COMPENDIUM:
INDEPENDENTLY AUTHORED MATERIALS BY EQUITY AND EXCELLENCE COMMISSION MEMBERS

FOR EACH AND EVERY CHILD
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COST EFFECTIVENESS IN SPECIAL EDUCATION

By Michael A. Rebell and Jacquelyn Thompson

Since 1975, when Congress adopted the Education of All Handicapped Children’s Act, the number of students receiving special education services and the cost of those services has skyrocketed. Currently, there are approximately six million students receiving special education services nationwide. Much of this increase was to be expected since, as Congress itself noted at the time of the adoption of the law, millions of students with disabilities were being excluded from school or receiving educational services that did not meet their needs. Nevertheless, the manner in which the law has been implemented in many states has resulted not only in the appropriate provision of services to many students with disabilities who had previously been excluded or underserved, but also in the placement into special education of many students who could be better served in appropriate general education programs, with appropriate supports and services.

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2 See, Richard Rothstein and Karen Hawley Miles, Where’s the Money Gone? (Economic Policy Institute, 1995) and Juan Diego Alonso and Richard Rothstein, Where’s the Money Been Going? (Economic Policy Institute, 2010) (nine-district study found that the proportion of school district budgets for special education services rose from 3.7% to 17.3% from 1967 to 2005 and that expenditures for special education rose 1539% during that time period).


4 Congress specifically stated in the “findings and purposes section” of the original act that “one million of the handicapped children in the United States are excluded entirely from the public school system;” and “there are many handicapped children throughout the United States participating in regular school programs whose handicaps prevent them from having a successful educational experience because their handicaps are undetected.” PL 94-142, 1975 S 6, sec. 3(a).
Such a high incidence of special education placements substantially raises overall costs, since average per capita spending for students in special education is at least double the per capita spending for students in general education.\(^5\) This does not mean, of course, that states should now order local school districts to reduce their incidence of special education by establishing arbitrary referral quotas or by pressuring principals and teachers to reduce referrals, regardless of actual student needs. Such policies would clearly be illegal.\(^6\) What the states should do is to analyze why in many states large number of students are being evaluated and provided special education services when many of them might be more appropriately served by much less costly general education programs.

Almost half of the six million children receiving special education services have been diagnosed with specific learning disabilities, and, according to the President’s Commission on Excellence in Special Education, about 80% of these students received this diagnosis simply because they cannot read.\(^7\) The Commission found that early intervention programs can substantially reduce referrals of students with purported learning disabilities, and that classroom-based approaches involving positive discipline and classroom management can also

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\(^5\) See, THOMAS PARRISH ET AL., STATE SPECIAL EDUCATION FINANCE SYSTEMS, 1999-2000 (Washington, D.C., American Institutes for Research, 2004.) (finding that the cost of educating students in special education is more than twice the cost of educating other students.)

\(^6\) See, e.g. Jose P. v. Ambach, 557 F. Supp. 1230, 1238-8 (D.C. N.Y., 1983) (court holds pattern and practice of teacher referrals being denied or delayed by principals and special education administrators to be in violation of federal law.)

\(^7\) President’s Commission on Excellence in Special Education, A New Era: Revitalizing Special Education for Children and Their Families, p. 3 (2002).
prevent and ameliorate social and emotional disabilities.\(^8\) These findings and recommendations spurred Congress to permit use of a portion of IDEA funds to support early intervening services in general education. The IDEA regulations now require that prior appropriate interventions in general education be provided for children suspected of having a specific learning disability,\(^9\) and permit school districts to use up to 15% of their federal IDEA funds to support early intervening services such as Response to Intervention (RTI) programs for students in general education.\(^10\)

RTI is a framework that integrates assessment and intervention within a multi-level prevention system to maximize student achievement and to reduce behavioral problems. It provides opportunities for schools to identify students at risk for poor learning outcomes, monitor student progress, provide evidence-based interventions, make data based decisions to adjust the intensity and nature of those interventions, and identify students with learning or other disabilities.\(^11\) This approach is aligned with high quality school improvement practices and requires access to formative and summative achievement data, on-going progress

\(^{8}\) [Id at 22-23]
\(^{9}\) [34 CFR § 300.309 (b)].
\(^{10}\) [34 C.F.R§ 300.226(a)].
monitoring of student response to instruction, team-based problem-solving, and assumes a sound core instructional program in reading and math, as well as intentional approaches to teaching behavioral norms. Implementation requires systematic training and coaching for school staff to achieve fidelity across practices.

This model not only creates efficiencies, but more importantly can effectively support improved achievement for students. In addition, the practice can reduce the number of students who, as a result of learning struggles that go un-addressed, are unnecessarily referred to and frequently determined eligible for special education services (i.e. the default system for struggling learners). It appears, however, that RTI is currently being implemented in a superficial manner, if at all, in many states and school districts. Appropriate use of well-designed RTI programs would allow states to both improve services for students and reap substantial cost savings by reducing referrals to special education. For example, it has been estimated that New York State could save $800 million by reducing its current 17% special education incidence rate to the national average rate of 13%.\textsuperscript{12}

\textsuperscript{12} Statement of Stephen Frank, Director, Education Resource Systems, at meeting of the New York State Regents State Aid Group, September 13, 2011.
Early Learning as a Path to Equity: The Case of New Jersey

By Linda Darling-Hammond, Sandra Dungee Glenn, Ralph Martire, Marc Morial, Michael A. Rebell, David G. Sciarra, Randi Weingarten and Dennis Van Roekel

In several rulings in the *Abbott v. Burke* equity litigation, the Supreme Court ordered high quality preschool be provided to all three and four year olds in New Jersey’s 31 poorest school districts, referred to as "Abbott" districts. The Court specified that the State and local districts should utilize existing child care and Head Start programs, wherever feasible, and ensure all programs in public schools and private providers, meet standards of quality recommended by the research: full-day, full school year programs; small class size; certified teachers and trained aides; developmentally appropriate curriculum, linked to state K-12 academic standards; and adequate state funding to support delivery of high quality early learning across the diverse program settings.

A key part of the Abbott rulings is the mandate that all lead teachers acquire a Bachelor’s degree and an early childhood credential by September of 2004, an order that many states would consider impossible to implement. In 2000, only 15% of early childhood teachers in private settings met these criteria. By 2004, approximately 90% of the Abbott districts’ early childhood teachers had a Bachelor’s degree and were at least provisionally certified. By 1997, 97% were fully certified and college-educated.

Quality indicators based on observations of activities and interactions in preschool classrooms increased dramatically over this time – with the number of classrooms rated near the top of the scale doubling to 72 percent between 2003 and 2007, and evidence about student learning following suit. The National Institute for Early Education Research assessed more than 1000 kindergarten students from Abbott districts in 2006 and found that those who had attended two years of preschool cut the “vocabulary gap” in half. Districts like Union City and West New York, which could track individual students, found that those who attended preschool performed significantly better on state tests by third grade than those who did not have preschool, actually exceeding the state average proficiency rate on language arts tests.

This impressive transformation suggests how it is possible to provide access and raise quality in a short period of time. Researchers note that these outcomes were especially associated with the investments in teacher quality. To accomplish this, New Jersey created a specialized P-3 certification with multiple preparation routes, including pre-service and in-service training with mentoring and supervision. Teachers pursuing their degrees were provided with full-tuition scholarships, tuition coupons, and loan forgiveness; a substitute teacher pool was created to give teachers time to attend school; and laptop computers were provided to provide access to distance learning opportunities. The state created a statewide professional development center to help students get access to information and training. The state and private foundations provided grants to help build the capacity of colleges to provide early care and education courses, including on nights and weekends, and the state developed articulation agreements between two-year and four-year institutions so that transfers would be seamless. Finally, the state created salary parity for teachers working in *Abbott* pre-k
classrooms in all settings, so that these better-prepared teachers would not leave the preschool sector for better-paying jobs in elementary schools.

2 Mead, New America Foundation (2009)
5 MacInnes (2009),p. 48.
To Ensure Every American Child Receives a High Quality Education, the Federal Government Must Significantly Enhance its Investment in Public Schools
By Linda Darling-Hammond, Sandra Dungee Glenn, Ralph M. Martire, Marc H. Morial, Michael A. Rebell, Jesse Ruiz, David G. Sciarra

1. **Introduction.**

Americans believe every child, regardless of race, ethnicity or social class, should receive a high quality, academically rich and rigorous public education. This makes sense. After all, educational attainment is more closely correlated with economic viability today than ever before. In fact since 1980, the only cohort of workers in America that have realized real, inflation adjusted growth in income have college degrees.\(^1\) Unfortunately, the public education system in America has for generations failed to live up to this commonly shared belief.

To be sure, numerous factors have played a role in keeping the U.S. public education system from meeting the goal of providing every child with a quality education. That said, one core issue that must be reformed if we are to eliminate some of the most significant barriers to educating all of America’s children is both clear and compelling: it is the way America funds public schools. To date, the nation as a whole has consigned the primary responsibility for funding a child’s education to state and local governments. As it stands today, only about nine percent of total education funding is provided by the federal government,\(^2\) a decline from 12% in 1980.\(^3\) Obviously, this means state and local governments fund over 90% of the cost of educating America’s children. Given the widely varying fiscal and economic capacities to fund education that exist from state to state and community to community, not to mention the vagaries of state and local politics, this highly uncoordinated system has led to predictable results. Far too many schools simply have insufficient resources to cover the costs of providing their students with a quality education. This is particularly the case in poor, low income and increasingly middle income areas. In addition to

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\(^3\) Ibid
frequently being inadequate, educational resources are often inequitably distributed across states, between districts within states, and even between schools within districts.

The bottom line is clear: children in America receive qualitatively different educations simply based on the state in which they were born, the district in which they are enrolled, and the school to which they are assigned. This is the legacy of relying primarily on state and local resources—which vary dramatically from state to state and school district to school district—to fund education. Making up differentials between what low and middle income communities can afford to spend on education and what it actually costs to educate their children will be difficult indeed under the current funding system, in large part because the federal government plays such a small role in investing in the education of our nation’s children.

2. **The Case for a New Federal Role**

It’s not as if the nation wasn’t warned about the consequences of its flawed approach to education funding. In fact, addressing educational funding disparities existing at the state and local levels was one of the key focus areas of the report: “Schools, People, Money; the Need for Educational Reform,” issued by President Nixon’s Commission on School Finance in 1972.

In that report, the Nixon Commission explicitly recognized three key factors that remain germane today. First, it found that the growing nexus between economic opportunity and education had elevated concerns about the consequences of school funding disparities from the local to the national level. According to the Nixon Commission:

> “The workforce has become more and more a national pool of human resources. As a result, the disparities and inadequacies in educational quality and opportunity, once matters largely of local concern, have become a major national interest as well.”

As all Americans now know, the advent of globalization has only made this economic change more compelling.

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4 1972 Nixon Report, pg. 23 (Emphasis Added)
Second, the Nixon Commission specifically found that “money can help solve many of the educational problems that have surfaced in recent years.” Indeed, the Nixon Commission found that many of the problems with education funding equity and sufficiency were the direct result of antiquated state school funding formulae, which were over-reliant on local property taxes and based on “state fiscal considerations rather than education objectives as such.”

“Thus, school finance is still largely thought of in terms of “property valuation per pupil,” “equalized tax base,” “foundation program,” per-pupil expenditure,” and other strictly dollar considerations. Rarely has the structure concerned itself, except inferentially, with the educational needs of our children.”

In other words, state-based education funding has historically been driven almost entirely by state and local fiscal capacity, rather than the actual costs of educating different children with varying needs—a reality that still exists today.

Third, the Nixon Commission recommended that the federal government address educational disparities by:

- identifying national educational “needs and deficiencies,” and then encouraging the states and local governments to direct their attention to resolving those needs and deficiencies;

- providing assistance to the states (substantive and financial) “when the scope of the problem or the achievement of a solution is beyond the political or financial capacity of the states”; and

- “providing incentives and mechanisms designed to more nearly equalize resources among the states for elementary and secondary education”;

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5 1972 Nixon Report, pg. 24 (Emphasis Added)
6 1972 Nixon Report, pg. 26
7 [Id]
8 [Id at 24] (Emphasis Added)
providing guidance and incentives that would encourage states to reform their respective fiscal policies in a manner that would “increase their ability to finance their educational systems.”

It has been more than forty years since the Nixon Commission admonished state governments to reform their respective fiscal policies in a manner that would ensure every child received a quality public education. Yet, over that time period funding disparities from both sufficiency and equity standpoints in many states have worsened, significant achievement gaps persist, and all too often local finance and governance systems continue to allow for, and in many ways encourage, inefficient and ineffective resource utilization. There is little consistency from school to school, much less state to state. As a result, inequality is not only systemic and persistent, but many schools are left with financial resources that simply fail to cover the cost of providing the high quality, rigorous education all children deserve.

In the four decades that have followed the 1972 Nixon Commission report, the federal government has indeed attempted to encourage states to redress educational funding inadequacies and inequities utilizing the limited tools of incentives and mandates that were suggested by the Nixon Commission, all without dramatically moving the needle forward. First, there were the various standards-based and school choice initiatives that emerged in response to the clarion call made in the “A Nation at Risk” report issued under the Reagan Administration in 1983. The authors of that report were not subtle. They cautioned America that: “the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a nation and a people.”

Next came the accountability metrics implemented in the wake of No Child Left Behind. But despite all the federal rhetoric and financial incentives devoted to public education over the last four generations, nothing has been significant enough to motivate the states to implement education funding systems that are both fair and cover the actual costs of providing a quality education to a diverse population of children. Even the numerous mandates from the feds focused on enhancing the academic performance of students have failed

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9 [Id]
10 [Id] (Emphasis Added)
11 “A Nation at Risk”, pg. 1.
12 The No Child Left Behind Act of 2001, Public Law PL107-110
to make the difference desired, because mandates that are not accompanied by the resources needed to implement them cannot succeed.

The bottom line is clear, 40 years of limited federal efforts focused on strong rhetoric, small financial incentives and unfunded mandates have proven insufficient to the task. Funding for public education remains inequitable and inadequate across our great nation.

It is time for the federal government to assume a new, significantly enhanced role in funding education, because one of the core concerns voiced by the Nixon Commission has indeed come to pass. That is, when it comes to educational funding excellence, equity and adequacy, the “scope of the problem or achievement of a solution “has indeed proven to be” beyond the political or financial capacity of the states.”13 As it concerns the quality of his or her education, it should not matter whether a child lives in rural Mississippi, inner city Chicago, Illinois, or Westport, Connecticut. After all, irrespective of his or her state, city or town, that child is an American, and our entire nation has a fundamental responsibility to ensure that child receive a high quality education.

Hence to realize the meaningful, effective education reform called for by the Nixon Commission back in 1972, America must make a new, strong national commitment both to how it funds education and how it ensures that money is well spent. That is why it is essential to implement this Commission’s recommendations for significantly enhanced federal investments in public education as soon as practicable. For investing more as a nation in our children is not just the right thing to do—it is also crucial to overcoming decades of unsatisfactory progress and creating an American educational system that is truly equitable and excellent.

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13 1972 Nixon Report, pg. 24
The Fair Funding Challenge: Ensuring a Meaningful Educational Opportunity For All Students

By Linda Darling-Hammond, Sandra Dungee Glenn, Ralph Martire, Marc H. Morial, Michael A. Rebell, Jim Ryan, David G. Sciarra, Randi Weingarten and Dennis Van Roekel

Equity is a cornerstone of public education in the United States. At this critical moment in our nation’s history, equity means ensuring all students, including poor (at-risk) students, English language learners, students with disabilities, and students of color receive a meaningful educational opportunity. At this moment of rapid change in our nation, a meaningful educational opportunity must, at a minimum, mean the opportunity for all students to achieve rigorous academic standards and graduate high school with the skills necessary for employment in a competitive global economy and to be capable citizens in our 21st century democratic society.

The Equity Commission is charged with tackling one of the most pressing obstacles to advancing equity: ensuring all public schools have the resources needed to provide rigorous curriculum in a broad range of content areas, delivered by well-trained teachers, and supported by effective school and district leaders. Equity also requires additional resources for schools with high concentrations of low income (at-risk) students and students with other special needs. At-risk students, and concentrated student poverty in districts and schools, require additional resources to support effective programs and intervention strategies, such as high quality preschool and full-day kindergarten, extended learning time, family engagement, smaller classes in the early grades, academic assistance for struggling students, social and health services, and school and district wide improvement initiatives.

The provision of resources to deliver rigorous standards and high outcomes is, therefore, an essential precondition to the national effort to give all students access to a meaningful educational opportunity, one that will prepare them to assume the responsibilities of citizenship and succeed in the 21st century economy. This need becomes even more compelling as states move to strengthen academic rigor through Common Core standards and other initiatives.

The Current Condition: Resource Disparity within States

Although the United States is rhetorically committed to equity, our nation has slipped further from this goal over the last 30 years. Despite the vision of equal educational opportunity announced by the United States Supreme Court in Brown v. Board of Education almost 60 years ago, the concentration of poverty and racial isolation in our public schools has increased in recent decades. By 2007, three-quarters of the nation’s black and Latino students attended predominantly minority schools, up significantly from the low point of 63% in 1980. The proportion of students of color in intensely segregated schools has also increased. About 4
in 10 African American and Latino students attend schools with a minority enrollment of 90-100%. These are almost always schools with concentrations of students in poverty. Meanwhile, the average white student attends a school where 77% of the students are white and many fewer live in poverty.¹

This growing "de facto" socio-economic and racial segregation, coupled with the continuing reliance on local property wealth as a major component of school funding, has also increased the disparities in the level and distribution of essential resources - including well-qualified teachers and leaders - exacerbating inequitable learning opportunities and outcomes in our public education systems.

Currently in America, public education is primarily a state responsibility. The States control over 90% of all of the funds made available to schools, in the form of state and local revenue. The federal government, through Title 1, IDEA and other targeted funding, contributes 8-10%.

With a few exceptions, current state school funding mechanisms have no demonstrable relationship to the cost of delivering rigorous standards and high outcomes to all students. Few states have even made the effort to determine the cost of achieving their own established content and performance standards, or how the cost of achieving those standards vary across diverse student populations and geographic locations.

As a result of the lack of effort and the absence of federal direction focused on reforming state school finance systems to better deliver resources to deliver equitable opportunity to achieve common standards, most states continue to:

- Underfund, in some cases dramatically so, the resources necessary for all students to achieve common academic standards across states, and
- Allow for disparities, often substantial, in the funding and resources available in high wealth, low poverty districts/schools and low wealth, high poverty districts/schools within states.²

These systemic inequities manifest what is, perhaps, the most striking and consistent feature of public school funding in the United States since the 1950’s: students with the greatest needs – and their schools – generally are afforded fewer resources to achieve state-mandated standards than their peers in more affluent communities.

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In most states, the highest-spending districts typically spend two to three times what lower-spending districts can afford. In California, for example, the spending differences across districts ranged from $6,032 to $18,025 per pupil in 2009, even excluding the top 5 percent of districts. In New York, the range in that year was from $8,542 to $20,763 (excluding the top 5 percent of spenders, some of which had budgets of more than $50,000 per pupil). In Illinois, operating expenditures in K-12 districts range from a low of $6,061 per student to a high of $22,561 per student. In high school districts, the range is even greater: from $6,361 to $27,379 per pupil. As in many other states, high-poverty districts in Illinois typically spend one-third less than low-poverty districts -- $8,707 per pupil on average, as compared to $11,312 per pupil -- although they serve the greatest concentrations of students with high levels of need.

These disparities translate into real differences in the opportunities available to children. They influence the expertise and experience of staff, the size of classes, the availability and quality of books, curriculum materials, libraries, computers, science labs, facilities, support personnel, and instructional specialists. As a consequence, they directly affect the opportunity made available to children to learn the content and skills expected of citizens in the 21st century. In far too many communities, children attend schools with crumbling buildings, large and growing class sizes, inadequate books and materials, lack of access to a curriculum to prepare for college and careers, and a revolving door of teachers -- many inexperienced and underprepared. Simply put, these children are denied a viable opportunity to learn.

State control over public education finance means that the level and allocation of funding within states is determined by the political processes and interaction of the three branches of government in state capitols across the nation. It also means that state aid formulas tend to be determined each year by legislatures in which communities with the greatest need for state support lack political clout; school aid levels are subject to year-to-year fluctuations based on fiscal conditions or partisan political agendas; and are heavily reliant on the local property wealth and, increasingly, private contributions and donations. Indeed, most states still finance more than half or more of total school spending through property taxes and other local taxes, perpetuating the same deep disparities between low-wealth, high poverty and higher wealth, low poverty communities that was the centerpiece of the unsuccessful

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challenge to Texas school finance in the US Supreme Court’s Rodriquez v. San Antonio case forty years ago.

The systemic inequity in the way the states currently fund public education, coupled with the unwillingness of many states to provide funding at the level necessary to give all students the opportunity to meet state standards, is a root cause of the lack of real progress that has been made over the past decade in overcoming achievement gaps and meeting the proficiency goals set forth in the No Child Left Behind Act. Testimony presented at the Equity Commission’s field hearings highlighted these deep, persistent resource deficits and disparities. For example, Martha Infante, a teacher in a middle school in South Central Los Angeles, described the glaring lack of the most basic staff, program and services, resulting in overcrowded classrooms, almost no guidance counselors, a dearth of professional development, high teacher turnover, and other serious deficits that impair the delivery of rigorous standards to the at-risk students and students with special needs attending her school.\footnote{Remarks by Martha Infante, Equity and Excellence Commission, San Jose, April 21, 2011.} In sharp contrast, David Cohen, a teacher at Palo Alto High School, described the high levels of funding, including over $3 million in private contributions, in this low poverty, high wealth district, along with the rich array of rigorous courses, effective teachers, academic supports, and extra and co-curricular activities made available to his students.\footnote{Comments by David B. Cohen, Equity and Excellence Commission, San Jose, April 21, 2011.}

It is for these reasons that we strongly support the school finance and efficiency recommendations set forth in the Commission’s report. It is critical that, as the states push forward with demanding higher expectations of students, schools and districts, that push be matched by long overdue school finance reform driven by concretely linking school funding to the resources needed in local communities to reach those expectations, especially in our nation’s high poverty, racially isolated schools and districts. While we urge states to take up this challenge on their own, we know from the historical record since Brown that significant federal intervention and oversight is vitally necessary to achieve the fair and equitable school funding required to deliver meaningful educational opportunities to all students.

Implementation of the Commission’s recommendations is long overdue. We must as a nation, and in our states, launch a renewed effort to eliminate the stubborn and persistent resource disparities and inadequacies that drag down American public schools. Now is the time to take the bold and courageous action to make certain that all of our students have access to the meaningful educational opportunities that they – and the nation – must secure. In articulating
this vision for its own state, a landmark court ruling on education equity articulated the vision that now must drive this national call to action:

"Our constitution requires that public school children be given the opportunity for a thorough and efficient education. That constitutional vision irrefutably presumes that every child is potentially capable of attaining his or her own place as a contributing member of society with the ability to compete effectively with other citizens and to succeed in the economy. The wisdom giving rise to that vision is that both the child and society benefit immeasurably when that potential is realized."\(^7\)

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\(^7\) Abbott v. Burke IV, 1997.
Funding Effective School Reform: The Case of Massachusetts

By Linda Darling-Hammond, Sandra Dungee Glenn, Marc Morial, Randi Weingarten and Dennis Van Roekel

For the last decade, since about 2002, Massachusetts has led the states in student achievement on the National Assessment of Educational Progress, after strong improvements that occurred over the course of the previous decade. The story of this meteoric rise began in 1992 with a court decision in *Hancock v. Driscoll* requiring an overhaul of school funding in the state. The school finance formula adopted in 1993 as part of Massachusetts’ Education Reform Act stimulated substantially greater investments in needier schools through a weighted student formula which aimed to equalize funding and local effort simultaneously and added funding increments based on the proportions of low-income students and English language learners in a district.

This progressive approach helped boost educational investments and achievement as the state undertook a comprehensive reform featuring new standards and assessments demanding more intellectually ambitious teaching and learning. In addition to much greater and more equitable funding to schools, the initiatives included statewide standards for students, educators, schools and districts; new curriculum frameworks to guide instruction and state assessments; expanded learning time in core content areas; investments in technology; stronger licensing requirements for teachers; and more access to high-quality learning opportunities for teachers and school leaders. In 1994, the state adopted a state plan for professional development, the first in Massachusetts’ history, which led to the establishment of intensive summer institutes in content areas like math and science, dedicated funding to districts to support professional development for every teacher, requirements for recertification based on continuing education, and a new set of standards and expectations for local evaluation. The *Attracting Excellence to Teaching* program was created to subsidize preparation for qualified entrants into teaching.

In addition, the level of state funding for local early childhood programs increased by 500 percent in the first four years of the reform, and by more in the years thereafter. A Commission on Early Childhood Education was launched to create a plan for an early education and care system for the state. Demonstration sites were established for model preschool programs, and hundreds of Community Partnerships for Children grants were awarded to expand access to early education for children in need.

By the year 2000, Massachusetts had underwritten these reforms with more than $2 billion new state dollars to its public schools, greatly expanding the state share of funding and enhancing equity. University of Chicago economist Jonathan Guryan (2001) examined the effects of these investments and found that increased educational funding for historically low-spending districts led to improved student achievement in all subject areas, especially for traditionally low-scoring students. By the year 2002, the state had dramatically improved overall achievement and sharply reduced its achievement gap. Massachusetts demonstrates how investments, wisely
spent and in concert with a systemic approach to reform, can make a difference in educational outcomes.
Lessons Learned from IDEA
By Jacquelyn J. Thompson

Since the implementation of the Individuals with Disabilities Education Act (IDEA) over 35 years ago, we have learned a few lessons that should inform future policy-making in education. The IDEA has allowed us to experience the positive power of educational entitlement and progress toward equity for an underserved group of learners. The IDEA has provided a demonstration of partnership between federal and state enforcement of education policy, and all of its challenges. The development and governance of state systems of supervision for special education, and subsequent delivery of services at the local level, have provided myriad lessons in variations of finance, oversight, adherence to the intent of the law, as well as variations in quality of services provided.

Specific to considerations of equity and excellence in education, the lessons learned from the IDEA include, but are not limited to, the following.

- **Maintenance of Effort (MOE) requirements** provides a floor for State and Local fiscal obligations to the education of a vulnerable group of learners. Without this floor or minimum requirement of state and local effort, there is evidence/it is likely that the entitlement would be in sentiment only. In recent times, several states have requested a waiver from the MOE requirement. In the few cases where it was granted, States found that their federal share of the IDEA funds would be reduced proportionately – this provides equity in the provision of funds to all states.

- **Balanced/weighted funding formula** provides an approach to equity. The IDEA directs funding to states using a formula based on multiple indices: total population, a poverty index, and a fixed date count of children with disabilities. States then distribute a federally defined “flow-through” amount to districts (using the said formula). States also have some discretion in prioritizing the use of a smaller amount of “administrative set-aside” funds. These funds can be targeted to both compliance and results needs, such as: monitoring, data collection, alternate assessment, professional development, technical assistance, and other areas outlined in regulation. Thus, while the total amount of federal funds awarded to states only provides between 12-17% of the total added costs of special education, the use of funds are supportive of the requirements of the statute. The weighted or balanced federal formula does not create an incentive to inappropriately increase the number of eligible children, and it considers the impact of poverty and total population – an attempt at equity.
• **Shared enforcement** of requirements promotes accountability. Since the 2004 re-authorization of the IDEA, state accountability for compliance with statutory requirements has become the driving focus of the work of state education agencies. Annual Performance Reports (APRs) requiring detailed data on 20 “results” and “compliance” indicators now drive accountability efforts. State APRs generate federal “Determination” or status of each state (against these 20 indicators) on an annual basis. A range of statutory enforcement strategies can be leveraged by the US Department of Education, based on these Determinations. These range from “Meets Requirements” or “Needs Assistance” to more extreme levers such as encounters with the US Department of Justice (for egregious non-compliance). States, in turn, have established similar accountability processes for local educational agencies, creating a consistent approach to meeting the requirements of IDEA across the country.

• **State discretion in implementation** generates wide variance in models of educational service delivery and expenditures. For example, eligibility is determined through a prescriptive procedure of multi-disciplinary evaluations, assessment and agreement by an individual education program team (IEPT) determining eligibility status. Procedural requirements are found in federal statutory and regulatory requirements. However, state regulations that are promulgated to implement the federal requirements vary as to the finite boundaries of various categorical eligibility determinations. The incidence of special education eligibility varies across states, and within states the incidence can be widely variable across districts. The national average for special education eligibility is slightly over 13% of a school district’s total student population (National Center for Education Statistics). Individual state incidence (eligibility) ranges from less than 8% to over 20% (The Pew Center on the States, 2012). At the local level, the range is similar, and can vary widely even across districts within a single state. Needless to say, such variance also creates wide ranges of variance in expenditures.

While there are many more lessons learned from the IDEA, these four provide considerations relative to policy development that can impact equity.

**References.**notes
National Center for Education Statistics

Stateline, January 24.
Behind One Vision, Seven Strategies

This publication summarizes the vision and urgency for transforming education systems now. The vision has evolved from Education Resource Strategies (ERS) work with urban districts around the country. ERS is a non-profit organization dedicated to helping urban school systems organize talent, time and money to create great schools at scale. One Vision, Seven Strategies is a call to action, launching our new campaign, School System 20/20. School Systems 20/20 presents our seven strategies for transforming education systems so that all students succeed. The campaign provides a vision and tools to help get there. Join our efforts to transform systems so every school can be a great school.

Commissioner Karen Hawley Miles is founder and Executive Director of ERS. Karen Baroody is Managing Director of ERS.

One Vision, Seven Strategies: School Systems for the Information Age

Karen Hawley Miles and Karen Baroody

The “American Dream” is under duress as the economy slows, incomes stagnate and upward mobility is more limited than at any time in recent history. Despite a steady increase in per-pupil spending on public schooling over the last decades, not enough students graduate with proficiency in reading and math. And, despite some progress over the past decade, students living in poverty, and who are African American or Hispanic still lag far behind white students with more means.1

Yet not all schools are failing. There are many exemplary schools including urban schools that are succeeding despite high poverty rates, and growing numbers of district leaders taking courageous steps toward real and lasting improvement. To achieve our ambitious performance goals for all students, school-level change alone is not the answer. We need to raise our sights and reorganize the entire educational structure in which our schools function.

New Structure for New Goals

Unlike most industries where resource use and organization have changed dramatically over the past few decades, the fundamental school structures and patterns of spending in education have remained largely unchanged. Yet they were established to deliver on completely different goals than those we are trying to achieve today (see figure).
The organizational practices and structures that grew out of these historical objectives largely dictate how schools look today:

- Teachers in isolated classrooms, paid based on number of years and courses taken, with few options to leverage and grow expertise without leaving the classroom.
- Age-graded, subject-specific classes that vary little in size by subject, grade or student need.
- School days organized into short rigid time blocks for 6.5 hours a day, 180 days a year.
- Students who fall behind get pulled out of mainstream classes for extra help.

These legacy structures are reinforced by local and state funding systems, staffing practices, union contracts, and even state laws stipulating everything from class size to teacher salary. This inhibits movement toward new ways of organizing education to align with today’s goals and realities.

What are those realities? Research shows that students begin at different points and learn at different rates. It also shows that high-performing schools rely on teams of teachers with the combined expertise to use data to continually improve their practice and to adjust their lessons and student grouping to meet individual needs. Just as you can’t fit a square peg into a round hole, we won’t achieve our vision of proficiency for all students in a system that was built to deliver access for all, but mastery for only some.

So how do we bridge the gap between access and mastery? There is no shortage of opinions on this subject. “Eliminate teacher tenure.” “Pay teachers for performance.” “Extend the school year and increase instructional time.” “Spend more on [fill in the blank] programs.” The list goes on and on. But while each idea for “fixing” education may have merit, they all share a critical flaw: They take a one-dimensional view of the problem. They focus on the need for change in a specific area, ignoring the larger picture of how all the pieces work together to achieve overarching objectives.

**Three E’s of educational progress**

Tinkering won’t do. To achieve the aggressive goals we’ve set for public education, we need reorganize our fundamental educational structures. We need to adopt an integrated “systems level” approach to accomplish the three E’s of American education:
• **Excellence for all**
  We need an approach that acknowledges that different students succeed in different ways. While some students thrive in a school with a traditional schedule, others may need an extended day or access to social and health services. For students who fail to thrive in one situation, we need the flexibility to provide effective alternative settings free from the stigma of “pull outs.” We need structures that allow for sharing of innovative practices. We need the ability to assign talented staff to schools with the greatest needs, while providing all employees with growth opportunities. Most importantly, we need to promote a collective vision of excellence that drives support from the entire community—a community that shares the goal of creating an educated citizenry with 21st century skills.

• **Equity**
  We need structures designed to deliver educational quality across the board. It is not enough to have a few successful schools scattered through a city or ringing an urban area. There are natural geographic boundaries in communities, but those boundaries should not be barriers to high-quality schools and programs. A commitment to educate all children well is both philosophical and pragmatic. Americans believe in and support the opportunity for everyone to be educated—and to expect an equitable return on their investment.

• **Efficiency**
  We need to structure educational organizations to make the most of taxpayer investments. This means finding innovative ways to organize, talent, time and technology and to achieve greater economies of scale in operations and school support.

**One vision, seven integrated strategies**

In our work with urban districts, we have developed a multi-dimensional vision for restructuring public education for today’s goals and realities. This vision is built around seven transformational strategies for organizing resources—people, time, and money—to support the creation of high-performing schools at scale.

These strategies should not be viewed as “best practices” or “success factors” that can be implemented independent of each other. Instead, they should be seen as an integrated set of seven strategies for transforming education to meet our new goals for learning.

**I. Define information-age standards for learning and align curriculum, and instruction and assessment.**

Too many states and districts have goals for learning that do not include the content knowledge, critical thinking skills, creativity and collaboration that 21st century jobs will require. The Common Core Standards, now adopted by 45 states and 3 territories, are an important first step. Such standards provide the foundation for organizing instructional materials and strategies to accomplish them. Common sets of standards enable teachers within schools, schools within districts, and districts across states to share best practices and set benchmarks. Effective assessments, both standardized and teacher developed are critical for teachers and school leaders to continuously adjust instruction and to ensure that students learn the material. It makes no sense for individual schools to be recreating scope
and sequence and developing formative assessment tools completely on their own without leveraging these efforts across systems and states.

2. **Restructure the teaching job.**
   Teaching effectiveness is the single most important in-school predictor of student achievement. Having a high performing teacher for four years in a row can close the achievement gap. And, the evidence is mounting that teachers who team with other effective teachers get better results than those who don’t or can’t. This virtuous cycle begins with attracting high potential teachers to consider the teaching profession. Then, school systems need to attract top candidates, develop them throughout their careers, and reward them for success. To do this, they must restructure the teaching job to emphasize teacher teams, differentiated roles, and more flexible job definitions and schedules. A more effective system will include new ways to attract and hire top talent, support and develop individuals throughout their careers, retain effective teachers and evaluate effectiveness. Districts must identify struggling teachers and provide sustained support to help those with potential to become better educators—and remove those who don’t. They need ways to reward teachers who excel in the classroom and/or who take on challenging assignments or leadership responsibilities. And they need to provide the best teachers with opportunities for advancement that do not require them to leave the classroom full-time and forever.

3. **Match teachers and time to students through strategic school designs.**
   Information age teaching jobs will require new ways of organizing schools that enable teacher collaboration and leverage teaching expertise cost-effectively. This means each school must have a coherent instructional model, and then organize to support this vision in four important ways:

   - **Teaching effectiveness:** Build teaching teams that maximize combined expertise and have time for collaboration and access to expert support.
   - **Instructional time:** Vary time based on subject and student priorities in order to ensure student learning and engagement.
   - **Individual attention:** Create targeted individual attention for students by providing and continuously adapting schedules, groupings and delivery models in response to student needs and create personal relationships between students and teachers.
   - **Special populations:** Implement cost-effective strategies for students with special learning needs that integrate with general education and emphasize ongoing assessment and response.

   Though schools will find many ways to organize against the principles above, the traditional concept of “one teacher/one class/one course” is no longer valid. Students spend time with different teachers or other adults with specific skills, grouped with different students, for varying lengths of time, studying different subjects or skills, depending on what their learning needs are on that day, or during that week or month. Some students may master what is now considered a year-long “course” (or a year’s worth of material) in four or five months; others may need longer than a year. They may spend part of the day in online learning environments with 50 other students, and part of the day in small instructional groups of four to six. Students who struggle receive additional support and attention right away, and as much as possible in the general education environment.
There is no reason to invent these new ways of organizing, one by one experiencing the inevitable failures that come with trial and error. School systems have an important role to play to help accelerate or “scale” high-potential models developing innovative templates for staffing, scheduling, and professional development to serve different numbers and combinations of students with specialized learning needs (such as special education or English Language Learners) that schools can use as a starting point. New school designs will also require removing barriers to flexible scheduling and grouping of teachers and students.

In addition to supporting new models for school organization, most school systems need to take a critical look at their programs and portfolios of schools and how these align with student needs. Being strategic about the array of schools and programs can significantly reduce costs while enhancing program effectiveness.

4. **Build and reward school and district leader capacity.**
   Moving to a model that fosters each principal’s capacity to initiate, lead, and maintain instructional improvements requires that districts set a context for school leader success. They must clearly define what effective leaders need to know and be able to do. These standards of excellence will help them to hire the right leaders and place them in situations where they can be successful. They will also allow districts to measure the performance of school leaders and to hold them accountable, while providing the right career support. Being deliberate about consistent, district-wide leadership development will also ensure a ready pool of high-potential leaders to draw on as opportunities arise.

5. **Revise funding systems.**
   To ensure that all schools reach high standards, school systems must ensure that the level and type of resources match the needs of students. Despite the best intentions, current resource allocation practices result in wide funding variances across schools, even adjusting for differences in student needs, and do not do a good job of matching resources—not just funding level, but also staff skills and capacity, and student and teacher time—to student needs and schools’ instructional models. Most systems will need to adjust the way they allocate resources to schools, giving the most support to schools and students with greatest need, and give resources to schools in ways that best support their school designs. Many systems may also need to adjust their school portfolio to ensure that the mix of school grade levels, sizes and programs are appropriate to meet student needs cost-effectively.

6. **Redesign central system offices.**
   System operations must be reorganized to move from industrial-age control models designed to ensure compliance to systems that use data and technology to empower local school leaders and teachers, customize service to schools, and improve efficiency. Centralized systems should be used to assess and provide what each school needs. New systems of accountability should empower and expand upon the success of high-performing schools while providing support to underperforming schools before they fail students. School districts need an explicit strategy for turning around very low-performing schools that is integrated with the overall reform plan, and operations must be redesigned and streamlined to reflect this new service and support function.
7. **Leverage partnerships with families, communities, and outside experts.**

Shifting from traditional models in which needy students are often separated from the general education classroom to more integrated and cost-effective models of serving students will require districts to partner in new ways with families, communities, and outside expert providers. School systems should partner with other social service providers and combine resources to ensure integrated delivery and a “whole child” focus. In addition, most communities have myriad other resources—community colleges, local business and artists, youth service organizations—that would benefit from strong schools and may be able to cost-effectively augment or expand support in relevant areas. In some instances, community partnerships can even provide creative and cost-effective instruction to supplement instruction provided by classroom teachers. Finally, numerous suppliers are organizing to provide online and other instructional offerings that expand curricular offerings and provide additional options for matching students with instructors at lower cost and, sometimes, higher quality.

Making these changes will not be easy. Each is a significant undertaking, yet all are necessary to build the educational systems we need. Implementing them means dismantling structures, processes, policies, and regulations that have, in many cases, existed for decades. It means changing the way teachers, school and district leaders think about and do their jobs. It means changing the way we all think of a “class” or even a “school.” It will be messy, politically charged and emotionally difficult. But continued failure to provide our nation’s children with the education they need and deserve is not an option.

Current energy around real reform combined with extreme budget pressure is creating momentum toward tackling longstanding barriers to innovation and improvement. But attacking the problem school by school is not enough. And even boldest changes implemented in isolation will not achieve the change we need. We need to take a multi-dimensional approach and fundamentally reorganize education to meet our goals of excellence, equity and efficiency for all students. The time is now.

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v Karen Hawley Miles and Stephen Frank, The Strategic School: Making the Most of People, Time and Money, (California: Corwin Press, 2008).
Learn More

These publications and tools are available on ERStratgies.org.

ResourceCheck
Assess Your District Resource Choices
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**Description:** DREAM is an online scenario tool that lets you easily adjust cost levers in your district and instantly see how these changes impact your budget and other critical measures.
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Restructuring Resources for High-Performing Schools
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**Link:** http://erstrategies.org/resources/details/restructuring_resources
**Possible Pull Quotes**

- "To achieve our ambitious performance goals for all students, school-level change alone is not the answer."
- "Just as you can’t fit a square peg into a round hole, we won’t achieve our vision of proficiency for all students in a system that was built to deliver access for all, but mastery for only some."
- "Having a high performing teacher for four years in a row can close the achievement gap."
- "New school designs will also require removing barriers to flexible scheduling and grouping of teachers and students."
- "To ensure that all schools reach high standards, school systems must ensure that the level and type of resources match the needs of students."