



The 79th Texas Legislative Session The Good, the Bad, and the Inept

Inside this Issue:

- ◆ **Innovative math teacher training**
- ◆ **Six steps to real education reform**
- ◆ **Tools for action**
- ◆ **Immigrant students' right to attend public schools**

**by Albert Cortez, Ph.D., and
Anna Alicia Romero**

The January 2005 Texas legislative session opened with an air of anticipation as state policymakers ventured back the Capitol to tackle the many challenging issues left unresolved in the 2003 regular session and the failed 2004 special session. Despite the early enthusiasm, a shortage of new state revenue, opposition from powerful forces to proposed changes in business taxes, and a continuing lack of effective leadership for education led to very little policy change.

Given some of the regressive and dysfunctional initiatives proposed in the measures considered, many groups, including most of the state's major newspapers, concurred that having no new school finance and tax reform plan was better than the hodge podge proposals by the state's political "leaders."

The Fair Funding Debate

As was the case in the 2003 regular session and 2004 special session, the Texas legislature committed this year to revamp the school funding

plan. An Austin state district court ruling in June 2004 added a new sense of urgency by finding that the Texas school funding plan was unconstitutional and mandating that the state adopt a new approach by October 1, 2005.

System Ruled Unconstitutional

The court ruling in *West Orange-Cove vs. Neeley* found that the Texas system of funding its public schools violated various provisions of the state constitution. One major point of the ruling was that the state's **maintenance and operations*** tax cap (excluding taxes for local school facilities) of \$1.50, taken in tandem with the finding that Texas school districts needed to tax at the maximum rate to just meet the state's minimum accreditation requirements, constituted a state property tax—a tax currently prohibited in the Texas constitution.

A second major finding of the court was that the state level of funding provided for its basic educational program was "inadequate," resulting in the state's failure to make "suitable provisions for the establishment and

**see glossary box on Page 18 for definitions of words in brown.*

The Good, the Bad – continued on Page 2



The Good, the Bad – continued from Page 1

maintenance of free public schools” as required under Article III of the state constitution.

A third court ruling was that Texas fails to provide **adequate funding** for programs serving students with special needs, particularly those students who are from low-income families and students who are identified as limited-English-proficient (LEP).

Finally, the court ruled that the state’s system for **funding facilities** was both inadequate and inequitable, putting additional pressure on the state legislature to address the facilities funding issue that it has been avoiding for several sessions.

Initial Proposals

Against this backdrop, the state’s leadership in the House of Representatives proved itself once again as not up to the challenge. Rather than directly addressing the issues raised in the *West Orange-Cove* case, the House drafted a plan to please major contributors. It was adopted after fierce opposition from all major education

Having no new school finance and tax reform plan was better than the hodge podge proposals by the state’s political “leaders.”

groups (teachers, school board members, principals and administrators, and parent and teacher organizations). The plan did not include input from key stakeholders and did include the following major features:

- A shift from funding on the basis of per pupil allotment to an emphasis on funding based on *minimum accreditation standards*;
- Elimination of funding **weights** for special programs (which are calculated as a stated percentage of funding provided for the regular education program) to an approach that would provide a fixed amount of funding for special needs pupils;
- Tying teacher salary increases to “incentives,” which reward increased student performance without considering whether the resources needed to support improved student outcomes are

available to all teachers;

- Revisions to the cost of education index used to deliver extra funding to schools impacted by factors such as local job markets and cost of living differences;
- Reductions in the amount of funding that the state’s wealthiest districts are required to share;
- Replacing the state high school Texas Assessment of Academic Skills (TAKS) with 13 high-stakes end-of-course exams;
- Requiring that all public schools delay opening until after Labor Day;
- Moving school board elections to November to include them in partisan election schedules;
- Turning over of low-performing schools to private institutions or universities; and
- Creating alternative certification for

The Good, the Bad – continued on Page 8

In This Issue...

3 IDRA Math Institutes

6 TLEC Unveils Six Steps to Education Reform

11 Highlights of Recent IDRA Activities

12 Tools for Action

14 School Opening Alert

18 Glossary of Key School Finance Terms

The Intercultural Development Research Association (IDRA) is a non-profit organization with a 501(c)(3) tax exempt status. The purpose of the organization is to disseminate information concerning equality of educational opportunity.

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IDRA Math Institutes

Making Mathematics Accessible to All Students and Closing the Achievement Gap

by Kathy Brown

Imagine this: Adriana succeeds in advanced placement calculus. She finds delight and fascination in exploring mathematical concepts that once seemed foreign to her. Every day, Adriana sees the value of math in her own life. She used to think math was a duty. Passing the state standardized test, the Texas Assessment of Knowledge and Skills (TAKS), was her only indication of math achievement.

But Adriana's math teacher integrates dynamic, real-time technologies into her math lessons on a regular basis to promote conceptual exploration and connections. She provides an array of tools for determining solution strategies and gives students the vehicles to communicate their reasoning. In the past, she targeted TAKS objectives, in isolation of one another, that students were weak in, and she gave students worksheets and TAKS review lessons.

Now this teacher provides opportunities for students to self-assess their learning and take ownership of what is possible. All of her students have access to math and knowledge. She believes in *all* of her students and

“All of us are not gifted in mathematics; it makes me feel good and makes a difference knowing you are here and trying to learn how to help us so we can do well in math.”

– Student participant in
Houston ISD

encourages them to enroll in higher-level mathematics courses.

A Big Vision

IDRA has a vision that all students should have access to quality instruction in math that ensures success on all assessments, and enrollment and completion in higher-level mathematics courses. This vision is coming to fruition through various technical assistance opportunities that IDRA provides. One example is the secondary Math Smart! institutes that were first delivered through the STAR Center (the comprehensive center at IDRA that serves Texas).

This last spring, IDRA held four institutes called: Math Smart! Closing the Gap, Increasing Student Achievement and Meeting Annual Performance Standards in Secondary Mathematics. These popular institutes demonstrate integration of various dynamic, real-time technologies into math lessons to build concepts and address content area and technology standards. The models use innovative scientifically-based research strategies for success on the mathematics TAKS. Math Smart! provides support during and after the workshops to secondary teachers, math specialists, and administrators using various means for building communities of learners. For best results, campus teams that included algebra, geometry, pre-calculus, and calculus teachers attended. The following were the institute objectives and outcomes.

Broad Objectives

- Strengthen the belief that all students can learn math.
- Value students' experiences as a basis for strengthening their math competency.

IDRA Math Institutes – continued on Page 4

- Take advantage of a safe environment to explore mathematical concepts in new ways.
- Support peer collegiality among math teachers who are experiencing success.
- Move from a traditional math instruction approach to a broader paradigm that makes it possible to say that all students really can learn math.

Institute Outcomes

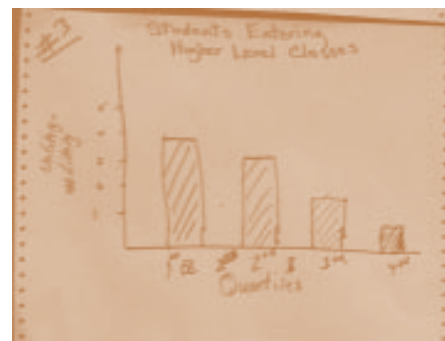
- Compare the five dimensions of mathematical proficiency (Adding It Up! National Research Council) and the relationship to student math achievement.
- Illustrate lessons using technology for conceptual understanding, procedural fluency, strategic competency, adaptive reasoning, and productive disposition.
- Apply the ideas of the institute to affect TAKS and adequate yearly progress (AYP).

This institute incorporates the use of IDRA’s mobile lab, which consists of robust laptops; data collection devices such as CBL2s, CBRs, and Pasco Probeware; and dynamic software tools such as Geometer’s Sketchpad, Fathom, Tinkerplots, and Inspiration for mindmapping and planning. These tools provide participants, students, teachers, administrators, and regional service centers with experiences and insights into learning strategies for building mathematical knowledge and academic language for all students, including English language learners.

Participant Vision and Expectations for Students

During the spring Math Smart! institutes, participants shared their vision for their students. They then compiled graphs that represented their group’s ideas reflecting the probability of students in the first, second, third

and fourth quartiles of their mathematics classes of enrolling and being successful in higher-level mathematics courses on a scale from 1-least likely to 5-most likely (see pictures).



The second picture demonstrates what we saw around the state. Teachers saw that their expectations differed among students. Teachers in all institute locations began to ask: “What does it mean to provide access to quality mathematics instruction that is empowering for all students?”

A paradigm shift began early in the institute when participants reflected on the compiled data and commented that the probability and the expectation should be the same across the board: all students should be expected to enter higher-level mathematics courses and experience mathematics achievement.



Student Voices

During one institute, a new set of innovative professional development strategies were incorporated. Eighteen math students who are enrolled in various mathematics course levels, Algebra I through pre-calculus, participated in two major aspects of the institute that incorporate student self-assessments and interviews for making instructional decisions as well as comparing traditional mathematics problems with meaningful mathematics situations.



The teachers interviewed the students, asking the following questions:

- What do you enjoy about learning mathematics?
- What do you find challenging about learning mathematics?
- What could your math teacher do to

help you excel in your math class?

Student self-assessments on learning functional relationships using a CBR Motion Detector and TI-84 Plus Graphing Calculators provided teachers the mathematical insights needed to make future instructional decisions.



Students and teachers reflected on these activities, citing how their mathematics knowledge increased by this experience and the insight gained into student thinking. These activities were videotaped and presented at the next institute where participants viewed these authentic and valuable insights. Teachers at these institutes indicated that they will include, as ways of assessing student knowledge, student self-assessments and interviews.

Dynamic, Real-Time Technologies

Institute participants explored the concept of transformations of functions through the dynamic learning tool, Geometer's Sketchpad. Teachers used this tool to explore parameter changes and to increase their own mathematical

knowledge. Afterwards, the teachers were able to easily identify how this knowledge transferred to the 2004 TAKS release test where 20 percent of the test addressed this knowledge base. Teachers readily and directly made the connection between the power of integrating dynamic mathematics tools for deepening, building, and extending mathematical knowledge and language skills for English language learners.



As a culminating activity, teachers, math specialists, and administrators shared what was happening in their districts to address adequate yearly progress (AYP) needs on various levels: student, teacher, parent, campus administration, and district. Using the mind mapping tool called Inspiration, campus groups created strategic plans,

posted these plans, and joined an online discussion board on the Math Smart! team web site.



Overall, 18 students and 117 teachers, administrators, math specialists, and education service center specialists attended the Math Smart! institutes. The majority of the strategic plans created by campus teams and school districts included the listening of student voices, raising our own expectations for all students to achieve in mathematics and successfully enroll and complete higher-level mathematics courses, and make mathematics accessible to all students.

For more information on Math Smart! contact IDRA or visit www.idra.org.

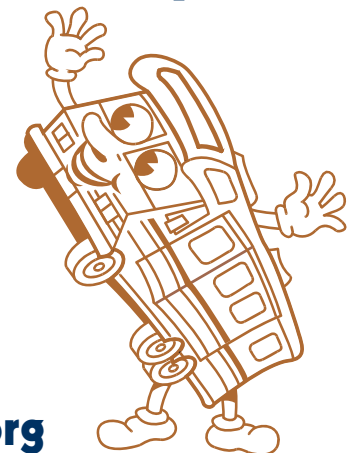
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www.idra.org



Texas Latino Education Coalition Unveils Six Steps to Real Education Reform

At the Texas Capitol in 2001, the Intercultural Development Research Association convened a group of organizations and individuals for the founding event of the Texas Latino Education Coalition.

TLEC's mission is to improve public education for Latino children, which will impact the quality of education for all children, focusing specifically on fair funding, teaching quality, school holding power, and college access and success. It is a collaborative of organizations and individuals who advocate the rights of Latinos at the local, state and national levels.

Representing thousands of Texans, member organizations include: IDRA, the Mexican American Legal Defense and Educational Fund, Mexican American School Board Members Association, League of United Latin American Citizens, among many others.

TLEC is moving its agenda forward by creating and executing strategies that: educate the media, inform public policy at state and local levels, mobilize communities, and synthesize and disseminate information.

TLEC returned to the Capitol last month to remind policymakers of their obligation to support excellence and equity in public education.

Policy leaders stated in late July that they were looking for new ideas.

So TLEC and friends held a news conference on July 28 on the steps of the Capitol to present six steps to education excellence.

Mr. Luis Figueroa of MALDEF opened the news conference by outlining TLEC's six steps for meaningful reform:

- **Keep and improve equitable funding** between property rich and property poor school districts.
- **Substantially fund facilities** construction so that school districts can provide a nurturing and supportive learning environment for our school children.
- **Keep and increase funding "weights"** to meet the cost of educating school children who are English language learners, economically disadvantaged, gifted and talented, and/or disabled.
- **Fund a significant pay raise for all teachers.**
- **Eliminate further state governance, including decoupling high-stakes testing from accountability systems.** High-stakes end-of-course exams are detrimental to children and their learning.
- **Give public schools a chance.** Give schools the resources they need to succeed and keep the public in public education.

At the news conference, Mr. David Hinojosa of MALDEF stated that in talking about closing the



David Hinojosa of the Mexican American Legal Defense and Educational Fund

achievement gap, we should also talk about "closing the opportunity gap." This is what meaningful reform should be about. "It shouldn't be about giving your closest friends tax cuts."

Mr. Dick Lavine of the Center for Public Policy Priorities stated: "Nothing affects families and their futures as much as public education. What the legislature has been looking at so far would be a giant step backward in equity—equity for schools, equity for students and equity for taxpayers." Equity is the engine that has brought Texas education forward in the last 20 years, he said.

Mr. Lavine said the Supreme Court has made it clear that "every school district should have substantially equal access to equal revenue at the same tax rate." He said the measures being considered so far would have created two classes, a privileged class with a lot of money and all the rest of us

TLEC – continued on Page 7

struggling. “That is not how to build a more prosperous future for all of us.”

Dr. Mary Thomas spoke on behalf of the Texas Alliance of Black School Educators, an organization of more than 3,000 parents, teachers, administrators and students. She said, “We are interested in not only closing the gap, we are interested in eliminating the gap... We demand that there be a plan put forward that provides more than lip service.”

Ms. Diana Herrera, a parent and retired teacher in the Edgewood Independent School District in San Antonio, told reporters: “I can’t contribute monies to campaigns for legislators – legislators whose commitment should be for all, not just for those who can afford generous contributions. I can’t compete with those who have donated for their political influence. Adequacy is what they are offering us. But that’s not enough. I want equity. I want an equitable system.”

She asked why policymakers can’t pass an equitable education plan, “one that won’t undermine every child’s education.” She continued, “When will Texas children – our future – become their priority?”

Mr. Jesse Romero, representing the Texas Association for Bilingual Education, spoke about the importance of keeping funding weights for special student populations. The weight system guarantees needed funds to schools for specific purposes. “It’s not just about education, it’s about economic development.” Yet, bilingual education, for example, is only funded at one-third the level that is needed.

Mr. Romero referred to Governor Perry’s motto that appears on his web site, “Open for Business,” and asked how we can be open for business if we don’t educate all of our children and get everyone contributing as profitable citizens?



Dr. Mary Thomas of the Texas Alliance of Black School Educators

Ms. Anna Alicia Romero of IDRA commended the policymakers who are more and more taking stands for equitable public education in Texas. This is important, she said, because the leading proposals so far have not really been about “education reform,” but about “education erosion.”

She gave the following example: “Equitable education for all children need not come only in the form of funding but also in the form of an equitable school environment – an environment where teachers, administrators and the system as a whole values all children. High-stakes testing is education erosion.”

She said, “Instead of creating true centers of learning in all of our communities across Texas, we are creating a system where one test determines a child’s future.” She also told reporters that schools and students are set up to fail when the state demands high standards and then denies funds for schools to meet those standards. She said: “We need to invest in public education. We need to invest in the majority of kids in our state. We need to keep our public schools public.”

Mr. Rene Lara with the Texas Federation of Teachers stated: “Every child in the state of Texas deserves a quality education, and part of a quality education is having quality teachers” and school staff. The plan that advanced the farthest during these legislative sessions included cuts in insurance benefits for school personnel and a

“measly” pay raise for teachers of less than \$40 a month, “contrary to the claims of the legislative leadership.”

Mr. Ché López of the Southwest Workers Union in San Antonio expressed concern that the legislature’s proposals thus far would lead to further segregation, giving more funds to a few rich school districts and neglecting the majority of students. “Education should be viewed as a human right,” he said.

He also stated that when low-income “school districts don’t have enough resources, they can’t provide living wages for workers.” He said: “We have a lot of workers who have their children in schools, who pay taxes, and who vote. It’s not right for them not to have a living wage.”

Others who attended the news conference included Edgewood ISD superintendent, Mr. Richard Bocanegra; the district’s board president, Mr. Ramiro Nava; representatives of the Texas Freedom Network; and the Coalition for Public Schools.

Superintendent Bocanegra commented on the House plan that was rejected earlier this week: “We all know that bill is not the appropriate bill for the future of our students. I have been disappointed that there has been a continued effort to pass a bill like that.” If that plan had been passed, he said, we would have gone back to the same issues we were fighting for 25 years ago.

Mr. Bocanegra stated the rejection of the plan restored a little bit of faith in Austin: “I like to believe that there are legislators who will do the right thing for the right reasons. This should be about the students of Texas. The whole future of Texas rides on our students.”

Last year, TLEC established a web site to provide updated information to communities on school funding. Individuals can sign up to receive free email updates by visiting the web site at www.texans4fairfunding.org.

school principals and superintendents.

The Senate opened the session with a commitment to substantially increase state funding for schools, by over \$5 billion, to be funded with an expansion of state business taxes as a major new revenue foundation. However, the Senate plan eventually adopted fell well short of that mark, providing over \$200 million less in state funding than was incorporated into the House plan, which was already too little. Though spending less, the Senate plan did contain several features that made it better than the House proposal, including the following major differences:

- Continuing the use of a **basic allotment** as the foundation for funding the regular program (though a reference to accreditation was eventually added in the final Senate plan);
- Continuing use of weights for funding compensatory and bilingual/English as a second language (ESL) education; and
- Across-the-board increases for teachers and restoration of cuts in health insurance funding.

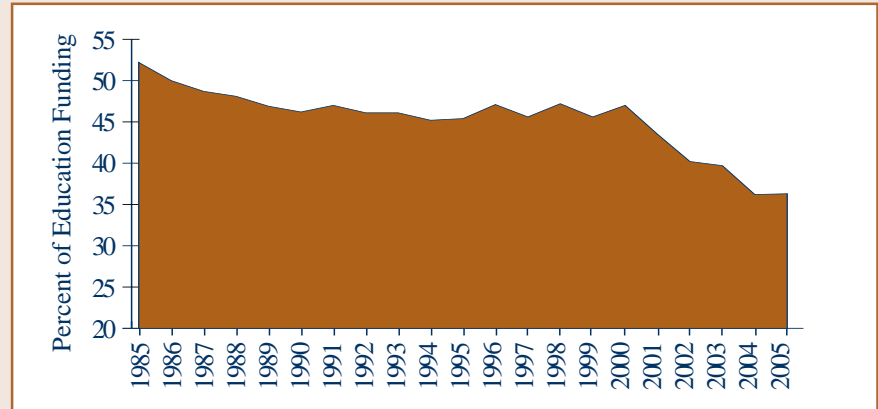
The fact that both chambers did not adopt their respective plans until the last weeks of the regular session put additional pressure on members of conference committees charged with trying to work out a compromise plan. Because the House and Senate funding packages were notably different, no easy compromises were available for either side.

Both plans imposed more high-stakes standards without additional funds to cover their costs. Addressing the array of controversial issues outlined above would have been difficult in any legislative session. But doing so in an environment in which limited state funding was available proved deadly. Research (and conventional wisdom) on adopting major education reforms

State Share of Texas Public School Funding

The school funding system and fairness depend on state, as well as local, support. But state funding has dropped, not risen. During the last two decades, the state has reduced its contribution from 52 percent to 38 percent. Each percentage point represents millions of dollars.

As the state defaults in its responsibility to fund education, most school districts in Texas, and especially property-poor districts, are stressed to raise taxes and are unable to deliver the quality education that all students deserve.



Sources: Legislative Budget Board. "Trends in Texas Government Finance 1984-2009 (Austin, Texas: LBB, January 2001). Legislative Budget Board. "Fiscal Size-up 2004-05 Biennium (Austin, Texas: LBB, 2005).

has noted that it is always easier to attempt major reform efforts when there is sufficient funding to increase the overall spending level for all schools. Though legislative "leaders" made feeble attempts to raise just enough money to get by, in the end, schools had little or no incentive to support the major plans being proposed in either the House or Senate.

Preoccupation with Tax Cuts

Perhaps the factor that most contributed to the legislature's grand failure was the obstinance of state political leaders to connect any increases in school funding to simultaneous reductions in local property taxes. Many legislative members and leaders had campaigned on a platform that promised cuts in local property taxes. The steady increases in local property taxes however had been created by a

persistent decline in the percentage of overall school funding being paid by the state.

Dating back to 1993, the state share of overall public education costs had decreased from a high of 50 percent to an estimated 37 percent in 2004. The failure of the state to pay its fair share of the cost, in turn, created pressure for local school systems to raise their property taxes to make up for the shortfall in funding. (See box.)

The state leadership figured that it could address the issue by promising local property tax cuts coupled with increased state funding. Unfortunately, they underestimated the amount of political courage it would take to simultaneously deliver on their promises.

For school systems, the idea of increasing state funding and cutting local property tax revenue by similar

The Good, the Bad – continued on Page 9

amounts was quickly recognized as creating a “wash” for most schools. This meant that if districts lost local revenue in the proposed tax cuts, simply replacing it with state monies would not provide any increases in funding for most districts. Adding insult to injury was the observation that the way those property tax cuts were proposed would result in a major windfall to the state’s *wealthiest* school systems, masking reductions in local recapture funding as across-the-board property tax cuts.

Working closely with the new House leadership, many wealthy school districts once again targeted the elimination of the state’s *recapture* of monies as their top priority. Their efforts were supported by some of the new state political leaders, who campaigned on a platform to do away with the one of the key equalization features of the

taxes. This tax increase for most Texans would convert to no new funding for public schools as the state would simply be reducing taxes for a privileged few while increasing other state taxes for everyone else. An “equity analysis” by the Legislative Budget Board noted that the reductions in overall taxes paid would accrue only to those with incomes over \$100,000.

After encountering resistance to the wholesale elimination of recapture (including new reluctance from some moderates who came to recognize that reducing the amount collected in recapture required the adoption of new taxes or increases in existing taxes) proponents moved to scale back, rather than totally eliminate, recapture. Even at reduced levels, reductions in recapture were found to substantially benefit wealthy school districts – at the expense of the more than 900 school

substantive increases in state aid but eventually also was scaled back to reflect the limited new money available to increase funding if one first cut property taxes.

Major problems encountered in passing either a Senate tax package or a House tax package delayed serious consideration of any school finance plan until the last weeks of the 2005 session. Despite opposition from most major education groups, the House adopted HB2, a variation of the plan originally introduced in February.

A major alternative proposal introduced by Representative Hochberg of Houston that provided less property tax reductions and significantly more equitably distributed state funding, was defeated by fewer than 10 votes.

As previously noted, the final Senate plan backed off its original level of funding, winding up with less total state funding than the House plan. To its credit the Senate plan also kept the existing funding structure with its accreditation allotment, adjustment for district factors, and pupil weights for special populations students.

With three weeks left in the regular session the House-Senate conference committee began to try to work out differences between the two plans. Though closer in total levels of funding than originally envisioned, the House and Senate negotiations stalled as the senators – recognizing the weaknesses in the alternative plan – refused to accept many of the provisions included in the House proposal. A major factor was that negotiators did not know how much new state funding might have been available because the two chambers could not achieve consensus on the components or amounts to be included in the state’s new major tax plan. Hamstrung with no bottom line figure, conferees worked until the last hours of the regular session and were unable to adopt a conference committee plan

Perhaps the factor that most contributed to the legislature’s grand failure was the obstinance of state political leaders to connect any increases in school funding to simultaneous reductions in local property taxes.

Texas school funding system. Proponents of the current system’s structure, including IDRA, the Mexican American Legal Defense and Educational Fund (MALDEF), and the Equity Center, continued to explain to policymakers that the elimination of the recapture portion of the current system would benefit only the very few districts that already have more resources than all other Texas school districts.

Cutting Taxes Not Enough

After examining the cost of various alternatives, some state leaders realized that the cost of totally eliminating recapture would require an increase of \$1.2 billion per year in new

districts that would lose revenue by that reduction.

Clashing Tax Plans

Compounding the 2005 legislature’s challenge was the desire by some leaders to simultaneously propose reductions in school property taxes for all districts while attempting to respond to the *West Orange-Cove* court’s decision mandating that the state provide substantial increases in funding for public schools. The House plan that was adopted proposed to cut property taxes by one third, leaving less than \$1.2 billion to provide new funding for Texas schools. The initial Senate plan had proposed smaller property tax reductions and more

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Sign up now by calling
210-444-1710
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The Good, the Bad – continued from Page 9

that could be sent to their respective chambers. The 2005 regular session ended with no new school funding program.

Concerned with providing some support for the upcoming school year, the legislature adopted a budget keeping school funding at prior year's levels.

Fair Funding: The First Not-So Special Session

Though many school groups argued that no proposal was better than adoption of a bad proposal, the governor announced that he was reconsidering his position to avoid calling a special session in the summer of 2005 specifically to deal with the school funding and tax reduction issues. Speculation was that he required some success on resolving the school funding issue to avoid a serious challenge for re-election.

Meanwhile, bipartisan support for an equitable alternative intensified. With what seemed to observers to be minimal or no consultation with the House Speaker or Texas Lieutenant Governor, the governor announced that he was re-convening the Texas

legislature for a special session beginning June 22, 2005.

Putting even more pressure on the legislature, the governor vetoed funding for public education contained in the recently adopted state appropriations bill.

As members returned, the House education committee chairperson and Senate education committee chairperson introduced proposals that tracked the plans that they had initially drafted, with the Senate incorporating some minor changes adopted in the conference committee negotiations. Disagreements with the House leadership led the Senate to revert to its original (regular session) school finance proposal.

After having initial token hearings in the first week, both the House and Senate adjourned until the last week of June. School funding plans similar to those passed by each chamber during the regular session were passed and a conference committee was named in early July. With potential vote counts getting closer, policymakers worked until almost the final hour of the session without reaching an agreement.

Fair Funding: The Second Not-So Special Session

The governor immediately called another special session. The House and Senate began by reconsidering their original plans. But the Senate leadership delayed taking the measure to the Senate floor due to the lack of potential votes.

Meanwhile, bipartisan support for an equitable alternative intensified. In a surprising development, the House plan fell apart. During a dramatic day of floor debate, the plan was replaced by the Hochberg measure, which was then killed by the leadership. Members expressed their frustration over attempts to limit debate and the lack of time for them to review the plans before voting on them.

Neither side has been willing to change its stance on the companion tax proposal needed to fund any new plan. Increasingly frustrated with the process, some members expressed an interest in waiting for the Texas Supreme Court decision before considering any major new plan.

The Good, the Bad – continued on Page 11

IDRA Principles

Regarding any school finance changes, IDRA recommends the following.

- The state must not adopt formula changes that will dilute the level of equity that is found in the current funding system either in the level of taxing that is equalized or the number of students and districts included within the equalized system.
- If the tax cap is increased, the state should maintain the same level of equalized return for every penny of tax effort provided in the current funding system.
- If recapture of local excess revenue is eliminated, local district ability to

use excess taxing capacity should be effectively neutralized.

“Public” Kept in “Public Education”

Due to the gains made by political conservatives in both the Texas House and Senate, an aggressive pro-voucher policy agenda was expected in the last regular session. These concerns proved to be well founded as several major voucher plans were introduced in the Texas House of Representatives.

One plan would have required that selected school districts in the state’s five largest counties participate in a state-funded voucher effort. A competing voucher plan was proposed that would have allowed any child to

transfer out of any Texas public school with a voucher to fund private school enrollment. Other variations called for creation of “pilot” voucher programs in selected schools and school systems.

A coalition of voucher opponents that included the Texas Freedom Network, Coalition for Public Schools, most major school organizations and IDRA, among others successfully fended off voucher efforts until the voucher proponents managed to introduce the pilot program variation in the final days of the regular session.

As expected, one of the voucher plans was introduced as an amendment to the senate school funding measure for the Texas Education Agency and

Highlights of Recent IDRA Activities

In May, IDRA worked with **10,094** teachers, administrators, parents, and higher education personnel through **58** training and technical assistance activities and **166** program sites in **13** states and Brazil. Topics included:

- ◆ Access to College
- ◆ Pre-Reading Language Enrichment for English language learners
- ◆ Racial and Sexual Harassment in School
- ◆ Technology Integration for Mathematics
- ◆ IDRA Coca-Cola Valued Youth Program

Participating agencies and school districts included:

- ◆ Atlanta Public Schools, Georgia
- ◆ Center for Public Policy, Texas
- ◆ Cleveland Middle School District, Ohio
- ◆ Southeastern Louisiana University, Louisiana

Activity Snapshot

Many students are not connected to technology. Low-income and minority students are less likely to have access at home and their teachers avoid technology-based assignments. This places them at risk of even greater achievement gaps in the future. In one school district, IDRA set up a network of state-of-the-art computer centers in two high schools and four community-based organizations. The centers were available to students and their families, as well as to others in the community. High school teachers received training on technology integration and also served as supervisors at the centers. Due to this integrating of technology access, technical assistance and training into community- and school-based settings, students built new skills in technology, math and science and learning about college and career options; families were engaged in their children’s learning; and teachers enhanced their instruction with technology.

Regularly, IDRA staff provides services to:

- ◆ public school teachers
- ◆ parents
- ◆ administrators
- ◆ other decision makers in public education

Services include:

- ◆ training and technical assistance
- ◆ evaluation
- ◆ serving as expert witnesses in policy settings and court cases
- ◆ publishing research and professional papers, books, videos and curricula

For information on IDRA services for your school district or other group, contact IDRA at 210-444-1710.

The Good, the Bad – continued from Page 11

adopted in the House education committee plan passed for consideration by the full House. In an unprecedented move, the Speaker of the House decided to cast key votes to either create vote ties or in some cases to provide the winning margin for key amendments to portions of the voucher plan.

Public Education Homicide Not Good for Anyone

In a contentious four-hour debate, a small cadre of moderates led the fight against the voucher proposals. The most vociferous of the voucher supporters included key members of the House Public Education Committee, none of whom really expected their own districts to be affected. But, two critical amendments were offered spelling the doom of the forceful pro-voucher maneuvering.

One removed two targeted school districts and replaced them with the school districts of two vocal pro-voucher legislators who backed voucher plans. Neither pro-voucher legislator approved the move, but it passed anyway.

The second amendment passed, assuring that vouchers would be used to transfer and enroll students in Texas *public* schools only, eliminating the *private* school eligibility for the program.

In a rare defeat for the House Speaker, the voucher plan failed by a slim two-vote margin, despite extremely heavy-handed lobbying by voucher proponents. Disappointed but defiant, voucher proponents vowed to return in the 2007 session or even in a special session. But no voucher package has been considered so far in the 2005 special sessions.

Once again, the carefully-coordinated efforts of the many groups working to support public education led to the defeat of all major voucher-

The Good, the Bad – continued on Page 13

Tools for

Public Policy is Strengthening Foundations for Access, Equity and Excellence

A few weeks ago, on a hot summer day in Austin, education leaders from around the state of Texas gathered on the capitol steps to lend their voices to the call for school finance equity and unveil six steps to education reform. Representing thousands of Texans as the Texas Latino Education Coalition, they pressed for policymaking that (1) keeps and improves equitable school funding between property rich and property poor districts; (2) substantially funds facilities construction; (3) keeps and increases funding weights to meet the needs of students who are English language learners, economically disadvantaged, gifted and talented or have disabilities; (4) funds a significant pay raise for all teachers; (5) eliminates further state governance and decouples high-stakes testing from accountability systems; and (6) gives public schools the public resources they need to succeed.

In expressing their commitment to public schools that have the resources to provide a high quality education to every child in Texas, these leaders are part of a legacy of activism that extends from our nation's greatest civil rights victories to sound policymaking that forms the foundation of successful schooling for all children.

While the inter-relationships between courtrooms, capitals and classrooms are often obscured by technical language and political rhetoric, they clearly shape student opportunities and futures. Without constitutionally-guaranteed civil rights and civil rights legislation, we would not have desegregation. Without equitably funded schools, desegregation would be but a promise and idealized notion. Without fair funding, our children's life chances would be bounded by where they happen to live or come from.

For this reason, IDRA takes a stand not only for quality teaching and learning that benefits all children, but also for the equitable resources that will make this a reality. IDRA promotes not only policymaking that reflects sound, accurate information about schooling, but also policymaking that reflects the voice and will of parents, community members, and educators as leaders in opening paths for all students' futures.

A Snapshot of What IDRA is Doing

Conducting Research – Throughout Texas' latest special session on school finance, IDRA has provided the equity analysis that equips policymakers, community members and educators with the information they

Tools for Action continued on next page

Action

need to assess how new funding proposals would affect student opportunities and learning.

Developing Leaders – In partnership with new TLEC member organizations, IDRA is providing the information and legislative analysis networks need to strengthen their own leadership and advocacy on behalf of children.

Informing Policy – Taking up a key policy recommendation from the recent InterAction Forums (*InterAction: Higher Education and Latinos in the New Millennium* <http://www.idra.org/InterAction/forum.htm>), IDRA is examining the benefits and shortcomings of various 10 percent plans, designed to expand minority access to higher education. (To learn more about the full range of policy solutions that would increase college access and success for minority students, see <http://www.idra.org/InterAction/forum.htm>.)

Engaging Communities – Through a partnership with TLEC, a growing network of educators, school administrators and community leaders has mobilized over 1,000 Texans in support of equitable school finance policy. Working closely with African American and Latino education leaders in Texas and across the country, IDRA is building a network of informed, connected leadership prepared to advocate on behalf of educational access, equity and success.

What You Can Do

Get informed to learn more about school finance debates in Texas and receive regular e-mail updates, you can register at <http://www.texans4fairfunding.org/proposed.asp>. For links to a broad range of information and resources on school finance equity, see: <http://www.texans4fairfunding.org/linkup.asp>

Get involved as a community member, family member, school board member or superintendent, assess how changes in school finance equity would **directly impact** your local schools and students.

Get results let legislators know now – as bills are right now in development – how any change in equitable funding would affect your district and community. Join an active network of education leaders and advocates as a member of the TLEC, <http://www.texans4fairfunding.org/about.asp>.

The Good, the Bad – continued from Page 12
related proposals in the last regular session. What an impressive achievement considering the host of powerful monied interests that championed the pro-voucher policy agenda. Anti-voucher advocates recognize that they will need to mount continuous activities to counter ongoing pro-voucher efforts.

IDRA Principles

IDRA continues to advocate the following.

- The state should limit the appropriation of public funding to private schools.
- The state should reject the concept of public funding for private schooling, even if the proposal is to implement pilot programs.

Access to College

The most notable development related to college access in the 2005 session was the defeat of proposals to limit the percent of students admitted to Texas' two largest universities and eliminate the 10 Percent Plan. The University of Texas at Austin mounted the charge to end or limit the 10 Percent Plan. The effort to defend the expanded opportunities provided to Texas students who were historically excluded from admission to UT Austin and Texas A&M University was led by Senator Royce West who chairs the Senate sub-committee on higher education with support from Senator Gonzalo Barrientos and other members.

One of the limiting proposals called for elimination of the 10 Percent Plan (introduced by Senator Jeff Wentworth of San Antonio).

Another would have modified the 10 Percent Plan by placing a limit on the number of students who could be admitted under the plan's automatic admission provisions. Under this proposal, once 10 Percent Plan students equaled 70 percent of the state's major

The Good, the Bad – continued on Page 16

Immigrant Students' Rights to Attend Public Schools

This annual *School Opening Alert* campaign reaffirms the legal rights of all children who reside in the United States to attend public schools, regardless of immigration status. The fliers provide information for immigrant parents about the rights of their children to attend local public schools this fall. IDRA is working with others to make this alert available for distribution by schools and community groups. The copy of the alert below and on the following page may be reproduced and used as well.

School Opening Alert

In 1982, the U.S. Supreme Court ruled in *Plyler vs. Doe* [457 U.S. 202 (1982)] that undocumented children and young adults have the same right to attend public primary and secondary schools as do U.S. citizens and permanent residents. Like other children, undocumented students are required under state laws to attend school until they reach a legally mandated age.

As a result of the *Plyler* ruling, public schools **may not:**

- deny admission to a student during initial enrollment or at any other time on the basis of undocumented status;
- treat a student differently to determine residency;
- engage in any practices to “chill” the right of access to school;
- require students or parents to disclose or document their immigration status;
- make inquiries of students or parents that may expose their undocumented status; or
- require social security numbers from all students, as this may expose undocumented status.

Students without social security numbers should be assigned a number generated by the school.

Adults without social security numbers who are applying for a free lunch and/or breakfast program for a student need only state on the application that they do not have a social security number.

Recent changes in the F-1 (student) Visa Program **do not** change the *Plyler* rights of undocumented children. These changes apply only to students who apply for a student visa from outside the United States and are currently in the United States on an F-1 visa.

Also, the Family Education Rights and Privacy Act (FERPA) prohibits schools from providing any outside agency – **including the Immigration and Naturalization Service** – with any information from a child’s school file that would expose the student’s undocumented status without first getting permission from the student’s parents. The only exception is if an agency gets a court order (subpoena) that parents can then challenge. Schools should note that even requesting such permission from parents might act to “chill” a student’s *Plyler* rights.

Finally, school personnel – especially building principals and those involved with student intake activities – should be aware that they have no legal obligation to enforce U.S. immigration laws.

For more information or to report incidents of school exclusion or delay, call:

META	Nationwide	(617) 628-2226	(English/Spanish)
META	West Coast	(415) 546-6382	(English)
NY Immigration Hotline	Nationwide	(212) 419-3737	(English/Spanish)
MALDEF – Los Angeles	Southwest/ Southeast	(213) 629-2512	(English/Spanish)
MALDEF – Chicago	Illinois	(312) 782-1422	(English/Spanish)
MALDEF – San Antonio	Southwest	(210) 224-5476	(English/Spanish)
MALDEF – Washington D.C.	Nationwide	(202) 293-2828	(English/Spanish)

Please copy and distribute this flier.

Llamada Urgente al Comienzo del Curso Escolar

En 1982, El Tribunal Supremo de los Estados Unidos dictaminó en el caso *Plyler vs. Doe* [457 U.S. 202] que los niños y los jóvenes indocumentados tienen el mismo derecho de asistir a las escuelas públicas primarias y secundarias que tienen sus contrapartes de nacionalidad estadounidense. Al igual que los demás niños, los estudiantes indocumentados están obligados a asistir a la escuela hasta que llegan a la edad exigida por la ley.

A raíz de la decisión *Plyler*, las escuelas públicas **no pueden**:

- negarle la matrícula a un estudiante basándose en su situación legal y/o inmigratoria, ya sea a principios del curso o durante cualquier otro momento del año escolar;
- tratar a un estudiante en forma desigual para verificar su situación de residencia;
- efectuar prácticas cuyo resultado sea obstruir el derecho de acceso a los servicios escolares;
- requerir que un estudiante o sus padres revelen o documenten su situación inmigratoria;
- hacer interrogatorios a estudiantes o padres que pudieran revelar su situación de indocumentados;
- exigir que un estudiante obtenga un número de seguro social como requisito de admisión a la escuela.

La escuela debe de asignar un número de identificación a los estudiantes que no tienen tarjeta de seguro social. Los adultos sin números de seguro social quienes están solicitando que a un

estudiante lo admitan a un programa de almuerzo y/o desayuno gratis, sólo tienen que indicar que no tienen seguro social en el formulario.

Los últimos cambios del Programa de Visado F-1 (de estudiantes) **no cambiarán** las obligaciones antedichas en cuanto a los niños indocumentados. Se aplican sólo a los estudiantes que solicitan del extranjero un visado de estudiantes y que están actualmente en los Estados Unidos en un Visado F-1.

Además, el Acta Familiar de Derechos y Privacidad Escolar (*Family Education Rights and Privacy Act - FERPA*) le prohíbe a las escuelas proveerle a cualquier agencia externa – **incluyendo el Servicio de Inmigración y Naturalización** (*Immigration and Naturalization Service - INS*) – cualquier información del archivo personal de un estudiante que pudiera revelar su estado legal sin haber obtenido permiso de los padres del estudiante. La única excepción es si una agencia obtiene una orden judicial – conocida como una citación o subpoena – que los padres pueden retar. Los oficiales escolares deben estar conscientes de que el mero hecho de pedirle tal permiso a los padres podría impedir los derechos *Plyler* de un estudiante.

Finalmente, el personal escolar – especialmente los directores de las escuelas y los secretarios generales – deben saber que no están bajo ninguna obligación legal de poner en vigor las leyes de inmigración de los EE.UU.

Para más información, o para denunciar incidentes de exclusión escolar o retraso en la admisión a clases, favor de llamar a:

META	Nacional	(617) 628-2226	(Inglés/Español)
META	Costa Oeste	(415) 546-6382	(Inglés)
NY Línea de Urgencia de Inmigración	Nacional	(212) 419-3737	(Inglés/Español)
MALDEF – Los Angeles	Sudoeste/ Sudeste	(213) 629-2512	(Inglés/Español)
MALDEF – Chicago	Illinois	(312) 782-1422	(Inglés/Español)
MALDEF – San Antonio	Suroeste	(210) 224-5476	(Inglés/Español)
MALDEF – Washington D.C.	Nacional	(202) 293-2828	(Inglés/Español)

Favor de copiar y distribuir esta hoja informativa.

university freshman class, 10 Percent Plan admissions would be limited to a cap of 65 percent of the subsequent year's freshman admissions, with provisions for referrals of non-admitted pupils who would have otherwise been eligible for automatic admission under original 10 Percent Plan guidelines, to other state universities.

A third proposal would have limited automatic admission to graduates in the top 5 percent of their graduating class.

Banding Together for Access

Efforts to kill the 10 Percent Plan were thwarted by coalitions of rural and urban legislators who had become aware of the expanded access provided by the plan for their constituents. Attempting to at least reduce the number of students provided automatic admissions or to counter expected full-fledged attacks, some legislators introduced alternative proposals to limit automatic admissions to the top 7 percent of graduates. This change would have reduced the number of students admitted under the 10 Percent Plan provisions and eliminated the argument that students admitted under the automatic admissions provisions left "little discretion" to university officials.

One competing proposal moved to reduce automatic admission to only the top 5 percent, or the next percentage needed to bring automatic admission to no more than 50 percent of major university enrollments. This proposal originated in the Texas House and sought to offset public opposition to eliminating the 10 Percent Plan, while responding to constituents from Texas suburban communities who had historically been over-represented in UT Austin and Texas A&M freshman admissions.

As legislators considered options, two major factors seemed to influence policymakers. One dealt with the claim

by 10 Percent Plan opponents that students from "certain" high schools (i.e., urban, minority, rural and/or low-income) were under-prepared for the rigor of Texas' elite universities. These claims were proven inaccurate as research revealed that 10 Percent Plan freshmen actually performed as well, and often better, on overall grade point averages than non-10 Percent Plan admits.

This finding reinforced doubts about using SAT or ACT scores as the prime criteria for determining college admissions and reinforced findings that proposed that high school GPA was a more effective predictor of future college success.

A second factor impacting legislative action was new data reflecting that many high schools that had never had a single senior admitted

Proposed reductions in recapture were found to substantially benefit wealthy school districts – at the expense of the more than 900 schools that would lose revenue by that reduction.

into the state's two major universities were now enrolling a small but noteworthy number of graduates at these institutions. Growing recognition that the 10 Percent Plan enjoyed broad public support and benefited a cross-section of schools in all parts of Texas contributed to a reluctance to change what was deemed to be working. Ironically advocates for modifying the 10 Percent Plan argued that eliminating the automatic provision features would provide opportunities to achieve greater student diversity.

All variations proposed to the current 10 Percent Plan were defeated, due in great degree to 10 Percent Plan critics' refusal to compromise on key provisions of any alternative proposal. As was the case with vouchers, 10 Percent Plan opponents vowed to push for elimination or major modifications

in future Texas legislative sessions.

IDRA Principles

IDRA recommends that state policy be considered as follows.

- The state should increase the automatic admissions level from the top 10 percent to the top 15 percent.
- The state should continue and refine its support services programs to include all students identified as requiring additional academic assistance, financial aid or other support programs.

Increasing School Holding Power

Legislators' competing focus on school funding reform and tax measures provided very limited opportunity to address school holding power concerns in the 2005 session. The House school

finance proposal did include a new process for tracking students in Texas schools. Unfortunately, the plan did not require the state education agency to use these new data to calculate dropout rates. It is expected that the eventual resolution of the school finance issue will provide greater opportunity to focus selected members on school holding power in the 2007 session.

In a related development, the National Governor's Association unveiled a new agreement signed by 45 states that will standardize the way dropouts are calculated. This approach is based on the number of students enrolled in ninth grade, compared to 12th grade students who earn a high school diploma four years later, after adjusting for transfers. This approach

is a variation of the attrition method that has been used by IDRA since 1986 in its annual attrition study of Texas schools. It was noteworthy that Texas was one of five states that decided not to sign on to the agreement, along with California, Florida, Maryland and Wyoming.

IDRA Principles

IDRA continues to insist the following.

- Texas must change state agency dropout counting and reporting procedures by eliminating the use of extensive leaver codes.
- The state must include non-verified transfers, General Education Development (GED) and other unverified leavers in state and local school dropout counts.
- Texas must incorporate longitudinal rates, in addition to dropout rates, in the state's school accountability system.

Bilingual Education: Access to Instruction

A sub-issue in ongoing school finance discussions involved changes in funding related to programs serving students identified as LEP. In the House school funding plan, the authors sought to convert the weighted student approach currently in place, with a fixed amount per LEP student served. For 2005 and thereafter that amount was set at \$500 per student for kindergarten through eighth grades and \$1,000 per LEP student served in high school.

Critics of the plan noted however that the per pupil amount provided a meager \$23 over the average amount produced in the current formula at the kindergarten through eighth grades. Moreover, though there was increased funding proposed for high school LEP students, data clearly indicate that more

Texas Fast Facts

When Texas established its current system of funding education a decade ago, it went from being one of the least equitable to one of the most equitable. As a result of fair funding and other reforms it made possible, students of all kinds across the state are getting a better quality education. But over the last decade, the state government has reduced its share of funding from 52 percent to 38 percent, causing the quality of education to suffer. Thus, in 2004, the Texas school finance system was ruled unconstitutional because it “fails to provide an adequate, suitable education.”

Here are key facts about the current system and some changes that were proposed earlier this year by policymakers. The Texans for Fair Funding web site gives you district-level and county-level facts. By showing our commitment to equity, we can make sure that Texas public schools provide an excellent education for all of our children.

Texas has 4.2 million public schoolchildren, with 52 percent classified as economically disadvantaged and 15 percent as English language learners. Texas has one of the largest and fastest-growing school-age populations in the nation.

Our strength is in our diversity. About 60 percent of students are considered racial or ethnic minorities. The percentages of minority students in the lower elementary grades are even higher.

There are 1,041 school districts in Texas with 288,386 teachers.

There are 134 high-wealth districts that serve about 500,000 students. The remaining 897 districts educate about 3.7 million students.

Annually, about \$30 billion is spent on public schools in Texas, with about \$12 billion coming from the state, \$1 billion from the federal government and \$17 billion from local taxes.

In 2002, businesses paid about 44 percent of school property taxes, residential properties paid about 49 percent and undeveloped land paid about 7 percent.

About \$91 billion in property value is lost because of exemptions for timber, agriculture and wildlife management.

About \$238 million is lost through a legal loophole that allows major corporations to avoid paying the franchise tax.

If the current system's equity provision (recapture) is eliminated, nine of every 10 districts will lose more than a combined \$1 billion in funding.

About \$8 billion in revenue would be lost by cutting school property taxes in half.

According to the governor's original proposal, \$3.2 billion in revenue would be lost by cutting property taxes by 17 percent.

A 1 percent increase in the sales tax would raise \$1.9 billion a year.

For more information, visit
www.texans4fairfunding.org

Glossary of Key School Finance-Related Terms

Adequate funding – The amount of money schools would need to meet minimum, or “adequate” state education requirements, with “adequate” being defined by the state.

Basic allotment / Accreditation allotment – The specific amount of money a school district gets per student to provide state-required education for Texas students. In other words, the amount of funding (or allotment) a district receives is based on the number of students the district serves. In 2005, the legislature referred to this as the “accreditation allotment.”

Equity – When talking about school finance in Texas, equity means requiring substantially equal access to similar revenue per student at similar levels of tax effort. Equity is defined as “equal treatment of equals” or ensuring that schools are provided equitable amounts of money to educate students, including taking into account that students with different needs require differing levels of funding to address those needs.

Facilities funding – Small amounts of state money that have been allocated for school construction and related expenses. The state legislature sets the amount of state funds that can be spent by school districts.

Maintenance and operation (M&O) – M&O taxes pay for administration and operational costs of the schools (teachers, busses, classrooms, etc.) but not school facilities. The state limits M&O taxes to \$1.50 per \$100 valuation.

Recapture – The provision of the Texas school finance system that was created in 1993 in response to court rulings that found the system inequitable and, thus, unconstitutional. Currently, property wealth in the state’s wealthiest districts is used to help support educational equity across the whole system. A school district with a wealth level of \$505,000 keeps all the local tax money for the first \$305,000 in its wealth base; however for the remaining \$150,000 of wealth, it must share the revenue with the state.

State-local share – The state funding system is based on the idea that recognizes that education can be jointly paid for by the state and local school systems. The local share is based on the ability of a local community to pay for its public schools. Some communities are well off with high-value homes, businesses, and oil or minerals; other communities have smaller homes and businesses. The state share is the difference between the cost of educating children in a district, minus the local share that the state requires schools to pay for.

Weights – Students differ greatly in their educational needs, based on their unique learning rates, abilities, motivations, etc. The costs associated with meeting these needs vary widely (i.e., it is more expensive to provide vocational education than it is to offer a traditional academic program). The state finance system assigns an extra weight for each student with certain special needs and uses this to deliver extra money to school districts to help pay those extra costs.

To view other school finance-related terms and to learn more about the states system visit:

www.texans4fairfunding.org

The Good, the Bad – continued from Page 17

than 80 percent of LEP students served in Texas are enrolled in kindergarten through eighth grades.

In the Senate plan, LEP students served in bilingual or ESL programs were assigned a weight as in current law, however the weights differed by grade level. In the Senate plan that was sent to conference committee, LEP students who had been served more than three years were assigned a weight of 0.10 (10 percent times the adjusted basic allotment), which is the same as current law.

LEP students enrolled and served in grades pre-kindergarten through two were assigned a new weight of 0.12; students in grades three through five a weight of 0.18; students served in grades six through eight a new weight of 0.24; and grades nine through 12 a new weight of 0.30. All of these weights would have been valid for a maximum of three years, after which the weights for these students would be reduced to the 0.10 level.

Some bilingual advocates had major reservations with the funding levels being proposed in both the House and Senate. To its credit, the Senate maintained the weighted pupil formula. This was important because it allowed the level of funding for services provided to LEP students to rise as the funding levels for the basic program increases over time – in essence connecting special programs funding to the allocations provided to the state’s regular program for all students.

Funding Lags Behind Growing Needs

Prior to the adoption of HB72 in 1984 which created the current funding scheme, funding for bilingual and ESL programs had been based on a fixed amount per pupil, starting at \$25 per LEP student in 1973 and increasing to \$50 per LEP student in 1981 with the passage of SB477, the basis for the

The Good, the Bad – continued on Page 19

The Good, the Bad – continued from Page 18

current state program. In that period, lawmakers provided no money increases for programs serving LEP students. During that same time period, corresponding funding levels for regular programs was increased by hundreds of dollars per student.

This happened in part because many legislators were hostile to bilingual and ESL programs or did not see their own districts benefiting from such increases. Connecting the LEP funding levels to the regular program allotment was recognized as providing a mechanism for automatic increases without isolating the program.

Though having some positive features, the Senate plan's fatal bilingual/ESL funding flaw was its tendency to concentrate the increased funding in the grades with the fewest LEP students: the high school level. At these levels LEP students are either students ill-served or not served by special programs. A large number however are new immigrants from non-English speaking countries, some with limited schooling. In such cases it seems advisable to provide specialized immigrant student funding in that these students may require more extensive services than those provided to non-immigrant LEP students.

A second shortcoming in the Senate's plan was its insistence that all the newly proposed LEP student weights be reduced after three years of being served by these special programs. This three-year, arbitrary time period is inconsistent with research showing that development of second-language proficiency generally takes five to seven years. Reducing levels of support prior to that timeframe was considered to be dysfunctional and provided opponents to specialized services an excuse for early exiting, a tendency already recognized as all too present in many school systems in Texas.

The House proposal was even

less adequate, arbitrarily setting LEP funding at levels that were a fraction of what bilingual/ESL cost studies say is needed, including studies conducted by state-funded "experts" who noted that meeting accreditation requirements necessitated an LEP funding level of more than \$1,200 per pupil.

A second flaw was the provision in the plan that only required districts to spend at levels equal to the amounts spent prior to the increase in funding, in essence converting the increased funding generated by LEP students into free money that could be used for any purpose other than support for the students who had earned it for the district.

Because of concerns with the three-year limit, the inadequate funding levels, and the mistargeting of grades with the lowest number of pupils needing specialized services, many bilingual proponents were troubled by the major funding plans. Funding concerns were also coupled with concerns over current weaknesses in ensuring compliance with existing requirements related to bilingual and ESL programs, already weakened by a new "performance based" approach to monitoring that fails to pinpoint under-identification or premature exiting.

IDRA Principles

IDRA recommends the following.

- The state should make no changes to existing bilingual education and ESL policies.
- To the extent possible, a separate allocation should be considered for non-LEP students participating in a school district's optional dual language programs.

The Prospects

After four failed efforts to address the long-simmering issue of school funding and largely shutting out education stakeholder concerns, some media outlets and many Texas citizens have begun to question the ability of current state leaders to lead major reforms. With elections not set until November 2006, the prospects for Texas are dim, unless the long-awaited court decision begins to provide new direction and sparks new urgency to address these decades-long challenges.

Albert Cortez, Ph.D., is the director of the IDRA Institute for Policy and Leadership. Anna Alicia Romero, is an education associate in the IDRA Division of Professional Development. Comments and questions may be directed to them via e-mail at comment@idra.org.

Helpful School Finance Online Resources

Center on Budget and Policy Priorities

<http://www.cbpp.org/11-7-02sfp2.htm>

Center for Public Policy Priorities

<http://www.cppp.org>

Equity Center

<http://www.equitycenter.org/>

Intercultural Development Research Association

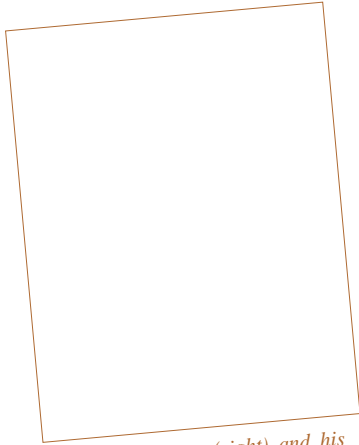
<http://www.idra.org>

Texans for Fair Funding

<http://www.texans4fairfunding.org>

My Spanish-Speaking Left Foot

by José A. Cárdenas, Ed.D.



José A. Cárdenas (right) and his sister, María de Jesús (left), in Charro and China Poblana costumes. Circa 1938.

It was inevitable that José Angel Cárdenas would spend most of his professional life working in the development of multicultural and bilingual programs. He was born in Laredo, Texas, in 1930 with an extensive number of relatives on both sides of the U.S.-Mexico border. In his fourth book, Dr. Cárdenas combines laughter and insight as he re-lives his encounters growing up in a multicultural environment. He depicts the cultural influence of Mexico and the Spanish-speaking world on a Mexican American living in the United States.

“I remember sometimes saying that I was born with my right foot in the United States and my left foot in Mexico. I specifically designate my left foot as the Spanish-speaking one because I was taught in the U.S. Army that the left foot always comes first, and Spanish was my first language.”
– José A. Cárdenas, Ed.D.

In addition to illustrating his childhood capers and his travels throughout Central and South America, Dr. Cárdenas provides compelling reflections of multicultural topics such as wealth, class, language, religion, education and family. Dr. Cárdenas served more than 50 years as a professional educator and is the founder and director emeritus of the Intercultural Development Research Association (IDRA). IDRA is based in San Antonio and works with schools across the country and internationally to improve education for all children.

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