Weighing Costs & Benefits

Research on Student Weights and School Finance

Equity Center

Students Matter. Taxpayers Matter. Equity Matters.

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The Equity Center was founded in 1982 by 55 school districts and now represents more than 600 of the state's 1,018 districts. We are the only non-profit education organization in Texas exclusively representing the interests of children and taxpayers across the state. Fair treatment of Texas children and taxpayers is our primary goal and our vision is simple: **Students Matter. Taxpayers Matter. Equity Matters.**

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INTRODUCTION

A policy brief ought to be brief. But there is a profound risk in considering policy in a vacuum, in a silo, in isolation from many factors that policymakers need to consider when making a decision.

School funding, in Texas, as it has evolved over the years, is far too complex. The saying around the Texas Capitol that "there are fewer than a dozen people in the entire state who understand school finance" may be true.

Consideration of student weights in the school funding formula is just one piece of a very big puzzle. And, it is important for every Texan to know that decisions about student weights must be centered around the concentration of poverty among Texans, particularly the fact that more than 60 percent of our children are identified as economically disadvantaged.[1] That number is dismaying and unacceptable in a democracy, and it must be front and center in every decision made by the Legislature in crafting a new funding system for its public schools—if we are to develop and sustain a society in which every citizen is a productive and contributing member.

Whenever school funding is debated or litigated anywhere in the United States, including Texas, the major issues have in the past been "adequacy and equity." Today's litigation is increasingly about "efficiency and equity." These two concepts are tied at the hip. A state cannot ever have a truly efficient funding system without it being also equitable. Likewise, without it being both efficient and equitable, it will never be adequate for all the children.

KEY POINTS:

- Numerous studies on weights exist

- Each study has a different finding and methodology

- Any final determinations should be based on Texas data from Texas students for Texas schools

•Is the allocated funding adequate in funding the education necessary for all students to meet state academic goals?

•Is the funding equitable in ensuring that every student has a reasonable opportunity to master the required curriculum? "Every student" means every one of those 60 percent who live in low-income homes, who exist in low-income neighborhoods, who lack nutritious food, who may be homeless, who are likely not receiving even minimal healthcare, who are being exposed to lead and other environmental dangers, who witness abuse and violence frequently, and whose school districts are more than likely to be property-poor and thus underfunded.

•Is the money spent well and without waste, and is the level of funding accomplishing the Constitutional expectation for "diffusion of knowledge"[2] with "the least possible consumption of public resources."?[3] In other words, is it efficient?

These three questions are basic in making decisions not only about horizontal equity—ensuring equity in the basic allotment—but, also, in vertical equity—by assigning weights in the funding formula to ensure equity based on individual student needs.[4]

A fourth question also arises as to whether money matters. There is a legendary story involving former TEA Commissioner Bill Kirby that bears repeating. A legislator told him in a hearing on school funding that he did not think we should "just throw money at the problem. It doesn't work." Kirby responded with, "How would we know? We've never tried it!" The Equity Center published two research reviews on this topic: Money Does Matter! Investing in Texas Children and our Future (2010) and Money Still Matters! For our Children and for the Future of Texas (2013).[5]

Because the issue of funding for schools is so frequently debated, there have been countless credible and respected research studies—so many now that there really should never be an issue about whether money matters.[6] The findings of scholars include:

•Money matters if it is spent appropriately,[7] that is, if it is spent well. The research has now identified as well that money is best spent on improving teacher salaries to attract and retain the very best qualified teachers;[8] on reducing class-size;[9] on providing full-day, high-quality preschool and high-quality childcare;[10] on providing appropriate and intense interventions so that every child has an opportunity to learn;[11] and on high-quality curriculum and engaging instruction that includes enrichment for every child, not days spent on remediation and test preparation.[12]

•Additional funding rarely makes a difference in student achievement for students from middle- and high-income homes, but it makes substantial and important differences for children who come from low-income homes.[13] Sustained adequate and equitable funding for low-income students results in fewer repeated grades, fewer discipline problems, higher graduation rates, more students pursuing advanced training or college, and higher salaries in each decade of their work lives.

•The higher concentration (anything over about 15 percent) of poverty in a school, the more money is needed to make a difference in student learning.[14] The more students t economically disadvantaged students in a school, the more likely curriculum delivery slows down for everyone, the more likely that teacher turnover will be high, the more likely that the best teachers will be reluctant to teach in these settings, the more likely there will be behavior and discipline problems, the less likely that there will be sufficient choices of AP/IB and accelerated/gifted courses, the less likely that there will be challenging extracurricular offerings, the less likely that there will be school volunteers, the more likely that absenteeism will be high due to children's inability to access healthcare, the more likely there will be high mobility, and on and on.

•Money expands equity for economically disadvantaged children in other important ways too since research also verifies that much of the knowledge and skills that privilege the middle- and upper-class students are due to outside-of-school experiences.[15] Schools, after all, only have students about 1,000 hours per year. Families and communities are responsible for them the other part of the year. The typical advantaged family spends more per-student in a year on pre-school, after-school and Saturday programs, books, concerts, theater, trips to museums and other educational sights, travel (including travel to other countries), academic camps, music lessons, athletic camps, summer school, private tutoring, technology, exposure to conversations among educated people, etc. than the school district spends per year on each student. Equitable funding would allow schools to provide many of these experiences for low-income students so that the opportunity gap would disappear or, at least, be diminished.

•Evidence is prevalent that there is not an achievement gap in Texas or in America, but, rather, there is an opportunity gap.[16] Ensuring an opportunity to learn for all our children is the sacred responsibility of all of us, including, notably, our policymakers.

•Poverty is a factor in all the categories of weights that currently exist in the Texas school funding formula. For example, students who are identified as limited-English proficient frequently come from low-income homes. Children in special education are expensive not only for schools, but also for their families, so many special education children come from impoverished homes. Many children are in special education due to the effects of that poverty on their parents' healthcare, environmental risks, and lack of nutrition. Career and Technical Education programs are very attractive to students who may not have enough money to attend college, and these programs promise better-paying jobs for them. These programs are costly and would be inaccessible for most Texas students if the public schools did not offer them. Even the gifted/talented weight is influenced by poverty since it is currently inappropriately structured. The five percent cap virtually shuts out economically disadvantaged students since the lack of opportunity to learn hinders their ability to score high on the required tests, regardless of their inherent interests and talents. In truth, test scores would go up predictably if most students could experience the richness of the gifted/talented curriculum instead of spending their days on "drill and kill" instruction and test preparation.[17]

Another part of this difficult puzzle is to determine why almost 400 "Improvement Required" (IR) schools with very high concentrations of economically disadvantaged students and bilingual/ESL students are being held accountable when they typically lack adequate resources.[18] Schools require, in addition to funding, policies and accountability requirements that are solidly grounded in research, evidence, and facts. Accountability, to be meaningful, has to be a two-way street: schools to the taxpayers (through government) and the government to the children in our schools.

Given research findings and the following evidence, it is clear that these Texas schools are not "failing schools."[19] The school boards, the administrators, the teachers and other staff are doing the best they can, and parents are sending to the schools the best children they have. It is also clear from the analysis below that these disadvantaged children need additional resources in order to have an opportunity to learn.

•Of the 378 IR schools in 2016, 340 schools (90 percent) had poverty rates of 60 percent or higher (59 percent was the state average in 2016). Of those, 47 schools (12 percent) were at poverty rates of 60-69 percent, and another 85 schools (22 percent) had extremely high poverty at 70-79 percent. Also, 92 schools (24 percent) were at 80-89 percent poverty, and 116 of those schools (31 percent) were at 90-100 percent poverty.[20]

•Mobility also measures the effects of poverty.[21] Of the IR schools, 204 schools (54 percent) had mobility rates of 20 percent or more. That means that more than one in five children are new to

the school, yet the school is accountable for their performance.

•Only 40 of the 378 IR schools (11 percent) were majority (50 percent or more) White schools. There were 72 majority African-American schools (19 percent), and 218 majority Hispanic schools (58 percent). The remaining 48 schools were majority-minority schools (combinations of African Americans and Hispanics).[22]

•In 2016, the percentage of students identified as needing bilingual/ESL programs in Texas was 18.3 percent. Of the 378 IR schools, 151 schools (40 percent) had 19 percent or higher of bilingual/ESL students. Of those, 48 schools (13 percent) had percentages with 40 percent or higher, with some as high as 95 percent.[23]

•In 2016 the average number of special education students (due to TEA's artificial cap) was 8.6 percent.[24] In the IR schools, however, 204 (54 percent) of the 378 schools had 9 percent or more students in special education, another indication of a concentration of high-needs students in these schools.[25]

•In summary, the students in IR schools are disproportionately high-poverty, high-mobility, and majority-minority, with high percentages of both second-language students and special education students. In both special education and bilingual/ESL programs, once students start performing at or close to grade-level, they are exited from some special education programs and from all bilingual/ESL programs. Therefore, these two programs, by definition, always have the lowest performers in their areas each year.

As they say, "it does not take a rocket scientist" to see the correlation between at-risk factors and test score achievement. The more struggling students there are in a school, the greater the challenge to demonstrate improved academic achievement, and the IR schools clearly have high concentrations of all of the categories—poverty, bilingual/ESL, mobility, and special education. What is clear also is that it is unknown whether Texas has achievement gaps, or whether the existing gaps are likely to be manifestations of opportunity-to-learn gaps, which cannot begin to be closed without financial resources and evidence-based policies.

Poverty, in all its ramifications, is a major topic that must permeate any discussion of school funding, especially funding of student weights—and is why a policy brief has to include the context of the issue, not the issue in isolation. Legislators have an opportunity to close the opportunity gap through a much-improved, more-informed, and evidence-based school funding system, including the formulas for student weights.

"The achievement gap results directly from the fact that high proportions of African-American and Latino students are in conditions of poverty and that, by and large, they attend segregated schools." --Michael Rebell (2007), p. 1474

STUDENT WEIGHTS: THE BIG PICTURE

The concept of student weights began with the realization that individual students have individual needs, sometimes multiple needs, and a flat, unequalized system of funding fails to recognize those differences. Assigning weights to those individual students, based on some understanding of the extra costs involved, has resulted, over time, in many states allocating a "weight" or additional percentage of the basic allotment for each identified student.

There is a major problem across the country, and especially in Texas, of a lack of equity in major pieces of the funding formula for public schools. For many years, litigants, who have chiefly been property-poor school districts, many of them with concentrations also of economically disadvantaged children, have advocated and sued the states due to a lack of both adequacy and equity. Even if the basic allotment were adequate for educating students without special needs and even if all districts received equal allocations per student, without an improved system of additional weights, there would still be gross inequity, due to poverty and concentrations of other high-need students. According to Bruce and Corcoran, "numerous scholars now argue that a primary objective of state school finance systems is to provide sufficient resources to all public schools such that students have equal opportunity to achieve desired educational outcomes."[26] Burrup and Brimley agree: "Many inequities exist that force states to recognize that the number of pupils by itself does not indicate the operational need of school districts. That being true, it becomes necessary for weightings to be made if fairness and equality of educational opportunity are to be achieved."[27]

It would be very helpful to policymakers if research were available about what the categories of need ought to be and what the necessary weight for each category ought to be to ensure equitable funding. The bad news is that there is no such research.[28] What is available are three different methods that researchers use for each specific study that they do on student weights to make recommendations to policymakers. They are as follows:

1. In professional judgment studies, focus groups of educators and policymakers are typically convened to prescribe the "basket of educational goods and services" required for providing an adequate education;

2. In resource needs studies, a method of measuring costs of services, existing or hypothetical, adequate or not, is derived from existing evidence of need in areas such as class-size reduction, specific interventions for special student populations, comprehensive school reform models, costs of professional development, cost of improved teacher salaries, etc.;

3. In statistical modeling studies, the goal is to estimate the cost of achieving a desired set of educational outcomes and further to estimate how those costs differ in districts with certain characteristics.[29]

As Texas moves forward with its intent to update its student weights, policymakers may wish to employ experts to conduct studies using one or more of these methods so that recommendations can be made.

It would be very helpful if policymakers also had access to understandings about categories of special needs that would benefit from extra funding. Again, there is no actual research on this topic, since states sometimes assign student weights for a specific need to be addressed and other states will assign categorical funding for a specific program to address an identified need.[30]

The biggest question is whether there is research on exactly what the weight ought to be for a specific category of special need. Again, the answer is "no." There are available, however, studies of what other states have determined to be both the categories of special need and the level of weight that they have decided to assign. One of the best of these studies is the one easily available from the Texas Legislative Budget Board. It is important to note in reviewing the data that the Texas weights have not been updated since 1984. A summary of their findings follows:

•Compensatory Education: The Texas weight is 0.2. Additionally, Texas provides an additional weight of 2.41 for pregnant students. There are 37 states providing supplemental funding in this area of student need. Of those, 13 states provide a single weight, and six others provide a range of weights. For those providing one weight, including Texas, the range is 0.05 (Mississippi) to 0.97 (Maryland). The average weight is 0.29.[31]

•Bilingual/ESL Education: The Texas weight is 0.1. There are 44 states providing supplemental funding for bilingual education, 20 states use weighted formulas. The range of weights is 0.1 (Texas) to 0.99 (Maryland). The average weight is 0.387.[32]

•Special Education: Texas applies a weight of 1.1 for a special education student in a mainstream instructional arrangement. The weights for other instructional settings are as follows: homebound 5.0; hospital class 3.0; speech therapy 5.0; resource room 3.0; self-contained 3.0; off-home campus 2.7; vocational adjustment class 2.3; state schools 2.8; residential treatment and care 4.0. All states provide some type of supplemental funding for special education. 16 states use weighted funding; 11 of those, including Texas, use a range of weights, while five use a single weight. For those states with a single weight, the range is 0.74 (Maryland) to 2.5 (Alabama). The average weight is 1.44.[33]

•Gifted/Talented Education: The Texas weight is 0.12, up to a maximum of five percent of the district's ADA. 33 states provide supplemental funding, with eight states using weighted funding. The range of weights is 0.01 (West Virginia) to 0.6597 (Georgia). The average weight is 0.257.[34]

- Career and Technical Education: The Texas weight is 1.35 for CTE in grades 9-12 or in CTE programs for students with disabilities in grades 7-12. An additional $50 per student enrolled in two or more advanced CTE classes for a total of three or more credits, or an advanced course as part of a tech-prep program is allocated. Seven states provide weighted funding. The range of weights in these states is 0.015 (Alaska) to 0.5 (Kansas). The average weight is .258.[35]

Other studies will be referenced in the following sections devoted to each of these areas of student need to provide additional information for policymakers.

"...most, not all, of the equity measures use weights to account for different kinds of student needs. The rationale behind using weights is that it costs more to educate children with special needs; therefore a child in poverty or a child with disabilities should 'count' more than a high-income child or a child with no special needs."
--Diana Epstein (2011), p. 8

COMPENSATORY EDUCATION ALLOTMENT

The Texas weight for Compensatory Education is currently 0.2. The first question is whether it should be higher. There is a lot of evidence that it should:

- More than 60 percent of Texas children are economically disadvantaged. If concentrated poverty is anything more than 15 percent, then virtually every district in Texas has concentrated poverty, indicating the need for more resources to combat not only the effects of poverty on those living in it, but also the negative effects on non-poor students.

- The test scores of Texas children who are economically disadvantaged are consistently below those of non-poor students, indicating that the resources currently available are insufficient to ensure their opportunity to learn.[36]

- The graduation rates of Texas children who are economically disadvantaged are consistently below those of non-poor students, indicating, again, the need for additional resources.

- Of the schools on the 2016 list of Improvement Required (IR), it is evident that they are disproportionately made up of high concentrations of economically disadvantaged students. Ninety percent of them have rates above the state average.

- Funding has been cut significantly for preschool education to the extent that many economically disadvantaged children have no access, and even for those that do, few of the programs are full-day programs.[37]

- Class sizes have continued to grow ever since the budget cuts of 2011, even though research is clear of its importance for high-needs students, especially at the preschool and elementary levels.[38]

•Funds for providing interventions (for students failing the reading and mathematics tests) have been eliminated.[39]

•Response to Intervention (RTI)[40] is a federal mandate providing for three levels of intervention before a student can be identified for special education. This mandate would greatly benefit all struggling learners, as well as prevent some children having to be identified for special education. It has not, however, been funded by either the national or state governments. It is not a special education program, by law, so it properly belongs in a higher weight for Compensatory Education.

•Dyslexia identification and programs are a state mandate,[41] again without funding (except for the grants to a few districts provided in the 85th Legislative Session). This program has been funded by districts with their Compensatory funds, but it needs, for tracking and accountability purposes, its own funding stream, perhaps as a different level of Compensatory Education.

•Since Texas refused to extend Medicaid, schools and community health centers lost a great deal of money involving special education students.[42]

•Texas has not passed a bill to fund Community Schools, although it has a modest commitment to Communities in Schools.[43] The Community Schools program is ideal for providing many of the wrap-around strategies necessary for schools with concentrations of high-need students, and it is currently the model strategy for turnaround schools. School-community partnerships are critically important for children with high needs.[44]

•The number of homeless students, particularly in larger communities, is growing, without any designated funding and requiring greater resources to ensure their well-being, as well as their education.[45]

•Funds are desperately needed for behavior problems that grow when there are high concentrations of high-need students. Schools need more counselors, more social workers, and program implementation of such programs as Restorative Justice.[46]

•Funds are needed to improve teacher salaries and benefits in order to recruit and retain the best possible teachers for Texas children.[47]

•Funds are needed for professional development to provide updated information, strategies, and resources for teachers so that they can be successful in high-needs schools.[48]

•Funds are needed to increase student access to modern technology, both at home and at school, including access to broadband for economically disadvantaged families.[49]

•In the event of devastation, such as the recent hurricane damage to south Texas, funds need to be available to help schools recover as quickly as possible.[50]

Maryland's weight of 0.97 is almost five times as much as the Texas weight, and Maryland's poverty, while over 50 percent, is not as high as that of Texas. It is clear, given the immense needs of Texas's school children and the inadequacy of the current weight as detailed here, that Texas should significantly increase its weight.

Another consideration is to create levels of weight within Compensatory Education:

•No funding (or a lower weight for funding) for districts with percent of economically disadvantaged students at 0-15%.

•A significantly increased level of funding for districts at 15%-50%.

•A third level of funding for districts with the highest concentrations of economically disadvantaged students, 51-100%.

•Maintain a weight for the students who are pregnant.

•Add another level of weight for dyslexic students and for implementation of Response to Intervention programs. (Note: dyscalculia is to mathematics what dyslexia is to reading. This need should be addressed as well.)

•Add full day, high-quality pre-kindergarten allocation to the basic allotment and a weight to Compensatory Education.

•Add a weight for Community Schools funding, especially for schools and districts with high concentrations of poverty (more than 15 percent).

If the weights are increased significantly, then it is critically important that the state eliminate or, at least, cut way back on the waivers of class-size requirements. Small class sizes are one of the five best ways to improve teaching and learning for children at the preschool and elementary levels and for all ages of high-needs students.[51]

Texas schools cannot alone reduce the percentages of poverty in our state. What schools can do, in an efficient and well-funded school finance system that recognizes and funds appropriate student weight factors, is to impact whether current students can pull themselves out of poverty. The research says that is possible.

"…the estimated effect of a 22.7 percent increase in per-pupil spending throughout all 12 school-age years for low-income children is large enough to eliminate the education gap between children from low-income and non-poor families." --C. K. Jackson, R. C. Johnson, & C. Persico (2015), p. 26

BILINGUAL/ENGLISH AS A SECOND LANGUAGE ALLOTMENT

The Texas weight for bilingual/English as a Second Language (ESL) is 0.1. It is the lowest weight for any area of student need in Texas, and it is the lowest of all the states using weights to fund these programs,[52] in spite of the fact that approximately 18 percent of Texas students are identified for services.

Like Special Education, ESL/bilingual programs have expensive, but critically important, compliance requirements since children identified for services are protected by federal Civil Rights laws and Supreme Court decisions.[53] Districts must employ procedures involving careful assessments to determine identification, progress, and program-exit; student assignments to appropriate instructional settings, including special education; and communication with parents in their home languages. They must further ensure access to upper-level courses, such as Advanced Placement and gifted/talented programs and ensure access to extra-curricular programs. Teachers must be specially certified and have access to ongoing professional development. Programs should also be routinely evaluated and updated. There are times, as well, when schools may receive an influx of unexpected immigrants or refugees—or even existing Texas students displaced by natural disasters, such as hurricanes.

Although there is a small allocation for bilingual/ESL from the federal government, it is not sufficient to pay for the administrative costs of administering the programs, much less the instructional costs.

The bilingual/ESL weight was established in 1984 with the adoption of HB 72, a massive school reform bill, and it has never been increased.

There have been a few studies conducted on what the weights should be to fund a bilingual/ESL program. In fact, Judge Dietz in the most recent school litigation found that:

> *School districts cannot implement adequate programs for English Language Learners (ELL) students with the funding generated by the adjusted basic allotment multiplied by the 0.1 weight… The lack of adequate resources makes it difficult for many school districts—including low and moderate-wealth school districts—to hire specialized teachers, provide the necessary supplementary materials, conduct required assessments, and comply with the state mandates.*[54]

He added:

> *...the bilingual allotment does not cover the additional costs for essential ELL programs and services such as extra tutoring, reducing class size, ESL curriculum, professional development training on the English language proficiency standards, hiring back teacher aides, and hiring additional teachers so the district can have separate bilingual classrooms to appropriately serve its ELL students. Without these necessary educational opportunities, the district does not expect to get the ELL students up to grade level, much less help them achieve college and career readiness.*[55]

Since ELLs tend to regress during the summer in their English-language skills, particularly if the parents do not themselves speak English at home, summer schools are very important. Again, Judge Dietz recognized that need: "Summer school not only helps those students struggling on standardized tests and failing classes, but it also provides a continuum for ELL students trying to achieve throughout the year and expands and reinforces those skills."[56]

The Intercultural Development Research Association (IDRA) in San Antonio has, perhaps, conducted as many studies as anyone on the costs of delivering bilingual/ESL programs and services. They conducted a study in 1976, more than 40 years ago, which was replicated a few years later in both Colorado and Utah. These studies indicated that the bilingual/ESL weight ought to be, at a minimum 0.25 to 0.41.[57]

As previously noted, Texas is dead last among the states in the amount of weight it applies to the funding formula for bilingual/ESL students. In Judge Dietz's published opinion, he noted that a Colorado study indicated a desired weight to be 0.47 for an ELL student in a large school district and 0.564 for an ELL student in a small or rural district.[58] That differentiation may be very important. In reviewing the list of schools on the Improvement Required list, there are several small schools with high percentages of Hispanic students and with very low percentages in bilingual/ESL programs, indicating, most likely that not all students needing the services are being identified. A differentiated weight would make it more likely that they could better serve their students.

Another issue that should influence decisions on the bilingual/ESL weight is that all students in those programs are not the same,[59] so, once again, the bilingual/ESL weight may require several levels, given the difference in resources required:

- Students who are refugees and/or students who have had no prior schooling require self-contained instructional settings, plus support services for well-being and accelerated instruction.

- Newcomers—students with prior schooling and with grade-level skills in their native language will also require self-contained instructional settings, as well as exposure to English-language speakers.

- Reclassified—students who are in ESL classes for English language arts and in mainstream classes for content areas.

- Long-term ELLs—usually native-born students who are fluent in conversational English, but lack fluency in academic English, necessary for content area success and for test performance.

More and more schools, due to parent interests, as well as teacher interests, are implementing or hoping to implement dual language programs that would include all students. These programs cost approximately the same as the transitional bilingual programs.[60]

The growth in English language skills among ELLs can also be accelerated if parents who do not speak English at home are provided ESL instruction and encouraged to use English at home as much as possible. These programs also provide settings for strong relationships between home and school to be nurtured. And, they require funding.

Another consideration is that, just as with poverty, the higher the concentration of ELLs there are in a school, the more difficult the challenge is to educate them.[61] So, in determining weights, policymakers may wish to consider all these needs: the differences in the sizes of schools/districts; the differences in the English-language learners themselves, and the percent of concentration.

No credible person disputes the need for increased funding for the 18 percent of Texas students who are identified for bilingual/ESL programs. In fact, Heilig and Williams found in their research that increases in expenditures were "significant in predicting increases in math scores and reading scores when controlling for changing teacher quality and demographics."[62] MALDEF notes that a 2009-10 study recommended an increase from the current 0.1 to 0.6.[63]

"State educational policy decisions to underfund special population programs such as bilingual education create numerous problems. ...For students, the implications of underfunding are inadequate or inappropriate instruction that can lead to persistent underachievement and eventually contribute to students dropping out of school altogether." --Maria Montecel (2012), p. 33.

SPECIAL EDUCATION ALLOTMENT

Texas has several levels of special education weights due to the vastly different costs of educating the range of disabilities that require special education. Current weights for the "least restrictive environment" range from a weight of 1.1 for the special education student in a regular classroom to a weight of 5.0 for homebound and speech therapy students.

Although the weights require some adjustments and updating, there appear to be at least five controversial areas that will require more information for policymakers to decide whether to add levels and/or make adjustments.

- Dyslexia (and perhaps dyscalculia) are two areas that are currently considered compensatory education issues, although their presence is certainly not limited to students who are economically disadvantaged.[64] More severe cases of these disabilities may legally be covered in current special education programs. In TEA's Corrective Action Plan to be submitted to the United States Department of Education, there is a provision to update its dyslexia procedures, including clarification of the differences between Section 504, RTI, and IDEA, as they relate to dyslexia.

- Autism is already included in special education programs and services, but the growing numbers of this disability, the range of its manifestations, the need for specialized instructional settings for this disability, and the incredibly high costs to families and schools have resulted in cries for additional resources.[65] A single child requiring an institutionalized setting may cost, for example, as much as $250,000, or more, in one year. Harvard researchers recently found that autism programs cost approximately $8,600 per child per year. Additionally, one student typically had more than $3,000 in annual medical costs related to his/her disability. The Education Commission of the States reports that states use three ways to support local districts with the costs of educating high-need special education students: (1) The state pays for a percentage of

the additional costs with a spending cap. (2) The state pays for a percentage of the additional costs without a spending cap. (3) Districts can request additional funding from the state.[66]

•Increasing numbers of bilingual/ESL students may also be identified for special education programs and services.[67] They need to be served appropriately in both programs simultaneously, requiring, therefore, bilingual or ESL teachers who are also special education teachers, resulting in higher costs.

•A fourth area of controversy lies in Texas's decisions to cut children's therapy services formerly covered through Medicaid, the decision to fund CHIP at the lowest level, and the lack of access, in general, to health care services for growing numbers of Texas families.[68] School districts are allowed by law to bill insurance providers for some health-related expenses for special education students. Those children without health insurance (approximately 682,000) of some kind are likely to be disproportionately represented in special education due to poverty.[69] The school district, therefore, must pay for the required expenses and cannot receive reimbursements since there is no health insurance. These expenses would not require, necessarily, another level of funding, but they do strongly suggest the need for increases in at least some of the weights.

•And a fifth area of controversy lies with the artificial—and illegal—cap of 8.5 percent imposed on school districts by the Texas Education Agency.[70] According to some estimates that decision resulted in more than 250,000 eligible students being denied special education programs and services to which they were entitled. TEA's Corrective Action Plan to be submitted to the United States Department of Education includes provisions to eliminate that cap and to administer the program according to law. These actions include screening all potentially eligible students who were denied services previously and to admit them to the appropriate programs and services.[71] The financial consequences will be a dramatic bump, in the cost of special education alone in the coming biennium, plus the cost of any updates in the weights. The strategic plan submitted to the U. S. Department of Education estimates that the five-year cost of implementation will be approximately $211,282,000.[72]

As in other areas of student need, there is not a body of research that informs states on the levels that should be included for special education, nor the recommended weights for the various levels of funding. There are, however, six recommended "best practices" that are a synthesis of a number of studies on funding special education costs. They are as follows:

1. Differentiates funding based on student learning needs.
2. Distributes state funding for special education equitably.
3. Provides school districts with state funding that is consistent and makes local expenses predictable.
4. Controls costs.
5. Provides school districts with flexibility and encourages innovation.
6. Limits local financial responsibility with extraordinary needs.[73]

At least one additional practice should be added to this list: Complies with federal and state law. Federal laws and Supreme Court rulings protect both bilingual/ESL and special education students. Failure to comply with those laws (as in imposing a cap on identification of special education students) results in expenditures of a great deal more money for attorneys, lost staff time, and injuries to students, plus the avalanche of required funding for "corrective action."

"Texas schools have seen a 26% increase in enrollment from 2004 to 2016, and the number of students receiving special education services for learning disabilities has dropped 38% over the same period."
--Aliyya Swaby (2018), p. 8

GIFTED AND TALENTED ALLOTMENT

The funding weight for the Texas gifted/talented students is 0.12. Unlike all the other student-need weights, the gifted/talented weight is available only to five percent of the students in average daily attendance. This program does not cost nearly as much administratively as do bilingual/ESL and special education programs, but significant administrative costs concerning the identification of the gifted/talented students remain.

Identification of gifted/talented students relies heavily, if not completely, on test scores. Test scores, including those for STAAR, invariably correlate highly and positively with family income. Given that White students have lower percentages of poverty, much lower percentages of students in bilingual/ESL programs, and lower percentages of students requiring special education, the cap on the program makes it extremely difficult for students of color,[74] students who are economically disadvantaged,[75] students who are not yet proficient in English,[76] and students with disabilities[77] to make it into the five percent. Districts can, of course, admit and serve more than five percent in their programs, but they do not receive weighted funding for those additional students. The cap, therefore, may even be ruled illegal if the courts determine it violates civil rights.

In a survey administered by the National Association for Gifted Children of state, district, and school-level leaders, plus advisory committee members, in gifted/talented education, among the areas identified as “needing attention” in Texas were the following:

- Inclusion of underrepresented students in gifted education (e.g., low SES, ethnicity, disabled, ELL, rural);
- Funding for gifted education;
- Funding for professional training in gifted education[78]

Another major problem with the cap is that it allows a rigid tracking system that privileges a few students with enriched opportunities, while shutting out the other 95 percent who would greatly benefit from many of its features. In fact, some districts are segregating its gifted/talented students into one building in order to improve their ability to offer great programs to those who have been identified.

Many teaching/learning experts are saying loudly and clearly that one of the best things schools can do is to immerse struggling learners in rich, challenging, engaging curriculum (including the arts), projects, and experiences.[79] Another "best practice" is to ensure that students are not segregated since there is great value for all in creating relationships and learning from each other. Instead, for the 95 percent, the day too frequently is filled with direct instruction, "drill and kill," threats that "it's on the test," ongoing assessments, and remediation. Such forms of instruction take all the joy out of both teaching and learning and negatively affect all learners.

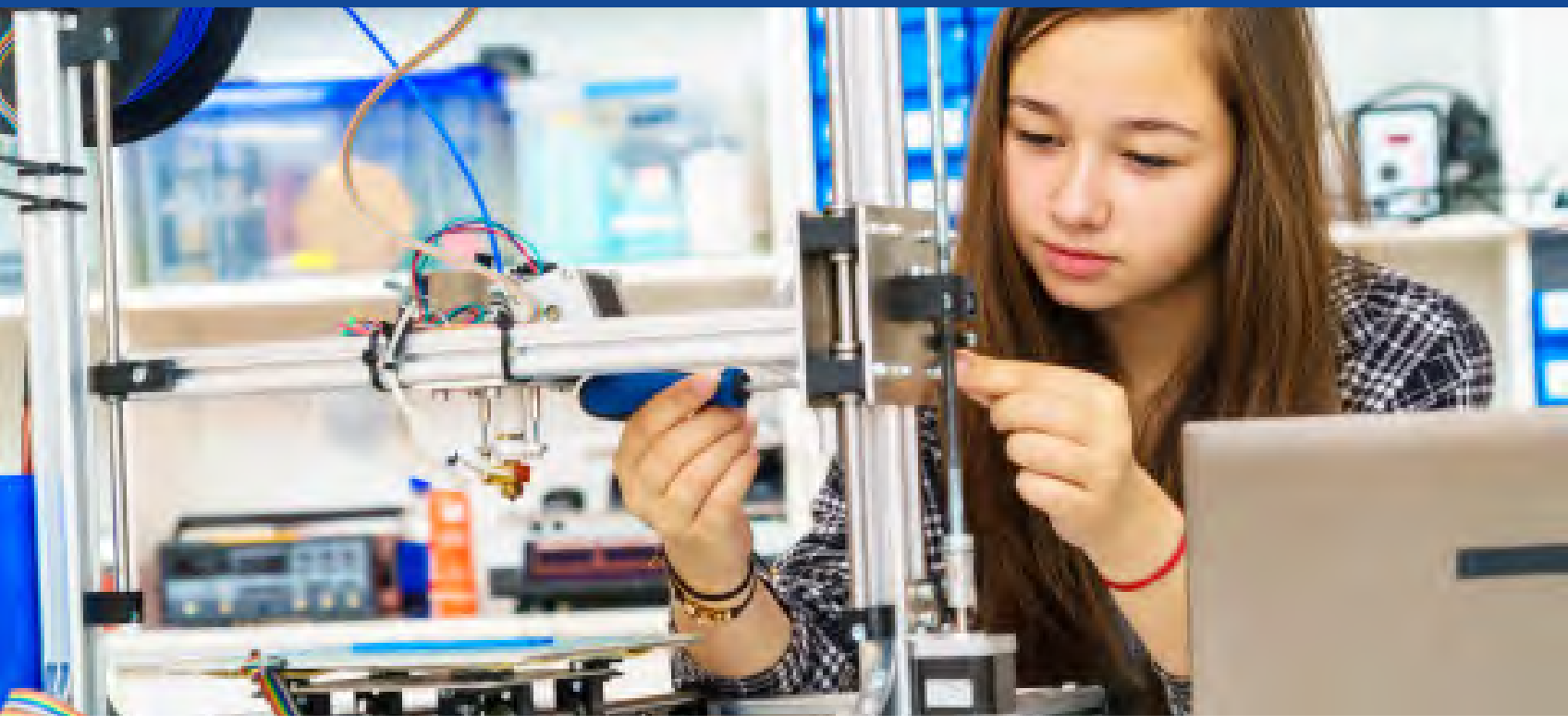
Additionally, to enable students to be truly "college, career, and military ready," secondary schools are implementing innovative early college programs, dual-credit classes, college preparation diploma plans, Advanced Placement courses, and International Baccalaureate programs, etc. These programs require significant expenditures, funding for students to take the AP and IB examinations, funding for teachers' professional development, transportation to colleges and back for dual-credit courses, instructional materials, and technology. Additionally, schools need those enrichment opportunities at the early childhood and elementary levels that are open to everyone, not just the gifted/talented.

As an update on the weight for the gifted/talented is considered, it might also be good to evaluate whether the existing structure of the program needs change as well, expanded in participation (lifting the cap), and expanded in scope that could well include at least some experiences for all the children in the school. It is illegal to cap bilingual/ESL and special education programs. It is potentially illegal, but, at a minimum, impractical to assign a cap to gifted/talented programs for the same reason that it is impractical to set a cap on special education. It is impractical and impossible to cap programs for economically disadvantaged students. Texas needs to consider whether its funding cap for gifted/talented students ends up suppressing and discouraging learning for the 95 percent who cannot participate under current rules.

"Research has shown that developing higher order thinking and skills, such as analytical writing, research, and problem solving, may be the key to increasing college readiness and providing students with greater access to high-wage jobs. Such an effort is especially important for students who have historically been deprived of access to high quality instruction and a rigorous curriculum, namely English language learners, special education students, and poor and minority students." --Pedro Noguera (2017), p. 26

The Texas Education Agency's annual report on enrollment provides statistics on the percent of each racial/ethnic group of students in programs for special populations. According to the 2016-17 enrollment study by the Texas Education Agency, African-American children made up 6.4 percent of those identified for the gifted/talented program, as compared to their being 12.6 of the total enrollment. Hispanic students were also under-represented with only 41.4 percent of the gifted/talented program, but 52.2 percent of the total enrollment. White children are now only 28.5 percent of Texas school enrollment, but 38.8 percent of the gifted/talented program is White.[80]

Until policymakers can define more clearly the goals and scope of the gifted/talented programs, it will be very difficult to find agreement on what the funding weight ought to be.



CAREER AND TECHNICAL EDUCATION

Just over half (28) of the states provide funding for career and technical education. Only seven of those use weighted funding. Career and technical education programs are available at the high school level for regular-education students and at both middle- and high-school levels for students with disabilities. Some districts offer a range of programs in their own buildings, or in magnet settings in the district. Others transport students to neighboring districts and/or to community colleges or TSTC campuses for career and technical education courses. These are valued programs by significant percentages of Texas students, their parents, and the businesses where the graduates will eventually go to work.

Since career and technical education programs usually have advisory committees of business representatives, these people can provide information about costs of the various programs, whether a program is becoming obsolete, whether a new program needs to be added due to changes in technology or new companies coming into a community, changes in demographics, etc.

There is no available research on what the programs should be, much less on what the weights ought to be. One of the best information sources available on funding mechanisms for career and technical education is from the Education Commission of the States.[81] They provide a state-by-state summary of the seven states that provide weighted funding, plus how additional states use other mechanisms. Another good source is the Texas Legislative Budget Board. They too provide a comprehensive explanation.[82] A third, more recent, study than the Education Commission of the States is one compiled by Hanover Research for the State of Delaware. It provides more specific and updated information on each state's funding mechanisms.[83]

CONCLUSIONS & RECOMMENDATIONS

Texas policymakers are commended for establishing the Commission on School Finance. We desperately need an overhaul of our very outdated, complex, inadequate, inefficient, and inequitable school finance system, including the student-weight formulas. The end product must be based to every extent possible on fairness, research evidence, and "best practices." Texas children deserve that. So do taxpayers. Getting the funding right can be the first step toward making sure that Texas children in public schools receive a world-class education, where the best teachers in the country want to come, where families want to enroll their children, and where businesses want to be established.

This report suggests the need to establish a ten-year-cycle whereby funding formulas, including student weights, are carefully reviewed, considered, and acted upon as appropriate—for adequacy, equity, efficiency, and effectiveness. The goal is that no piece of the funding formula would be older than ten years, unless the policymakers had examined it and made a decision to leave it as is:

1. Conduct a professional study on the Cost of Education (to determine adequacy).
2. Conduct a professional study on the cost of each area of student weights.
3. Determine if both horizontal and vertical equity are achieved in the basic allotment and in the student weights, as well as in the end result including all funding.
4. Conduct an efficiency and effectiveness study on whether current levels of funding are ensuring that schools are spending money based on evidence-based best practices and that they meet reasonable state goals.
5. Prioritize increased weights for Compensatory Education and Bilingual/ESL.

Consider funding these evidence-based, highly effective, high-priority programs due to the increasingly high concentrations of children who are economically disadvantaged:

1. Fund full day, high-quality pre-k programs.
2. Fund Community Schools programs.

Consider also the following recommendations:

1. Consider the recommendations in each section of this policy brief relating to Compensatory Education, Bilingual/ESL, Special Education, Gifted Education, and Career/Technical Education.
2. Due to numerous issues relating to the cap on gifted/talented education, conduct a study that would include data on who the children are in today's programs by district, how identification is conducted and whether it should be changed, and models for teaching gifted/talented students that are more inclusive.
3. Review TEA rules on how the funds in each weighted area can be spent. Include flexibility that would allow funds for reducing class size, given the very positive correlations between small classes and improved achievement.

As noted in the introduction to this brief, poverty is the 600-pound gorilla in the room as we consider all the aspects of Texas school funding, including student weights.

John Dewey, one of the founders of the concept of public education and one of our greatest philosophers, had this to say:

> *What the best and wisest parent wants for his child, that must we want for all the children of the community. Anything less is unlovely, and left unchecked, destroys our democracy. All that society has accomplished for itself is put, through the agency of the school, at the disposal of its future members.*[84]

It was true when he wrote it in 1915, and it is true today.

> *The job, therefore, for all Texans, is to be the best and wisest parents we can be—for all the children of Texas. That is the major reason why student weights in the school funding system are important. Through the work of the Commission on School Finance, then the actions of the Legislature, we can all contribute to ensuring that, at a minimum, Texas kids have a better opportunity to learn and a better shot at escaping from the clutches of poverty. It is, indeed, worthy work.*

"To be blunt, money does matter. Schools and districts with more money clearly have a greater ability to provide higher-quality, broader and deeper educational opportunities to the children they serve. Furthermore, in the absence of money, or in the aftermath of deep cuts to existing funding, schools are unable to do many of the things they need to do in order to maintain quality educational opportunities."
--Bruce Baker (2016), pp. 19-20

END NOTES

1. See Texas Education Agency (2017). Snapshot: School District Profiles.

2. The Texas Constitution, Article 7, states the following: "A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people, it shall be the duty of the Legislature of the State to establish and make suitable provision for the support and maintenance of an efficient system of public free schools."

3. Seilor, M. F., Ewalt, J. G. Jones, J. T., Landy, B., Olds, S., & Young, P. (Dec. 5, 2006)). Indicators of efficiency and effectiveness in elementary and secondary spending (p. 1).

4. See Baker, B. D. & Corcoran, S. P. (Sept. 2012), The stealth inequities of school funding (p. 15).

5. See Lesley, B.A. (2010). Money does matter! Investing in Texas children and our future; Lesley, B. A. (2013). Money still matters! For our children and for the future of Texas. See also Baker, B. D., Farrie, D. & Sciarra, D. (Feb. 2018). Is school funding fair? A national report card 2018). This recently released report indicates that Texas ranks 38th in the nation on "predicted funding level" (p. 11). The "funding distribution measurement "addresses the key question of whether a state's funding system recognizes the need for additional resources for students in settings of concentrated student poverty (pp. 10-11)." On this measurement Texas received a grade of D (p. 11). The "fiscal effort" score "measures local and state spending on education in relation to a state's ability to generate revenue (p. 15)." Texas earned an F on this report.

6. There is a rapidly growing surge of research reports on how and why money matters in improving teaching and learning. See, for example, Taylor, L. L., Willis, J., Berg-Jacobson, A., Jaquet, K., & Caparas, R. (Mar. 15, 2018). Estimating the costs associated with reaching student achievement expectations for Kansas public education students: A cost function approach; Baker, B. D. (2016), Does money matter in education?; Baker, B. (Jan. 20, 201). How and why money matters in schools; Baker, B. D., & Corcoran, S. P. (Sept. 2012). The stealth inequities of school funding; Baker, B., Farrie, D., Johnson, M., Luhm, T., & Sciarra, D. (Jan. 2017). Is school funding fair? A national report card 2017; Baker, B. D., Farrie, D., & Sciarra, D. (Feb. 2018). Is school funding fair? A national report card 2018; Berliner, D. C. (2006). Our impoverished view of educational reform (pp. 437-486). In W. J. Mathis & t. M. Trujillo (Eds.). Learning from the federal market-based reforms (pp. 437-486); Burtless, G. (Ed.) (1996). Does money matter? The effect of school resources on student achievement and adult success; Carey, K. (Nov. 7, 2002). State poverty-based education funding: A survey of current programs and options for improvement; Carter, P. L. & Welner, K. G. (Eds.) (2013). Closing the opportunity gap: What America must do to give every child an even chance; Dalton, M. (Dec. 12, 2017. Analysis: Most Georgia schools with poor grades are in high-poverty area; Darling-Hammond, L. (2010). The flat world and education: How America's commitment to equity will determine our future; Duncan, G. J. & Murnane, R. J. (Eds.), Whither opportunity? Rising inequality, schools, and children's life chances; Jackson, C. K., Johnson, R., & Persico, C. (Nov. 13, 2014). How money makes a difference: The effects of school finance reforms on outcomes for low income students; LaFortune, J., Rothstein, J. & Schanzenbach, D. W. (D. W. (Feb. 2016). School finance reform and the distribution of student achievement. Loschert, K. (Nov. 15, 2016). High school poverty rate may predict a student's likelihood of attending and completing college; Ladson-Billings, G. (2013). Lack of achievement or loss of opportunity? In P. L. Carurt, K. G. Welner (Eds.). Closing the opportunity gap: What America must do to give every child an even chance (pp. 11-22); Lesley, B. A. (2010). Money does matter? Investing in Texas children and our future; Lesley, B.A. (2013). Money still matters! For our children and for the future of Texas; Mathis, W. (June 2016). Research-based options for education policymakers: Does money matter?; Parker, E. & Griffith, M. (June 2016). The importance of at-risk funding; Rebell, M. A. & Wardenski, J. J. (Jan. 2004). Of course money matters: Why the arguments to the contrary never added up; Rebell, M. A. (May 29, 2007). Poverty, 'meaningful' educational opportunity, and the necessary role of the courts; Rebell, M. A. (2007). The need for comprehensive educational equity in C. R. Belfield & H. M. Levin. The price we pay: Economic and social consequences of inadequate education; Rothman, R., Gerbardt, K. Hinojosa, D., & Hunter, M. (April 2013). Reversing the rising tide of inequality: Achieving education equity for each and every child; Rothstein, R. (2004). Class and schools: Using social, economic, and educational reform to close the black-white achievement gap; Rothstein, R. (2014). The racial achievement gap, segregated schools, and segregated neighborhoods. In W. J. Mathis & T. M. Trujillo (Eds.). Learning from the federal market-based reforms (pp. 487-506); Rothstein, R. (2013). Why children from lower socioeconomic classes, on average, have lower academic achievement

than middle-class children. In P. L. Carter & K. G. Welner (Eds.). Closing the opportunity gap: What America must do to give every child an even chance (pp. 61-74); Rowan, B. (2011). Intervening to improve the educational outcomes of students in poverty: Lessons from recent work in high-poverty schools. In G. J. Duncan & R. J. Murnane (Eds.). Whither opportunity? Rising inequality, schools, and children's life chances (pp. 523-537); Sciarra, D. G. (July 17, 2017. Public school funding a national disgrace. Education Week; Showalter, M. (July 27, 2017). Poverty creates extra challenges: It demands extra resources. Education Week; Ujifusa, A. (Jan. 18, 2018). Five hurdles that keep school systems from improving. Education Week: Quality Courts 2018. United States Commission on Civil rights (2018). Public education funding inequity in an era of increasing concentration of poverty and resegregation; Ushomirsky, N. & Williams, D. (2015). Funding gaps 2015: Too many states will spend less on educating students who need the most; Welner, K. G. & Carter, P. L. (2013). Achievement gaps arise from opportunity gaps. In P. L. Carter & K. G. Welner (Eds.). Closing the opportunity gap: What America must do to give every child an even chance. Wool, S. Fermanich, M. & Reichardt, R. (June 2015). A review of the literature on the effects of concentrations of poverty on school performance and school resource needs. See also: See Quality Counts 2018 published by Education Week for state reports on school finance. Texas received a grade of D+ and ranks 41st in the nation. This measurement "examines both school spending and measures of financial equity, which capture the distribution of funding across districts within a state." Texas ranks 40th among the states on its "Chance for Success" measurement. This measurement "combines information from 13 indicators that span a person's life from cradle to career in order to better understand the role of education across an individual's lifetime."

7. For summaries of this research see Lesley, B. A. (2010). Money does matter: Investing in Texas children and our future; Lesley, B. A. (2013). Money still matters! For our children and for the future of Texas. See also Rebell, M. A. (Ma7 19, 2007). Poverty, 'meaningful' educational opportunity, and the necessary role of the courts (p. 1487); Ravitch, D. (2010). The death and life of the great American school system: How testing and choice are undermining education (pp. 228-229); Baker, B. D. (2016). Does money matter in education? (pp. 1-15). See also other references in End Note 6.

8. For references to the importance of high-quality teachers and for paying them well, see Baker, B., Sciarra, D., & Farrie, D. (2015). Is school funding fair? A national report card 2015 (p. 4); Barnett, W. S. (2016). Expanding access to quality pre-k is sound public policy (p. 78); Cortez, A. (2004). Insufficient funding for bilingual education in Texas (p. 2); Gorski, P. C. (2013). Reaching and teaching students in poverty (pp. 88-19); Jackson. C. K., Johnson, R. C., & Persico, C. (Jan. 2015). The effects of school spending on educational and economic outcomes: Evidence from school finance reforms (pp. 37-38); Ladson-Billings, G. (2013). Lack of achievement or loss of opportunity? In P. L. Carter & K. G. Welner (Eds.). Closing the opportunity gap: What American must do to give every child an even chance (p. 15); Darling-Hammond, L. (2010), The flat world and education: How America's commitment to equity will determine our future (p. 30); Magee, M. (July 27, 2017). In education, follow the money (p. 5); MALDEF (Sept. 29, 2016). Testimony to Legislative Committee (p. 4) Rebell, M. A. (May 19, 2007). Poverty, 'meaningful' educational opportunity, and the role of the courts (p. 1476, 1487); Schanzenbach, D. W. (2016). Does class size matter? In W. T. Mathis & T. M. Trujillo (Eds.). Learning from the federal market-based reforms (p. 571); Schwartz, A. E. & Stiefel, L. (2011). Immigrants and inequality in public schools. In G. J. Duncan & R. J. Murnane (Eds.). Whither opportunity? Rising inequality, schools, and children's life chances (p. 427); Texas Taxpayer & Student Fairness Coalition v. Michael Williams (pp. 90, 117, 141, 142, 145); United States Commission on Civil Rights (2018). Public education funding inequity in an increasing concentration of poverty and resegregation (pp. 9-10, 64. 70, 71); Wool, S. Fermanish, M., & Reichardt, R. (June 2015). A review of the literature on the effects of concentrations of poverty on school performance and school resource needs (pp. 6, 9); Stanford Center for Opportunity Policy in Education (SCOPE). (Dec. 2013). Excellent teachers for each and every child: A guide for state policy; Steinmetz, K. (July 3, 2017). Here's how much teachers earn in every state. According to this study, Texas ranks 26th in the nation.

9. For references to the importance of small classes, see Baker, B. D. (2016) Does money matter in education? (pp. 100, 107); Baker, B., Sciarra, & Farrie, D. (2015). Is school funding fair? A national report card 2015 (p. 4); Gorski, P. C. (2013). Reaching and teaching students in poverty (pp. 1, 146) Heilig, J. V., Williams, V., & Jez, s. J. (2010). Inputs and student achievement: An analysis of Latina/o-serving urban elementary schools (p. 46); Jackson, C. K., Johnson, R. C., & Persico, C. (Jan. 2015). The effects of school spending on educational and economic outcomes: Evidence from school finance reforms (pp. 4, 39); Rebell, M. A. (2007). The need for comprehensive education equity. In C. R. Belfield & H, M. Levin. The price we pay: Economic and social consequences of inadequate education (pp. 259-260); MALDEF (Sept. 29, 2016). Testimony to Legislative Committee (p. 4); Rebell, M. A. (May 19, 2007). Poverty, 'meaningful' educational opportunity, and the role of the courts (p. 1487); Texas Taxpayer & Student Fairness Coalition v. Michael Williams (pp. 88, 121, 141,

156, 209, 320); Schanzenbach, D. W. (2016). Does class size matter? In W. J. Mathis & T. M. Trujillo (Eds.). Learning from the federal market-based reforms (pp. 565-566, 571, 571, 572); Wood, R. C. & Baker, B. D. (2004). An examination and analysis of the equity and adequacy concepts of constitutional challenges to state education finance (p. 146).

10. For references to the importance of high quality pre-school and child-care, see Baker, B., Sciarra, D., & Farrie, D. (2015). Is school funding fair? A national report card 2015 (pp. 22, 26); Barnett, W. S. (2016). Expanding access to quality pre-k is sound public policy. In W. J. Mathis & T. M. Trijillo (Eds.). Learning from the federal market-based reforms (pp. 525-545); Duncan, G. & Murnane, R. J. (2014). Restoring opportunity: The crisis of inequality and the challenge for American education (pp. 53-69); Duncan, G. J. & Murnane, R. J. (Eds.). Whither opportunity? Rising inequality, schools, and children's life chances (p. 16). Hattie, J. (2009). Visible learning: A synthesis of over 800 meta-analyses relating to achievement (pp. 58-60); Rebell, M. A. (2007). The need for comprehensive educational equity. In C. R. Belfield & H. M. Levin. The price we pay: Economic and social consequences of inadequate education (pp. 258-260); Rebell, M. A. (May 19, 2007). Poverty, 'meaningful' educational opportunity, and the role of the courts (pp. 1476, 1487); Rowan, B. (2011). Intervening to improve the educational outcomes of students in poverty: Lessons from recent work in high-poverty schools. In G. J. Duncan & R. J. Murname (Eds.). Whither opportunity? Rising inequality, schools, and children's life chances (p. 523, 528, 534); Showalter, M. (Mar. 7, 2011). Funding fairness for rural students. (p. 3); National Opportunity to Learn Campaign (May 2014). Building high quality early support systems for children and families; Texas Taxpayer & Student Fairness Coalition v. Michael Williams (pp. 88, 145); United States Commission on Civil Rights (2018). Public education funding inequity in an era of increasing concentration of poverty and resegregation (p. 72); National Opportunity to Learn Campaign (May 2014). Building high quality early support systems for children and families.

11. For references to the importance of providing appropriate interventions to ensure opportunity to learn, see Baker, B. D. (2016). Does money matter in education? (p. 100); Hattie, J. (2009). Visible learning: A synthesis of over 800 meta-analyses relating to achievement (p. 58); Jackson. C. K., Johnson, R. C., & Persico, C. (Jan. 2015). The effects of school spending on educational and economic outcomes: Evidence from school finance reforms (p. 24); Ladson-Billings, G. (2013). Lack of achievement or loss of opportunity? In P. L. Carter & K. G. Welner (Eds.) Closing the opportunity gap: What America must do to give every child an even chance; Lipina, S. J. & Colombo, J. (2009). Poverty and brain development during childhood (p. 96, 104); Rebell, M. A. (May 19, 2007). Poverty, 'meaningful' educational opportunity, and the role of the courts (p. 258); Rowan, B. (2011). Intervening to improve the educational outcomes of students in poverty: Lessons from recent work in high-poverty schools. In G. J. Duncan & R. J. Murname (Eds.). Whither opportunity? Rising inequality, schools, and children's life chances (p. 534); Texas Taxpayer & Student Fairness Coalition v. Michael Williams (p. 88, 109, 156); Wood, R. C. & Baker, B. D. (2004). An examination and analysis of the equity and adequacy concepts of constitutional challenges to state education finance (p. 146). Gandara, P. & Contreras, F. (2009). The Latino education crisis: The consequences of failed social policies (pp. 98-99).

12. For references to research on the important of high-quality curriculum and engaging instruction, as opposed to remediation and test preparation, see Noguera, P. A. (Sept. 2017). Taking deeper learning to scale; Darling-Hammond, L. (1997). The right to learn: A blueprint for creating schools that work.; Darling-Hammond (1992). Standards of practice for learner-centered schools; Delpit, L. (2012). "Multiplication is for white people": Raising expectations for other people's children; Gorski, P. C. (2013). Reaching and teaching students in poverty (p. 88-94); Hattie, J. (2009). Visible learning: A synthesis of over 800 meta-analyses relating to achievement (pp. 129-160; pp. 161-236); Jackson, Y. (2011). The pedagogy of confidence: Inspiring high intellectual performance in urban schools; Knapp, M. S. & Associates (1995). Teaching for meaning in high-poverty classrooms; Ladson-Billings, G. (1994). The dreamkeepers: Successful teachers of African American children; Lipina, S. J. & Colombo, J. A. (2009). Poverty and brain development during childhood; Meier, D. & Gasoi, e. (2017). These schools belong to you and me: Why we can't afford to abandon our public schools; National Research Council (2000). How people learn: Brain, mind, experience, and school; Ravitch, D. (2010). The death and life of the great American school system: How testing and choice are undermining education (pp. 230-242); Ravitch, D. (2013). Reign of error: The hoax of the privatization movement and the danger to America's public schools (pp. 234-240). Sousa, D. A. (2010). Mind, brain, and education: Neuroscience implications for the classroom; Sahlberg, P. ((2010). Finnish lessons: What can the world learn from educational change in Finland? (pp. 13-40); Tokuhama-Espinosa, T. (2010). The new science of teaching and learning: Using the best mind, brain, and education science in the classroom; Valenzuela, A. (1999). Subtractive schooling: U.S.-Mexican youth the politics of caring; Burris, C. C., Welner, K. G., & Bezosa, J. W. (Dec. 14, 2009). Universal access to a quality education: Research and recommendations for the elimination of curricular stratification.

13. See the following research reports on how significant increases in school funding make major differences in the academic achievement of low-income students: Baker, B. D. (Jan. 20, 2015). How and why money matters in schools, p. 3; Jackson, C. K., Johnson, R. C., & Persico, C. (Jan. 2015). The effects of school spending on educational and economics outcomes: Evidence from school-finance reforms (see, especially, pp. 25-41 and the extensive bibliography, pp. 41-43); LaFortune, J., Rothstein, J., & Schanzenbach, D. W. (Feb. 2016). School finance reform and the distribution of student achievement; Glatter, H. (June 1, 2017). How education-funding formulas target poor kids: The Atlantic.

14. For references to research on the effects of high concentrations of students who live in poverty in a school or classroom, see the following: Darling-Hammond, L. (2010). The flat world and education: How America's commitment to equity will determine our future (p. 37); Epstein, D. (Aug. 2011). Measuring inequity in school funding (p. 10); Gorski, P. C. (2013). Reaching and teaching students in poverty (p. 88); Ladd, H. F. (Mar. 2008). Reflections on equity, adequacy, and weighted student funding (p. 6); Rothstein, R. (2014). Race and social problems. In W. J. Mathis & T. M. Trujillo (Eds.). Learning from the federal market-based reforms, p. 487-489); Wool, S., Fermanich, M. & Reichardt, R. (June 2015). A review of the literature on the effects of concentrations of poverty on school performance and school resource needs.

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16. For references to research on closing the opportunity gap as a perquisite for closing the achievement gap, see the following: Carter, P. L. & Welner, K. G. (Eds.). Closing the opportunity gap: What America must do to give every child an even chance; Darling-Hammond, L. (2010. The flat world and education: How America's commitment to equity will determine our future (pp. 278-328); National Campaign for Opportunity to Learn (May 2016). Lifting all children up (infographic); Rebell, M. A. (May 19, 2007). Poverty, 'meaningful' educational opportunity, and the necessary role of the courts (pp. 1505-1523); Welner, K. G. & Carter, P. L. (2013). Achievement gaps arise from opportunity gaps. In P. L. Carter & K. G. Welner (Eds.). Closing the opportunity gap: What America must do to give every child an even chance (pp. 1-10).

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18. See list of 2017 schools identified by the Texas Education Agency as needing improvement at https://rptsvr1.tea.texas.gov/perfreport/account/2017/Camp_Dist_Multi_Yr_IR_Nov.pdf .

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