 Congressional Action”; U.S. Department of Education, “Education Department Budget by Major Program” (budget tables, U.S. Department of Education, Washington, DC, October 26, 2018).

B. Other Programmatic Funds

Along with Title III, the four other federal funding programs listed in Table 1 are also especially well positioned to serve ELs' learning needs. The largest of the three is Title I, Part A, often referred to simply as Title I. This is the largest program funded through ESSA, with an appropriation of \$16.5 billion in FY 2021.²⁹ Title I programs are intended to serve students in poverty who are at risk of school failure.³⁰ Title I activities include a wide variety of instructional and support services such as remedial instruction, parent engagement, and teacher training. A school may run a targeted program specifically for qualified students or a schoolwide program if more than 40 percent of its students live in poverty. ESSA specifically names ELs as a subgroup of students to be served using Title I funding. It first notes that a Title I schoolwide program plan should describe how it "provide(s) opportunities for all children, including each of the subgroups of students [such as ELs], to meet the challenging state academic standards."³¹ The law also includes ELs in a list of students eligible for services in targeted assistance programs.³²

Rather than funding a particular type of educational program, ESSA Title II, Part A, funds support a wide range of educator professional development and leadership capacity building, with a special focus on increasing access to effective educators for traditionally underserved populations. Districts and schools can use Title II funds for activities such as teacher and administrator professional development (including EL-specific trainings), differential and incentive pay for teachers in high-need subject areas (such as ESL), recruiting and retaining teachers, and reducing class sizes. State education agencies can use their share of Title II funds to improve EL education, for example, by investing in improvements to educator licensure programs and by establishing or improving alternative certification programs in subjects experiencing teacher shortages.³³

Another program that serves large numbers of ELs is the Migrant Education Program authorized by ESSA Title I, Part C. This program serves students who experience educational interruptions due to their parents' (or their own) frequent moves to seek seasonal agricultural work. About one-third of students served are ELs. The program employs recruiters who seek out eligible students and verify their or their parents' employment in a qualified occupation. Activities funded by the program include supporting student academic development, helping students settle in to a new school and community, and providing health care.³⁴

The last program in Table 1 is the Refugee School Impact grant run by the U.S. Department of Health and Human Services. This grant provides funding to educational and other local agencies to support recent refugee arrivals. As of 2020, 41 states had Refugee School Impact programs, and in most states these programs provided family engagement, academic and language support, out-of-school-time programming, and interpretation and translation.³⁵

Beyond the federal funding sources listed in Table 1, state and local education stakeholders should explore ways to ensure that other federal programs are aligned with students' English learning needs. For example, the *Individuals with Disabilities Education Act* (IDEA) is the second largest source of federal education funding after Title I, with a budget of \$12.9 billion in FY 2021.³⁶ Disability and limited English proficiency are two distinct sets of needs, and federal law requires schools to provide both sets of services to students with dual eligibility. Nevertheless, IDEA requires schools to consider the linguistic and cultural appropriateness of the assessments they use to identify students with disabilities and the instructional approaches they use to serve them.³⁷ As such, ELs' unique learning needs may be supported through IDEA-funded bilingual special education services and close coordination between special education and ESL instructors.

Other titles of ESSA fund important programs that may be tailored to ELs' specific needs. These include Title IV enrichment and academic supports; Title V rural school support; and Title VI programs for American Indian, Native Hawaiian, and Alaska Native education. Schools may develop specific programs to support the language and academic achievement of ELs under these titles.³⁸

Finally, Title II of the *Workforce Innovation and Opportunity Act* (WIOA), known as the *Adult Education and Family Literacy Act*, is the primary source of funding for adult education, including adult basic and secondary education as well as English language acquisition courses for immigrant adults. One of the primary stated goals of the adult education system under WIOA is to “assist adults who are parents or family members to obtain the education and skills that are necessary to becoming full partners in the educational development of their children, and lead to sustainable improvements in the economic opportunities for their family.”³⁹ However, parent-focused and family literacy programs have been on a decline, primarily due to WIOA's accountability measures, which favor postsecondary and employment outcomes and fail to incentivize providers to offer parent-focused programs.⁴⁰

Key Concerns: Although Title I explicitly mentions ELs as a population whose needs should be considered, and ELs make up a disproportionate share of the Title I population (about 15 percent; see Table 1), there is little guidance on how ELs should be served by Title I. There are two examples, however, of how states and districts can use Title I's flexibility to ensure that it benefits ELs. First, the state of Indiana has interpreted Title I regulations to mean that after core EL instruction is funded by the state and its localities, districts must then use supplementary funding from Title I as much as possible to enhance language instruction education programs before turning to Title III funds.⁴¹ Second, as part of a federal consent decree, Boston Public Schools are required to spend

their Title I dollars on EL-specific services in proportion to the share of ELs they enroll.⁴² At \$17 billion, and with President Biden expressing support for the eventual tripling of Title I funding during his campaign,⁴³ Title I programs are a key source of support for ELs and may become even more so in the coming years.

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While using other federal funds to support EL-specific learning needs and programs is beneficial, it does somewhat complicate the task of identifying how much federal funding supports ELs at the district and school level. It becomes even more complex in schools that consolidate federal funding into a schoolwide Title I program or consolidate administrative spending (see Box 3). As an alternative to tracking revenue, stakeholders evaluating a school's level of support for ELs can track the degree to which services in special education, Title I, and other federal programs purposefully align to EL needs. Some examples of this might be hiring staff with ESL expertise to serve ELs within the structure of the larger program, purchasing materials validated for use with ELs, and providing opportunities for non-ESL staff to co-plan lessons with ESL specialists. Stakeholders could then ensure that these activities receive an investment at least proportional to the share of ELs in the funding source's service population—for example, that a proportionate share of Title I training funds go to activities focused on specific EL needs that can be addressed by a school's Title I program.

BOX 3**Braiding and Blending Federal Funds**

Each federal funding source (including dozens of programs in ESSA and other laws such as the *Individuals with Disabilities Education Act*) requires fiscal reporting at the local (district and/or school) and state level. However, there are a number of ways to put funding from different sources together to better serve students and lessen administrative burdens. These include:

- ▶ **Braiding funds:** Two or more funding sources are used in a coordinated way to support an activity. Each stream maintains its identity, for example, its unique student eligibility and cost tracking guidelines. There are no restrictions on braiding federal, state, and local funds as long as the regulations for each funding stream are followed.
- ▶ **Blending funds:** Two or more funding sources are combined to support an activity. Schools do not have to track spending from each contributing source separately. Blending has to be specifically authorized by law. ESSA has several such provisions, including:
 - State and local education agencies may consolidate administrative spending across ESSA funding sources, including Title III (see Sections 8201 and 8203).
 - Schools may consolidate federal program funds (including Title III) to support a Title I schoolwide program, as long as that program carries out the intent and purposes of each funding source (see Section 1114).
 - State and local education agencies may transfer funds from Title II, Part A (professional development) and Title IV, Part A (student support) into a number of other ESSA programs, including Title III (see Section 5103).

Sources: *Elementary and Secondary Education Act of 1965*, as amended through the *Every Student Succeeds Act*, Public Law 114–95, 114th Cong., 2d sess. (December 10, 2015); Bonnie Graham, “ESSA’bout Ensuring Costs Are Allowable” (presentation, Brusteit and Manasevit, PLLC, Washington, DC, 2019); National Center for Systemic Improvement (NCSI), “Blending and Braiding Funds to Mitigate the Impact of COVID-19 on the Most Vulnerable Students” (presentation, NCSI, May 27, 2020).

C. School Improvement Funds

The school performance accountability system under ESSA requires that states identify the lowest performing schools overall and those where one or more student subgroups (such as ELs) consistently underperform.⁴⁴ These schools are required to develop and carry out comprehensive support and improvement (CSI) and targeted support and improvement (TSI) plans, respectively. States are required to set aside 7 percent of Title I, Part A funding to support schools carrying out these plans.⁴⁵

Schools identified for CSI and TSI have wide latitude to develop and implement evidence-based interventions. However, ESSA states that CSI plans must be informed by:

- ▶ all of the federal accountability indicators in Section 1111(c)(4)(B), which includes the English language proficiency indicator and the performance of the EL subgroup on all measures;
- ▶ a school-level needs assessment; and
- ▶ a scan of school- and district-level resource inequities.⁴⁶

For CSI schools where ELs are underperforming, and for TSI schools where the TSI designation is based at least in part on the EL subgroup, schools may—and should—design specific programs to improve the outcomes of ELs. This may be done by using funds to support ESL instruction, ELs’ performance in academic content classes, or nonacademic supports.

Key Concern: Because CSI and TSI efforts are typically coordinated by state and local Title I offices, those staff may not have the expertise to identify and implement strategies that would be most effective for improving EL instruction. Schools may also not realize that they can implement interventions that target specific populations with funds intended to improve the performance of the school as a whole. EL professionals and other stakeholders can help target resources to EL needs by engaging in the CSI/TSI planning process. In order to encourage schools to consider these types of interventions, states that have competitive grant processes for CSI/TSI funding could offer incentives for projects to specifically address EL needs.

D. *Emergency and Recovery Funds*

The federal government occasionally provides emergency funding for the nation’s education systems. Prior to the COVID-19 pandemic, the most notable recent example was the *American Recovery and Reinvestment Act of 2009* (ARRA), which provided almost \$40 billion to state governments to shore up K-12 and higher education budgets in the wake of the 2008 recession. That bill also provided \$10 billion to Title I and \$4 billion to what became the Race to the Top program.⁴⁷

One year into the pandemic, the federal government has directed emergency funds to K-12 education through the *Coronavirus Aid, Relief, and Economic Security Act* (passed in March 2020); the *Coronavirus*

Response and Relief Supplemental Appropriations Act (passed in January 2021); and the *American Rescue Plan Act* (passed in March 2021). The largest shares of education funding in these acts were allocated to the Elementary and Secondary School Emergency Relief (ESSER) Fund and are distributed to states through their Title I formulas, thus focusing resources on the communities hardest hit by COVID-19. However, ESSER Fund dollars may be spent on any need related to education during the pandemic, not just those authorized through Title I. Some states have used the smaller Governor’s Emergency Education Relief (GEER) Fund authorized by the first two relief acts to direct resources to ELs and other students most affected by learning loss.⁴⁸

Key Concerns: Although ELs benefit from many federal spending sources—including Title I, as described earlier in Section 3—Congress provided no funding in ARRA nor in the first two COVID-19-related relief bills specifically targeted to ELs. The *American Rescue Plan Act* required both states and districts to set aside a portion of their ESSER funding to address the disproportionate impact of the pandemic on student subgroups including ELs, but it does not require a specific allocation for them.⁴⁹ ESSER Fund expenses must be tracked separately from a school’s regular Title I allocation; however, it might not be easy to evaluate how much of those funds are being spent on ELs.

Especially in cases where federal emergency funds are intended to forestall the adverse effects of state and local budget cuts, system stakeholders have other information they can use to evaluate whether emergency funding has benefited ELs. This includes whether EL specialists were retained as a result of the funding or laid off, if those staff were able to maintain an appropriate level of service for ELs or were reassigned to work with other students, and how well outreach programs (such as distribution of computers and internet services) served EL and immigrant families.

4 State and Local Funding Sources

Most school spending comes from local and state revenue sources—about 92 percent, as shown in Figure 1. States are responsible for maintaining a public school system that provides a sound basic education to all of its children and for funding the services that help EL students access instruction equitably under federal civil rights laws. Further, while states and localities split the cost burden, states are the focal point for school finance policy conversations, as they set policies regarding local tax collection and the minimum level each district should spend on education.⁵⁰ For these reasons, while the federal sources described above fund important programs for ELs and other high-need students, stakeholders should also critically consider whether non-federal spending and state finance policies meet EL needs, as described in this and the next two sections.

A. Basic Funding Level

Ten years after the Great Recession began in 2008, schools were still feeling its financial effects. In school year 2017–18, 20 states were still spending less on primary and secondary education than they had before the recession.⁵¹ Nationwide, schools employed 77,000 fewer staff members in 2019 than in 2008, despite enrolling 1.5 million more students.⁵² And these staffing losses disproportionately affected students of color and low-income students.⁵³

In this context, the financial effects of the COVID-19 pandemic—the full scope of which remain to be seen—are especially concerning. Some analysts expect state budget cuts of 10 percent to 11 percent in FY 2021 and FY 2022.⁵⁴ Over the same time period, schools will face the costs of addressing pandemic-related learning gaps through extended school

days or years, tutoring, and services to support students' socioemotional development.

Adequate and equitable general funding lays the groundwork for ELs' educational success. The overall level of funding for a school—supporting expenses such as general education teachers, administrators, instructional materials, and school building maintenance—matters enormously for the quality of education for ELs. In most cases, ELs are integrated in mainstream classes for much of the school day, and they use the same schoolwide services such as the library and recreational facilities as everyone else. They therefore benefit from the same interventions known to improve performance for all students, including lowering class sizes, increasing the length of the school day and year, and providing nonacademic services such as mentoring and health care. Additionally, ELs are affected by the relative wealth of one school or district compared to another, as this affects schools' ability to attract and retain top teachers.⁵⁵

Adequate and equitable general funding lays the groundwork for ELs' educational success.

Key Concerns: Ensuring an adequate budget for public schools involves attention to both the size of annual state funding allocations and state policies. Some of the top concerns of state finance advocates include the following:

- ▶ whether the state's base funding formula demonstrates sufficient effort, adequacy, and progressivity (see Section 2.B.);
- ▶ the effect of an expanding charter school sector, including inefficiencies related to running multiple small school systems, traditional public schools enrolling larger shares of children with expensive support

needs, and fixed costs that traditional school districts continue to pay even with shrinking enrollment;⁵⁶

- ▶ “hold-harmless” provisions in school finance legislation that require states to fund districts at the same level under a new funding formula as they did under an old formula, even while the new formula aims to distribute state funds more equitably;⁵⁷ and
- ▶ policy reforms that only apply school funding formula changes to new money added to the state’s budget, not to existing funds.⁵⁸

Additionally, if the budget cuts forecast for the post-COVID-19 era come to pass, they may result, as they did after 2008, in a permanent cut to funding that lingers even as the economy improves.⁵⁹ Some observers are concerned that funding cuts may disproportionately affect low-income communities. For this reason, a coalition of organizations suggested Congress attach a “maintenance of equity” provision to the use of federal funds, requiring states to shield high-poverty districts from the brunt of budget cuts and to report on how cuts affect high-poverty schools.⁶⁰ This provision was included in the *American Rescue Plan Act* passed in March 2021.⁶¹ Although the legislation applied the requirement only to high-poverty contexts, states and districts could also apply the spirit of the provision to protect teachers of ELs from disproportionate cuts due to the economic slowdown.

B. *EL-Focused State Funds*

As of 2020, all states except Mississippi and Montana provided additional funding to districts and schools to educate EL students.⁶² As noted above, federal Title III funds cannot be used to provide core services to ELs; instead, these must be paid for with state and local funds. Costs associated with core EL services include salaries and benefits for ESL teachers and teacher aides, instructional materials, and the costs

of assessing ELs’ progress toward achieving English proficiency. These costs may vary enormously across districts because of variations in how well schools are funded overall; the degree to which EL services take place in classes that include both ELs and non-ELs, versus EL-only classes; differences in the staffing needs of different EL program models; and a host of community and student characteristics such as EL population size, grade level, and labor costs, including premiums to attract and retain teachers with specialized credentials.⁶³

Key Concern: Although cost studies are relatively common in education policymaking (see Box 1 above), only a handful have investigated the costs of educating ELs. Additionally, there is little academic research in this area to draw on. It is likely that the combination of a lack of good data and the difficulty of accounting for the many contextual factors that affect the cost of services contributes to the enormous variation among states in the level of funding they dedicate to ELs. Comparing EL-focused funding levels across states is exceedingly difficult due to the myriad ways states organize their funding systems (see Section 5.A.).⁶⁴ But despite the difficulties, states should periodically re-evaluate how well their EL funding levels meet student needs and provide stakeholders with an account of what assumptions they are using to determine whether funding levels are adequate.

C. *Funding for Integrated, Whole-Child Services*

School systems are increasingly recognizing the importance of integrating nonacademic services into the support that schools offer (see “The Need for Holistic Approaches to Child Development” in Section 2.C.). The coordination of these integrated services should be managed by schools, but other health and social service agencies—as well as philanthropic and community-based organizations—may be partners

in funding and providing them. Some examples of integrated services include:

- ▶ school health clinics, which may be funded by government grants, public and private insurance, and philanthropic foundations;
- ▶ mentorship for students at risk of dropping out of school, staffed and funded by community-based organizations through public and private grants; and
- ▶ legal services for immigrant students and their families, funded by nonprofit or *pro bono* providers.⁶⁵

As school budgets—already lean to begin with—face likely cuts in the coming years, services outside the core academic mission of the school are likely to be among the first to be targeted. But as the evidence base for integrated services accumulates, stakeholders within the school system will be better positioned to advocate for state and municipal government agencies to fund programs to meet students' health and social service needs.⁶⁶

Key Concerns: Many communities are working to implement community school models and increase

students' access to social and health services. For example, the city of Seattle uses a property tax levy to address needs not met by the public school budget (see Box 4). As another example, a California state commission recently recommended that schools develop wellness centers to be paid for by local health agencies or nonprofits that bill the state health insurance program.⁶⁷ Such interagency models will require school system stakeholders to participate in budgeting discussions not only for the school system but also in the areas of health and human services, and to develop and maintain partnerships with community-based organizations and philanthropies. By weighing in on budget matters in other agencies, stakeholders within the education system can ensure that localities are providing important services that schools typically cannot afford on their own.

5 A Closer Look at State Funding Mechanisms

Sufficient funding is a key element of successful schools. However, especially when money is scarce, equitable funding systems create rules to ensure that money flows to where it is most needed. This

BOX 4

Seattle's Tax Levy Supporting Student and Family Needs

Beginning in 1990 and renewed every seven years, the voters of Seattle, Washington, have approved an addition to the property tax, now known as the Families, Education, Preschool, and Promise (FEPP) Levy. Passed in 2018, the FEPP's current seven-year investment plan includes investments in preschool and early learning (\$342 million), K-12 school and community-based initiatives (\$188 million), K-12 school health services (\$67 million), and Seattle Promise (\$41 million), a program supporting postsecondary education. The K-12 initiatives include family support services, case management, efforts to meet families' basic needs, and out-of-school-time activities. ELs and students from a refugee or immigrant background are among the priority populations for these services, as the project aims to close opportunity and achievement gaps for traditionally underserved groups. The project is coordinated by the Seattle Department of Education and Early Learning along with the public health department for Seattle and King County, Seattle Colleges, Seattle Public Schools, and community-based organizations.

Source: Seattle Department of Education and Early Learning, *Families, Education, Preschool, and Promise Levy: Implementation and Evaluation Plan* (Seattle, WA: Seattle Department of Education and Early Learning, 2019).

section examines how the policy choices that govern state supplementary funding mechanisms can contribute to or take away from equity for ELs.

A. State EL Funding Designs

While most states provide districts with money beyond the general funding level to meet the needs of ELs, there are numerous policy choices associated with the design of these funding mechanisms, many of which affect how equitably EL funding is distributed to districts.

There are four primary methods states use to allot supplementary funds for ELs:

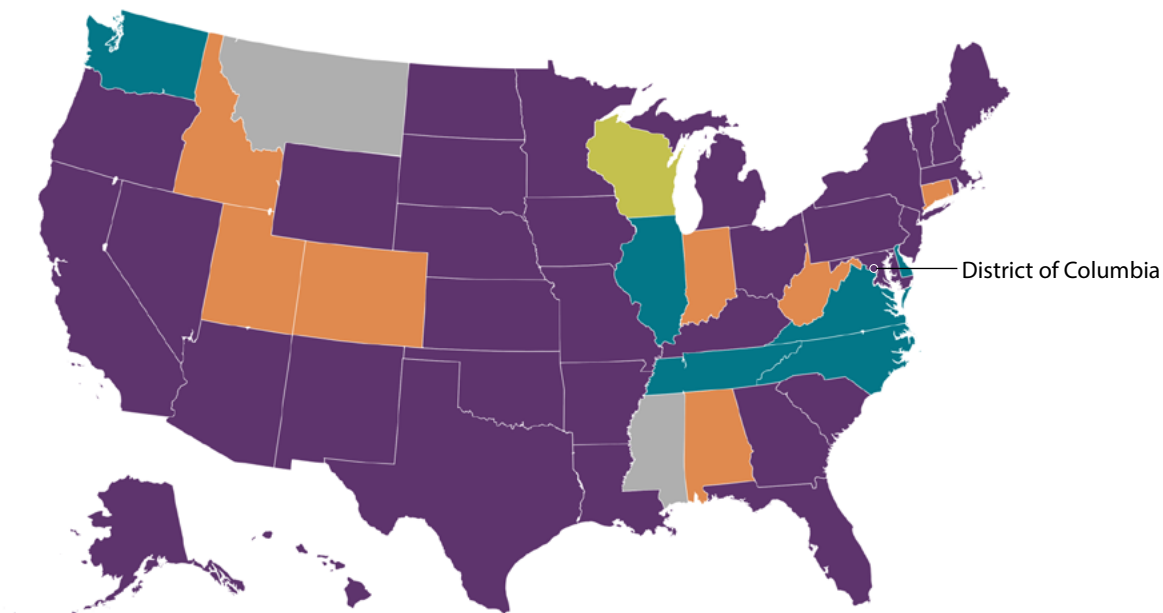
- ▶ **Weighted formula:** EL students receive a percentage weight or an additional dollar amount added to the basic per-pupil cost. This means that a student without any special designations would get one share of funding,

whereas an EL, for example, might get a share and a half. This is the case in 34 states plus the District of Columbia (see Figure 3).

- ▶ **Categorical fund or grant:** In seven states, the state legislature or department of education budgets a total amount of money to be spent on EL students (beyond the basic per-pupil support), and this sum is then distributed among all or selected districts. Some grants require an application or justification for the funds.
- ▶ **Resource allocation:** Instead of dollars, six states' budgets allot teaching and other staff positions based on the pupil count, with EL students allotted more positions than non-ELs.
- ▶ **Reimbursement:** In one state—Wisconsin—districts are reimbursed for costs associated with educating ELs.⁶⁸

FIGURE 3
EL Supplementary Funding Mechanisms, as of 2020

■ Formula ■ Categorical/Grant ■ Resource Allocation ■ Reimbursement ■ None



Sources: Education Commission of the States (ECS), “50-State Comparison: English Learner Policies—Funding per Student,” updated May 2020; ECS, “50-State Comparison: English Learner Policies—Type of Funding,” updated May 2020; ECS, “K-12 Funding: English Language Learner Funding,” updated August 2019.

Because state funding systems are very different in design and in how they are described, it is difficult to perfectly categorize them. For example, while the Education Commission of the States categorizes Georgia as having a weighted formula, as shown in Figure 3, the weight for ELs is also expressed as a fraction of a teaching position, and thus their system could be interpreted as resource allocation.⁶⁹

Whichever of the four methods a state uses to provide EL-focused funding, a key distinction is that formulas based on a weight determined by legislation are generally the most stable over time, whereas yearly appropriations provided by the state legislature or department of education may change or be eliminated with little warning. Another difference is that a weighted formula system does not typically require districts to submit paperwork to apply for EL-focused funds or to track whether they were actually spent on ELs, while the other three methods do have those requirements. However, these distinctions are not always clear cut, as some states with weighted formulas require tracking and some with categorical do not. While systems requiring paperwork and tracking have the drawbacks of involving extra time and labor and introducing opportunities for error, a drawback of formula systems is that by simply adding a multiplier to per-pupil funding, administrators may not be aware of how much money is generated by ELs if it simply appears as unrestricted funds in the school budget.⁷⁰

Even among states that use the same type of funding mechanism, its exact make-up may vary. Many states provide the same level of funding to all identified ELs, but other states consider one or more of a number of factors to adjust the amount of EL supplementary funding they provide to districts:⁷¹

- ▶ ELs are only eligible for supplementary funding for a limited number of years (commonly five or six), regardless of how long they continue to be identified for EL services.

- ▶ ELs at lower English proficiency levels receive more funding than those at higher levels.
- ▶ Elementary, middle, and high school ELs receive different amounts of funding.
- ▶ ELs in their first year in U.S. schools receive more funding.
- ▶ Districts with very few ELs receive a minimum allotment or a higher per-pupil rate.
- ▶ Districts must have a minimum number of ELs to qualify for supplementary funding.
- ▶ Districts with high concentrations of ELs receive a higher per-pupil rate.
- ▶ Students qualifying for supplementary funds under multiple categories (e.g., funding for ELs, students with disabilities, low-income students) can only qualify for one type of allotment.
- ▶ Only ELs receiving services⁷² or specific types of services (such as bilingual education) qualify for funding or receive more funding.⁷³

Unlike other states, Oklahoma allocates additional funding based on a count of multilingual students rather than only on the count of ELs. Students qualify for additional funding on the basis of parent responses to the home language questionnaire used when enrolling new students and screening for EL status. In 2020, about one-third of Oklahoma students receiving supplementary funding were children who had a home language other than English but who did not initially qualify as ELs based on English language proficiency testing or were former ELs who had exited out of EL status.⁷⁴

States can use these mechanisms to ensure that districts with different populations receive equitable funds. In some cases, they may use a limit on the number of years students can be eligible for funding or choose to fund only students in particular pro-

grams in order to incentivize districts to improve or change their instructional models.

Few states have conducted in-depth investigations into the costs of educating ELs, and even those studies may not adequately consider the variations in cost based on EL and community characteristics.

Key Concern: As discussed above, few states have conducted in-depth investigations into the costs of educating ELs, and even those studies may not adequately consider the variations in cost based on EL and community characteristics. If the demographic profile of ELs is significantly different across districts, this could result in the unfair allocation of funds. For example, if one district has more recent arrivals with low English proficiency compared to another but they receive the same per-pupil allotment, the first district may not be getting an adequate or equitable share of supplementary funds and may find it more difficult to meet the needs of their students. As another example, a high school district⁷⁵ in a state that caps the number of years students can qualify to receive supplementary funds may be at a disadvantage to serve long-term ELs compared to schools where most ELs have not exceeded the time limit. Finally, the same dollar amount may simply not go as far in some districts—for example, those that struggle to recruit ESL-certified teachers or have many ESL teachers that split their time among two or more schools, thus reducing the amount of hands-on time they can spend with students.

B. Student Count Methods

State contributions to district budgets are typically based on how many students the district enrolls.

States use a variety of methods for counting students for funding purposes. These methods include:

- ▶ how many students are enrolled on a single count date, in a count period (over days or weeks), or on average over several dates throughout the year;
- ▶ average daily attendance over all or most of the year (with provisions for excused absences); and
- ▶ average daily enrollment (often called average daily membership) over all or most of the year.⁷⁶

Each of these methods has pros and cons, but using a single count date can particularly disadvantage highly mobile populations, especially if there is a seasonal pattern to their movements (such as with agricultural workers). In those cases, states might underfund all ELs in the state or do so more in some districts than others if migration trends vary locally.

States also differ in whether they allocate EL supplementary funds based only on current year counts or on an average of multiple years.⁷⁷ While a multiyear count is intended to smooth out random fluctuations, it might delay an increase in funding for a district seeing a dramatic and lasting increase in ELs in one year, which is diluted by having experienced lower counts in previous years.

Similarly, many schools receive significant numbers of newcomer students midway through the school year, well after budgets are set and funds are allocated. Though not currently done in U.S. schools, the education system in British Columbia, Canada, provides additional funding to schools for newcomer refugees who arrive between the September and February count dates.⁷⁸ While U.S. schools often plan for some midyear arrivals, such provisions could help

BOX 5 Counting English Learners

Variations among state-set definitions of who is an EL may affect how many ELs are identified in each state. States determine what level of English language proficiency is required for a student to not initially qualify for EL services or to exit out of EL services. Therefore, a student who is an EL in one state might not be in another state. The higher the bar is set, the more students will qualify as ELs. States have an incentive not to set the bar too high, as the number of students who exit EL status is included in federal accountability reporting and schools face criticism for having too many long-term ELs—students who are identified as ELs for more than five years. Although states ought to (and generally do) set their definition of who is an EL based on empirical evidence of the level of English needed to succeed academically, the fact that the number of EL students influences how much funding districts receive may create incentives for policymakers to also consider this when defining ELs.

Source: Julie Sugarman, *Which English Learners Count When? Understanding State EL Subgroup Definitions in ESSA Reporting* (Washington, DC: Migration Policy Institute, 2020).

schools receiving an unexpectedly large number of students midyear, such as during the 2014 influx of unaccompanied minors from Central America.⁷⁹

Key Concern: The pandemic has brought into sharp relief the downside of using attendance-based mechanisms for student counts, as many schools have reported high absentee rates—especially in at-risk populations—and there is little consensus across the country on what constitutes being present in a remote learning environment. Even without the complication of remote learning during the pandemic, attendance-based counts may disadvantage schools that have relatively high absenteeism but still must maintain sufficient staffing to serve enrolled students. And, as noted above, a single-day enrollment count may disadvantage schools serving highly mobile populations. Advocates might request that states review their counting procedures—both to ensure they are fit for short-term accounting purposes during the pandemic, as well as to assess whether they disadvantage EL and immigrant students more generally.

6 Accountability for Funding Equity

A key tenet of the federal accountability system under ESSA is that schools will improve when families and communities have information on their effectiveness and participate in decision-making around resource allocation. There are a variety of rationales for this system, from the belief that school choice or the threat of public sanctions will spur less-successful schools to improve, to beliefs that community involvement helps schools understand local needs and values and, thus, helps them tailor improvement efforts to the local context.⁸⁰ Yet the data that should inform this process are often inadequate and barriers may prevent stakeholders from serving as effective partners in education decision-making, as this section will discuss.

A. Data Transparency

Under ESSA, states are required to publish the amount of funds spent per pupil on their annual

BOX 6 Accountability for School-Level Spending

Whereas ESSA's predecessor, the *No Child Left Behind Act*, only required per-pupil expense reporting at the district level, ESSA requires such reporting at the school level as well. This change was spurred by concern voiced by some researchers about spending disparities between schools in the same district. These researchers say evidence that poorer schools receive less funding than richer schools in the same district reflects purposeful disinvestment in the most needy students. They suggest that school-based budgeting (using a weighted formula to allocate district dollars to schools) will promote more equitable school spending than the traditional system in which districts allocate a given number of teaching and staff positions based on each school's head count. In short, reporting school-level spending is intended to identify where high-need students are being shortchanged.

Other researchers argue that the evidence of spending disparities within districts is not as widespread or empirically valid as some suspect—pointing out, for example, that some studies did not take grade level into consideration. They also point out that higher spending reflects where relatively more experienced (and thus expensive) teachers choose to work, which is not something that school-based budgeting can control.

Sources: Bruce Baker, *Educational Inequality and School Finance: Why Money Matters for America's Students* (Cambridge, MA: Harvard Education Press, 2018); Lucy Hadley, Elizabeth Ross, and Marguerite Roza, "A Moment of (Early) Truth: Taking Stock of School-by-School Spending Data" (brief, Edunomics Lab, Washington, DC, 2020); Sugarman, *Funding an Equitable Education*.

school report cards. These expenses must be reported at both the district and school level (see Box 6) and show federal spending separately from state and local spending. Some states break down costs by broad categories such as personnel salaries, benefits, and building construction.

However, ESSA does not require states to report spending specifically related to ELs or to provide other information about resources provided to ELs, such as student-to-ESL-teacher ratios. Therefore, stakeholders can only infer whether ELs are being well supported by state and local funds by comparing the overall per-pupil expenditure rate across schools with higher and lower EL populations. Some states, such as New York, break out their federal funding by program, so that users can see per-pupil spending through Title III. Unfortunately, such numbers may not be useful: for example, to get a per-pupil rate, New York's data divide a school's Title III allocation by its total population, not just its ELs, even though only ELs are counted for Title III funding and it is uniquely for their benefit.⁸¹

Key Concerns: Because reports of EL expenses do not take into account all funding sources that support EL learning—including federal grants other than Title III and state/local funding—it is very difficult to draw decisive conclusions about whether districts and schools across a state receive equitable revenue to support ELs and whether they spend an adequate amount on EL education.

ESSA requires states to publish a vast trove of data on student outcomes so that stakeholders inside and outside the system have the information they need to evaluate a school's effectiveness. In the absence of data on how funds are spent on ELs, stakeholders are expected to infer that low student outcomes are evidence of a lack of resources or of resources being used ineffectively. However, in order to contribute meaningfully to decision-making about how to make better investments in services for ELs, stakeholders would need data such as the number of ESL-certified teachers, the types and amount of specialized instruction pupils at different English proficiency levels receive, the amount of

professional development dedicated to EL issues, and so on. ESSA does require states to report some information on teacher qualifications, but it need not be broken down by subject area (such as ESL).

Although an indicator system that allows data users to draw statistical connections between EL-specific resources and student outcomes is likely too complex to be feasible on a large scale, stakeholders that want to weigh in on budget conversations should expect schools and districts to be able to provide information on the provision of EL services and on the characteristics of the ELs they serve. State and local education agencies could work together to create a system for reporting this information publicly, including to state legislators and community members. Such a system could report:

- ▶ the number of ELs in key student subgroups such as newcomers, ELs with disabilities, and long-term ELs;
- ▶ the program models used at each school and the amount of specialized services provided to ELs;
- ▶ whether ELs benefit from particular funding streams, especially Title I;
- ▶ ESL teacher case loads; and
- ▶ whether ELs are equitably served by schoolwide resources such as guidance counselors, extracurricular activities, and academic enrichment (e.g., advanced coursework and tutoring).

The development of these types of indicators is supported by a 2019 national consensus report that recommends the systematic collection of equity indicators. These indicators would illuminate disparities in students' backgrounds, school environments, and progress toward outcomes in order to track gaps in opportunities to learn that could be addressed through system reform.⁸²

In developing equity indicators, stakeholders would also benefit from analyses of U.S. Census data on the characteristics of immigrant parents in the community.⁸³ This information could be used to better understand additional factors affecting children's educational success, such as parents' education levels, languages spoken in the household, and access to technology at home.

B. Informed Stakeholders as Policy Partners

Stakeholders such as EL teachers and administrators, parents and families of ELs, and immigrant community leaders serve an important role in ensuring that school budgets invest funds to meet the needs of EL and immigrant-background students. Annual school report card data may point to achievement gaps between ELs and other students, but only those close to the ground can provide important context about the strengths and weaknesses of instructional and nonacademic supports. Stakeholder involvement in the budget process also helps hold decisionmakers accountable for allocating funds in line with improvement goals.⁸⁴

However, engaging community members as policy partners can be challenging, as exemplified by the experience of community participation in California discussed in Box 7. Beyond community members' apprehensions and many schools' lack of effort to make participation logistically and linguistically accessible, most school systems do not have the capacity to provide the needed training and data (see Section 6.A.) for parents and community members to engage deeply in these conversations.

It is not only stakeholders outside the education system who need support in order to participate in budgeting processes. School administrators need support to effectively seek out funding opportunities, navigate paperwork, and understand the mech-

BOX 7 Community Participation in California

California overhauled its school finance system in 2013, eliminating numerous categorical funds in favor of a formula that gives more decision-making control to districts. It also targeted supplementary funding to a combined category of ELs, students living in poverty, and foster children. District-created Local Control Accountability Plans (LCAPs) describe how schools use the funds to improve outcomes for those target populations.

California requires districts to engage district and school EL parent advisory committees in the LCAP-writing process and to solicit public comments. Surveys taken during the early years of LCAP implementation found that administrators had difficulty engaging members of the target communities and assumed it was due to lack of interest. One survey (reported by education researcher Julie Marsh and her colleagues) found that members of the target populations were no more likely than White, middle-class community members to be aware of LCAPs, and that individuals with more positive views of and closer ties to their community schools were more likely to participate in LCAP discussions. However, the survey also found that members of the target communities had high levels of interest in helping schools set goals and direct resources. The gap between interest and action may be explained by perceived lack of knowledge of school systems, limited time, lack of trust that community input will be used, belief that budgeting is the purview of school leaders, and a lack of training on educational and budgeting concepts.

Another study of the early years of LCAP implementation found that districts primarily engaged with EL communities through already-established District-level English Learner Advisory Committees (DELACs) rather than engaging new stakeholders. Only two districts out of 20 in the sample reported in their LCAP that they consulted with civil rights groups. A 2019 qualitative study of Latina mothers' participation in DELACs echoed many of the above concerns. It also showed that while DELAC members nominally had opportunities to participate, their impact was limited by incomplete or inaccurate translations (in both directions—from administrators to parents, and vice versa), inadequate guidance on how to raise sensitive topics, and missed opportunities to incorporate detailed insights into actionable budget items.

Likely in response to these early experiences, California increased its investment in capacity-building around LCAPs, and some community groups have also contributed tools to improve communication and provide training to community members to help them more fully participate.

Sources: Julie Marsh, Tasmina K. Dhaliwal, Michelle Hall, and Morgan S. Polikoff, "Civic Engagement in Education: Insights from California's Local Control Funding Formula," *Education Finance and Policy* 15 no. 4 (2020): 761–74; Diana A. Porras, "Latina Mothers of Emergent Bilinguals as Policymakers? Barriers and Opportunities toward Critical Participation in LCAP," *Peabody Journal of Education* 94, no. 2 (March 15, 2019): 226–39; Julian Vasquez Heilig and Lisa S. Romero, "Coign of Vantage and Action: Considering California's Local Accountability and School Finance Plans for English Learners," *Education Policy Analysis Archives* 25, no. 15 (2017).

anisms through which ELs are funded. Especially where school-based budgeting is employed, meaning school administrators have greater flexibility to develop their budgets and funding priorities, administrators need training in financial management and how to leverage funds to their fullest extent to benefit ELs.⁸⁵

Key Concerns: Family and community participation in decision-making requires an investment of time and money to be successful. Many schools have already started making investments in strategies suggested by researchers and practitioners for many years, including providing high-quality interpretation, transportation, and child care for in-person

meetings; orienting new parents and families on how to navigate school systems; and maintaining EL parent advisory committees.⁸⁶

Both Title I and Title III authorize the use of those funds for family engagement activities, and thus could be used for initiatives—perhaps to be coordinated at the state level—to help families and community members learn about EL services and the budgeting process. Additionally, immigrant community-based organizations would likely be interested in partnering with school systems in this work, as they often are knowledgeable about community needs and concerns.

7 Conclusion and Recommendations

When educators, administrators, and community stakeholders think about funding for ELs and immigrant-background students, they frequently focus on ESSA Title III—an important source of funding for many aspects of ELs' education, but by no means the only one. As this brief has shown, there are numerous budget and policy mechanisms that can be leveraged to support ELs. These mechanisms drive not only how much money is available, but also how that money is distributed and what data exist to support funding decision-making.

The following is a summary of key ways actors at the federal, state, and local levels could increase the adequacy and equity of funding for EL education.

U.S. Congress:

- ▶ Increase Title III funding levels to meet the needs of a growing EL student population.
- ▶ Request a study by the U.S. Government Accountability Office or Department of Education to examine how the range of

federal education funding streams are used to support ELs.

U.S. Department of Education:

- ▶ Provide guidance to states on using Title I funds to support ELs, including to supplement language instruction educational programs, describing what activities may be funded and how to determine an adequate share of Title I funds to support EL needs.
- ▶ Provide guidance to states on how to monitor and evaluate whether federal funds are equitably serving ELs, including indicators for evidence that demonstrates EL-specific needs are being met within the bounds of each federal program.
- ▶ Re-examine the balance between Census and state EL student counts used in state Title III formula distribution in light of changes to state EL identification procedures since the 2011 National Research Council study.⁸⁷
- ▶ Provide guidance to schools on how to use unrestricted recovery funds (such as money allocated for COVID-19 relief) to equitably address the needs of ELs and immigrant families.

State education agencies:

- ▶ Evaluate whether state supplementary funding provides adequate support for ELs and whether districts with different EL populations are receiving equitable shares of those funds (state legislatures or school boards could facilitate this by requesting a report or a hearing).
- ▶ Create a system for schools and districts to report indicators of EL service provision and equitable access to schoolwide funding and resources.

- ▶ Provide guidelines to schools receiving CSI/TSI funding on effective school improvement strategies that target ELs, and include ELs as a priority population for CSI/TSI funding that is distributed through competitive grants.
- ▶ Assess whether the method the state uses to count students for enrollment ensures accurate counts of EL students relative to other populations.

Districts and schools:

- ▶ Develop systems to track whether ELs receive equitable shares of federal, state, and local funding sources and whether ELs' unique needs are being met in all schoolwide programs.
- ▶ Create partnerships with health and human services agencies and nonprofits to support community school models and a wide range of support services.
- ▶ Invest in helping ELs' families build systems knowledge as part of family and community engagement, including understanding of the budgeting process.

Advocates and community members:

- ▶ Participate in efforts to evaluate the basic state funding formula for effort, adequacy, and progressivity, and support efforts through legislation and the courts to improve school funding fairness.
- ▶ Request data and information from state or local school systems, such as reports on services provided to ELs and on equitable access to schoolwide funds and resources.
- ▶ Provide input to state and local budget negotiations for health and human services agencies to ensure adequate investments in services that support ELs and their families.

As school systems navigate the recovery from the COVID-19 pandemic, the associated economic downturn, and its forecasted adverse effects on education budgets, it will be more important than ever for policymakers, educators, and advocates to work together to make sure ELs' unique needs are prioritized. As a diverse and growing student population, ensuring their educational success is a key investment in a more equitable future.

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