



From: Angela Valenzuela, Ph.D. Director, Texas Center for Education Policy, The University of Texas at Austin

Re: Research brief for the 86th session of the Texas State Legislature relating to public school finance of bilingual education students.

Date: April 22, 2019

On behalf of the Texas Center for Education Policy (TCEP), and in response to House Bill 3 and other school finance legislation proposed for the 2019 86th Session of the Texas State Legislature, I respectfully submit the following research brief by Chloe Latham Sikes (M.A.) and Will Davies (M.Ed.) titled, "Building Equity in Bilingual Education School Finance Reform in Texas: Context and Importance of the Problem." Accordingly, our center responds to the potential implications of proposed school finance reform from a research-based perspective. Specifically, the attached research brief brings to light the complexities and consequences of the proposed dual language allotment funding for youth designated as English Language Learners.

TCEP has maintained a prolonged engagement with school finance and accountability policies, which informs our response to HB 3, as well as the relevant research-based considerations and policy directions outlined in this brief. TCEP is a nonpartisan education research and policy center at the University of Texas at Austin. Building on the University of Texas tradition of distinguished scholarship, the Texas Center for Education Policy is committed to research on equity and excellence in PK-16 education. TCEP promotes interdisciplinary and collaborative research, analysis, and dissemination of information to impact the development of educational policy by bringing together university entities in partnership with local, state, national, and international education communities. If you have any questions or concerns, please contact us by phone (512) 232-6008 or e-mail valenz@austin.utexas.edu.

Thank you for your consideration.

A handwritten signature in black ink that reads "Angela Valenzuela". The signature is fluid and cursive, with the first and last names being the most prominent.

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Research Brief

Building Equity in Bilingual Education School Finance Reform in Texas: Context and Importance of the Problem*

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Executive Summary

This policy brief reviews ways to increase and enhance bilingual education program funding in Texas. First, the brief compares Texas' bilingual education weighted formula to other states with comparable school finance weighting systems. Second, the brief presents the best practices in one type of bilingual education instructional program, dual language programs, and the associated costs of implementation. This brief concludes with recommendations for Texas state policymakers and advocates to support equitable bilingual education funding, increase the bilingual education weight in the formula, and consider regulations to ensure the most effective language program implementation.

Background

In 1984, the 68th Texas Legislature established the current system of state school finance, which has remained largely untouched since. Last session, in 2017, a major bipartisan push to reform the school finance formula floundered in the final weeks of the legislative session (Texas HB 21). Texas senators and representatives finally agreed, after much debate, to instate a Texas Commission on Public School Finance during 2018 to provide recommendations to the legislature before the start of the 86th session (Texas Education Agency, n.d.). The final report entailed sweeping recommendations for early education, teacher salaries, and changes to district tax rates. Bilingual education became a popular discussion topic during the Commission’s expert hearings, yet received less attention in the final report (Texas Commission on Public School Finance, 2018). However, over one million students in Texas public schools are English Language Learners (ELLs)—approximately one in five students. In order for new changes to the school finance system to adhere to the state’s constitutional mandate to provide equitable and adequate public education and to federal law that prohibits educational discrimination (Equal Educational Opportunities Act, 1974), funding for ELL students must be front and center.

The Texas School Finance System

The system is based on a set per-pupil basic allotment—currently \$5,140 per student—that then is adjusted based on a series of district and student-related factors. Recognizing that students in low-income households, those deemed “at-risk,” those enrolled in special education, and those designated English Language Learners (ELL) required increased funding for equitable educational opportunities, the legislature assigned “weights,” or multipliers, to each of these special classifications for additional per-pupil funding. While a weighted system is considered a sound approach to establishing funding equity, the weights themselves were assigned without a cost study (Hobby & Walker, 1991). As a result, some weights do not account for the actual additional funding needed to equitably and adequately educate students. The current bilingual education weight (also referred to as an “ELL weight”) is remarkably inadequate at just 10 percent additional funding (Verstegen, 2011).

Other States’ Weights

Texas serves the second greatest number (1,015,182) and share (18.8 percent) of ELL students nationally, only behind California (Gándara et al., 2003; Lara-Alecio et al., 2005; Rolle

& Jiménez-Castellanos, 2014).¹ A full 50 percent of Texas ELLs are enrolled in grades Pre-Kindergarten to 3rd (Texas Education Agency, 2017). Despite the fact that ELL students comprise a significant and growing share of future contributors to the Texas economy, the state's additional weight for ELL students enrolled in bilingual education programs falls far below that of other states.

Thirty-seven states use some form of weighted funding for ELLs in their school finance formulas (Verstegen, 2011). Approximately 25 states have student-based, weighted systems comparable to Texas. The Texas bilingual education weight of .1 (10 percent) ranks at the very bottom of the list. At the top of the list, Maryland's school finance formula allots 99 percent, nearly double the base student weight for ELL students (Education Commission of the States, 2014). California, the only state serving more ELL students than Texas, includes a 20 percent additional weight, twice that of Texas. Neighboring states Louisiana, New Mexico, and Oklahoma employ ELL weights of 22, 50, and 25 percent, respectively (ECS, 2014). While some states apply weighted funding based on ELL student designation like Texas, others calculate funding based on instructional time, block grants or categorical aid, and by grade or language-ability level (Miles & Roza, 2006; Verstegen, 2011). Nevertheless, Texas remains far below other states in ELL per-pupil weights.

The Unknown Costs of Language Equity and Adequacy

Research shows that ELLs demonstrate greater educational achievement with greater investments (Gándara et al., 2003). According to studies on the effectiveness of school funding for student achievement, ELL students in well-funded schools perform better on standardized tests (Jiménez-Castellanos & García, 2017), and have higher educational attainment, greater lifelong wages, and increased family income over time (Jackson, Johnson, & Persico, 2015). Costs fluctuate among districts with high concentrations of ELL students and those with lower concentrations based on students' needs, size of districts, property wealth, and administrative and staffing requirements (Ramirez, Carpenter, & Breckenridge, 2014).

Nonetheless, the true cost of equitably and adequately educating students designated as ELLs has eluded researchers and policymakers alike (Horsford & Sampson, 2013). State-commissioned cost studies vary dramatically in their recommendations for adequate weight values due to different state tests for student success, and various metrics incorporated into cost study models (Jiménez-Castellanos & Topper, 2012). In a review of 70 cost studies, Jiménez-Castellanos and Topper (2012) found that only four focused explicitly on ELLs. This remarkable lack of attention to the costs of bilingual education leaves reform efforts in the dark to estimate adequate funding levels.

¹ Texas statistics calculated on Pre-Kindergarten through 12th grade totals; ELL Students by Category and Grade (2018). Texas Education Agency, PEIMS Data. Retrieved from https://tea.texas.gov/Reports_and_Data/Student_Data/Standard_Reports/PEIMS_Standard_Reports/

While reforms for the Texas public education system have been largely motivated by litigation and court mandates rather than cost studies (Hobby & Walker, 1991), empirical studies have proposed multiple measures for assessing education costs (Jiménez-Castellanos & Topper, 2012; Reschovsky & Imazeki, 2001). Reschovsky and Imazeki (2001) calculated the costs of an adequate education based on district-level variation in a comparative study of Texas and Wisconsin. Large, urban districts have greater costs—and subsequently require greater resources—for desirable educational achievement than smaller and more rural districts. Other studies have employed language program-related measures (Lara-Alecio et al., 2005), professional judgement approaches (Levin et al., 2018), case study methods (Knight, Izquierdo, & DeMatthews, 2017), and cost function analyses (Gronberg, Jansen, & Taylor, 2011) to assess language and overall education costs.

Increasing the Basic Allotment and Weights

Educational advocates and researchers argue that the most fundamentally effective way to invest in ELLs is to pair student-based weights with substantial investment in the basic per-pupil funding allotment (Leachman et al., 2015; Sugarman, 2016). In a weight-based school finance formula, weighted allotments naturally increase when the basic allotment increases, and ensure that funds designated for specific student needs are allocated to those students.

Many states made severe cuts to their public education budgets following the Great Recession in 2008, and have still not recovered their per-pupil funding to pre-recession levels (Leachman et al., 2015; Marder & Villanueva, 2017). Marder and Villanueva (2017) found in their analysis of Texas' 2011 education budget cuts that school campuses serving a concentration of low-income students faced the steepest declines in post-recession spending and continue to lag behind pre-recession per-pupil spending levels. Furthermore, bilingual education programs suffered some of the deepest funding cuts, with a 40 percent spending decrease for bilingual education programs at the lowest-income elementary schools in the state (Marder & Villanueva, 2017). Bilingual education funding necessitates serious attention to make up for this long-term funding gap.

Bilingual Education Program Incentives—The Proposed Dual Language Allotment

Not all bilingual education programs are created equally. Dual Language (DL) education offers a type of bilingual education instruction that promotes the cognitive, social, and economic benefits of bilingualism and biliteracy by integrating both home and target acquisition languages in all subjects of instruction (Moore et al., 2014). DL education can be implemented either as one-way (ELL students only), or two-way, models (mix of ELL and non-ELL students) (Howard et al., 2007).

Section E of the 2018 Texas Commission on Public School Finance Final Report recommended the legislature create a new DL allotment (estimated at \$50 million in Year 1) with a 0.05 student-based weight to better incentivize school districts to offer DL programs (Texas Commission on Public School Finance, 2018). Major school finance bills filed by both chambers in the current session—House Bill 3 and Senate Bill 4—include this recommendation as one of many school finance reforms (Texas Legislature Online, 2019). While DL programs have been shown to be the most effective instructional model for ELLs’ academic and social achievement (Lindholm-Leary & Genesee, 2014; Thomas & Collier 2012; Umansky & Reardon, 2014), achieving these desired outcomes depends on how well the programs are designed and implemented (Lindholm-Leary, 2012; National Academies, 2017). Effective DL programs require special teacher arrangements and bilingual instructional materials (Alanís & Rodríguez, 2008; Knight et al., 2017; Lara-Alecio et al., 2005), making them one of the costlier bilingual education programs to implement.

The increasingly popular, two-way DL model enrolls non-ELLs alongside ELLs with a goal of promoting bilingualism and biliteracy, high academic achievement, and intercultural awareness among all enrolled students (Howard et al., 2007). However, promoting DL through weighted program funding that is divorced from students’ ELL-designation presents unique challenges to equity, as bilingual education funding goes to non-ELLs, as well. State level leadership and policy safeguards are needed to guarantee that high-quality programs are accessible for all students designated as ELLs for whom bilingual education programs were originally intended.

ELL Inclusion in Dual Language Programs

The rapid expansion of DL programs, especially two-way, across the country has been aided by policies and initiatives established by state lawmakers in places as geographically and politically diverse as Utah, Delaware, New York, North Carolina, New Mexico, Illinois, and Georgia (Boyle et al., 2015). Early on, however, researchers and practitioners in the bilingual education field were cautioned as to the unique challenges that DL programs could present, as they could quickly transition to programs for native English speakers only, with little attention paid to the educational or instructional needs of students designated as ELLs (Valdés, 1997).

To this effect, current research on the inclusion and achievement of ELLs in these programs has documented a tendency at both state and district levels to not fully include ELLs or the voices of minority language communities in program creation, promotion, and implementation (Cervantes-Soon et al., 2017). In Utah, state policy resulted in the establishment of DL programs in schools with wealthier and less racially diverse demographics (Valdez et al., 2016). In Arizona, there has been a sharp decline in DL programs serving ELLs despite the model’s growth around the state (Kelly, 2016). Here in Texas, researchers have shown how educators focus on the academic needs of native English speakers at the expense of those of their

ELL students (Palmer, 2009, 2010). Absent explicit equity guidelines that mitigate attracting greater numbers of students who are already proficient in English into DL programs, the programs' potential for ELL displacement increases.

These examples, among others (Cervantes-Soon, 2014; Dorner, 2011a, 2011b; López, 2013; Muro, 2016; Pearson et al., 2015), reveal how programs that are intended to close achievement and opportunity gaps may actually exacerbate those same gaps. This phenomenon is not unique to education interventions, and occurs when groups with already high levels of access to social programs disproportionately take advantage of new programs and interventions intended to expand access to marginalized groups (Mechanic, 2002). Without careful legislative attention, DL programs in particular can be heavily influenced and populated by privileged students and families seeking educational enrichment rather than out of educational necessity (Palmer, 2009). To avoid compounding inequitable access and inclusion issues, policymakers can establish statutory or regulatory measures to ensure that proposed additional allotment funds are directed specifically to the ELLs for whom DL programs were originally intended.

Dual Language Program Implementation and Cost

Equity in DL program enrollment and funding relates to the overall program design and implementation. DL program development and implementation is costly and varies according to the size of the program and whether a campus builds a new program or expands an existing one (Lara-Alecio et al., 2005). Despite extant research approximations of cost, the precise costs to substantially fund DL program development, establishment, and implementation across Texas remain largely unknown.

Program costs are affected by a range of campus- and district-related factors. A 2005 survey study conducted by Lara-Alecio and colleagues (2005) of 48 Texas school districts with known DL programs at that time revealed that program size played a significant role in cost determination and variation. Smaller programs (10-120 enrolled students) incurred costs as high as \$879 per-pupil per-year whereas larger programs (enrolling 240 students or more) cost approximately \$290 per-pupil per-year, apart from federal funds. In addition, start-up costs ranged dramatically with smaller DL programs costing approximately \$38,500, medium programs, \$64,750, and large programs requiring over \$118,000—nearly three times the amount for small programs (Lara-Alecio et al., 2005, p. 37). With over 1,000 public school districts in Texas, statewide incentivization of DL programs could present even greater cost variation.

Given the known and unknown cost variations, it remains unclear if the proposed \$50 million from the additional .05 DL program weighted allotment would be sufficient to support campus and district transitions to this new model. DL program implementation often demands significant and costly changes to the school's culture, budget, and staffing model (Simon & Johnson, 2015); service delivery model; master schedule; professional development and teacher evaluation practices; grading policies; and parent and community engagement strategies

(DeMatthews & Izquierdo, 2018; Knight, Izquierdo, & DeMatthews, 2017). Schools and districts will have varied capacity to undertake these reforms.

Absent research on costs and funding for DL implementation in a wide range of districts and schools, it is possible that the DL allotment incentive will allow only students designated as ELLs in high-capacity districts (i.e. appropriate staffing, administration, and budgets) to have the opportunity to participate in effective, “additive bilingual education,” meaning fully-vested biliteracy and bilingualism (Valenzuela, 1999). Disparate funding levels between high- and low-ELL districts may reproduce, if not exacerbate, stratified patterns of academic success and unfulfilled potential by race, class, geography, or language (Knight et al., 2017). While increasing funding for evidence-based approaches to teaching and learning like DL is ostensibly beneficial, questions remain about how the change might affect the ELL students who are “left behind” in a limited reform. At present, an astounding 80 percent of the over one million ELL students in Pre-kindergarten through 12th grades statewide do not have access to a DL program (Intercultural Development Research Association, 2019).

Texas is responsible for all of its students designated as ELLs. To address this concern, weights based on student need, such as the extant bilingual education allotment, rather than specific programs have proven more effective at ensuring equity in school finance models (Miles & Roza, 2006). The proposed DL allotment will require additional need-based criteria if it is to avoid leaving hundreds of thousands of Texas ELLs behind. Furthermore, the research on other states’ weights suggested that increasing the bilingual education weight designated for ELL students ensures greater spending accountability and funding equity than the .05 additional weight for students enrolled in DL programs only, regardless of their ELL or non-ELL status.

State policymakers and school districts need to articulate a formal and deliberate strategy for protecting equitable access and diverse participation in DL programs, particularly for two-way models. In addition, appropriate model design and practices related to program duration and time spent on home and target language learning is crucial to student success. To these ends, state education agencies can design and implement a robust monitoring and compliance system, or encourage districts to do so, to ensure adherence to quality program standards and implementation fidelity.

Recommendations

- 1. Invest in the basic allotment and raise the Bilingual Education/ESL (ELL) weight:** Investing in the basic allotment benefits the entire public education system. An increase of the Bilingual Education weight is evidence-based and more comparable to other states’ systems, and ensures directed funds for ELL students (Intercultural Development Research Association, 2017). Weights that target only certain grade levels and specialized programs are less equitable reforms than enhancing student-based weights.

2. **Regulate the Proposed Dual Language Allotment:** Adoption of DL program-weighted allotments should incorporate supervision by the Texas Education Agency of existing and new DL program implementation. One option for new program and allotment regulation would be for the Commissioner of TEA to pass rules for districts with especially high concentrations of ELL students to report how the DL allotment influences their new and existing DL programs, and how many students designated as ELLs benefit from such programs.
3. **Commission a Cost Study:** The Texas legislature can amend school finance legislation to include a state-commissioned cost study from an independent research organization (Jiménez-Castellanos & Topper, 2012). A cost study would provide evidence of the actual costs necessary for the state to equitably and adequately educate public school students.

Conclusion

The future of students designated as ELLs is the future of Texas. Bipartisan efforts in the 86th legislature offer a hopeful outlook for increased school funding and bilingual education support. However, the research reviewed here cautions that policy and regulatory steps be taken to avoid inequities and inefficient reforms. In particular, this brief recommends substantially raising the bilingual education weight in conjunction with basic allotment investments, instituting regulations to monitor DL program implementation, and commissioning an independent, evidence-based cost study of the school finance system that addresses ELL educational costs. These recommendations are of use for state policymakers, education advocates, and school practitioners.

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