

## FUNDING AND EQUITY ISSUES

By Jean Pierce

### History of Federal Efforts Related to Equity in Public Schooling

In the 1896 case, *Plessy v. Ferguson*, the Supreme Court determined that the equal protection clause of the United States Constitution permitted racially separate schools as long as they had equal facilities. Separate but “equal” schools were sanctioned for close to 70 years.

Prior to the 1950s, federal involvement in education was almost nonexistent. Even the ambitious legislation of the New Deal had little to do with elementary and secondary education. However, with the 1954 United State Supreme Court decision, *Brown v. Board of Education*, the attention changed to discussions and decisions dealing with equal opportunity. The ruling of *Brown v. Board of Education* reversed the 1896 decision and declared that state laws were unconstitutional if they supported establishing separate public schools for black and white students.

In the 1960s, the focus of federal policies moved away from redistribution of funds, which lay at the heart of the New Deal, and attempted to place equality of opportunity at the center of the nation's social welfare policies. The Civil Rights Act of 1964 outlawed racial discrimination. This was followed by President Lyndon B. Johnson introducing his education plan (which became the Elementary and Secondary School Act {ESEA}) in 1965. Title VI of ESEA outlawed the allocation of federal funds to segregated programs.

However, there was still intense discussion about the meaning of “equal.” For some, equal opportunity meant that people with different potential were given relatively the same chances to advance to the best of their individual abilities. That could mean giving more difficult tasks to gifted students, so that they would be challenged as much as non-gifted students. For others, equal opportunity meant to treat all students in the same way – leading to a leveling of performance.

As part of ESEA, Congress authorized a study on educational equality in the United States. The resulting 1965 report, *Equality of Educational Opportunity* (also known as the *Coleman Report*), found student background and socio-economic status were more important in determining educational outcomes than differences in school resources. This study of 150,000 students in the early 1960s has had a lasting influence in debates on housing and busing integration policies, preschool education, voucher payment levels, and charter schools.

Initially, ESEA was intended to provide additional resources to districts serving high concentrations of low-income families with little federal involvement in how the resources were utilized by state and local education authorities. As a result of disagreements about the causes of educational inequalities, ESEA funds eventually were allocated to support a wide variety of programs in local school systems including teaching innovations, cultural and social enrichment programs, library improvements, parental involvement activities, nutrition programs, and social and medical services.

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In the first years of ESEA, two major programs were initiated. Title I provided resources for the education of low-income students. As of 2011, Title I is administered under the No Child Left Behind Act and is funded at \$14.6 billion. Title VI provided grants for “handicapped” children.

Beginning with Title VI, the story of special education funding illustrates how, over time, federal legislative enactments, bureaucratic regulations and court mandates in education became increasingly numerous and prescriptive as the federal influence grew. Title VI continued to expand over time as the definition of “handicapped” was broadened to include more students.

In 1970, Title VI was revised as the Education of the Handicapped Act and was separated from ESEA. Eventually, this program became the Individual with Disabilities Education Act (IDEA), which guarantees free, appropriate education to children with disabilities from birth to age 18 or 21. Under IDEA, Congress recognized additional costs of educating students with disabilities (\$1,713 per student) and set a goal of providing 40 percent of the average pupil costs for qualifying students. In the past 40 years, funding has never exceeded that level, and usually has been below 40 percent. Currently, federal funding covers about 17 percent of the costs. As with Title I, IDEA is administered under the No Child Left Behind Act of 2001. In 2010, IDEA was funded at \$11.5 billion.

ESEA did not provide general federal aid to public schools; instead it provided "categorical" support - aid that was targeted to a specific student population such as low-income students. While school districts generally appreciate receiving the financial assistance, they frequently bemoan a loss of local control over their schools. According to McGuinn & Hess (2005) the creation of federal categorical programs required that federal educational institutions shift from what had been largely an information-gathering and disseminating role to a more supervisory role in the administration of the new federal funds and programs.

*One of the fundamental premises behind the idea of compensatory education, and of the ESEA more generally, was that state and local education authorities had failed to ensure equal educational opportunities for their students and that they could not be trusted to do so in the future without federal intervention. (p.8)*

According to Darling-Hammond (2010), by the 1970s, the emphasis on equity which was promoted through ESEA led to increased spending on urban schools, resulting in higher-paid teachers, fewer teacher shortages and smaller achievement gaps. Data from the National Center for Educational Statistics showed that 1988 saw the smallest racial differences in reading scores on the National Assessment of Educational Progress. However, many of the programs targeting urban and poor rural schools and healthcare were cut in the 1980s. Accordingly, the goal of providing additional resources to low-income students has changed over the years. Ninety-four percent of the school districts in the United States have ultimately received ESEA funds, and the Act allowed Title I funds to be used for a variety of purposes including hiring additional staff and purchasing classroom equipment.

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Unfortunately, during the past 50 years, since *Brown v. Board of Education*, Ladson-Billings (2006) noted that our schools have become re-segregated. She observed that currently, almost three-fourths of Black and Latino/a students attend schools that are predominately non-white. More than 2 million Black and Latino/a students attend schools that are predominantly isolated.

The racial achievement gap has fluctuated since 1988, but it never returned to the narrowed levels of that year. Contrary to Coleman's much-publicized report in 1966, these data appear to suggest that federal policies and funding can have a profound effect on schools. More recently, economists have linked increases in student achievement and reductions in achievement gaps with increased school funding investments in Massachusetts, New Jersey and Illinois (Goertz & Weiss, 2007; Guryan, 2001).

In 1991, Ferguson used a larger data set than Coleman had used and found that spending levels did have an effect which increased as the target of the funding moved closer to teaching students. Accordingly, Ferguson determined that student learning would be most profoundly affected by investments in teacher quality measured by assessments of skills and knowledge as well as by experience and advanced degrees.

Since 1990, rather than looking at equity, most lawsuits have focused on adequacy – whether a state is providing local districts with just enough funding and resources to give students a basic education. Researchers (Kennedy, 2005; Odden & Picus, 2008) have developed a relatively complete research-based model which provides a means for calculating the cost of an adequate education. They define an adequate education as one which includes full-day kindergarten, core class sizes of 15 for Grades K-3 and 25 for Grades 4-12, specialist teachers, and other easily-quantifiable factors.

The weighted per-pupil estimated costs at a prototypical school are \$9,641 according to the evidence-based model proposed by Odden and Pincus(2008). This is \$566 more than the average spent per student on a national basis. Closer inspection shows that in 30 of the 50 states, additional revenues would be needed to reach the estimated cost level as defined by the model.

### **Funding of education from different sources**

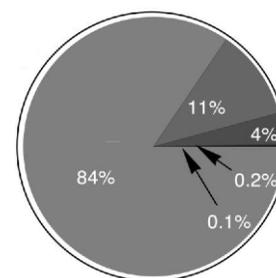
Federal education monies primarily go to individual schools from state and local districts. The federal government adds less than 10 percent to the local education budgets, yet it contributes significantly to the rules for how the funding is used. Additionally, the United States invests 5 percent of its GDP in public education. Nearly half of the K-12 education funding in the United States is intended to come from the states, drawn from a combination of income taxes, fees and other taxes. However, some states resemble Illinois, where the state share is only 27 percent. The remainder usually emanates from local property taxes. States which rely heavily on property taxes to fund education tend to have large inequities in school funding which mirror the inequity of wealth in the society at large.

## Inequity of wealth in the United States

Hurst (2007) has noted that inequities in wealth stem from the fact that wealthy people earn much of their income from investments of inherited funds, while the poor earn all of their income from jobs, and they spend it on food, shelter, transportation, etc. The poor do not have enough left over to save, much less to pass on to future generations. Norton and Ariely (2010) report a general agreement among economists that wealth inequality in the United States is currently at a “historic high.”

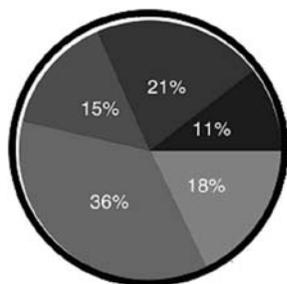
In the pie chart (Figure 1), Norton and Ariely depict the percentage of wealth possessed by each quintile (dividing the population into 5 equal pieces). As the chart shows, in the United States, the wealthiest 20 percent of the population owns 84 percent of the total wealth, the second wealthiest 20 percent owns 11 percent, and so on down to the poorest 40 percent, which owns less than 1 percent of the total wealth.

Figure 1:



Yet Norton and Ariely (2010) discovered that most Americans apparently believe that the distribution of wealth in the United States is far more equitable than it truly is. Furthermore, the authors determined that 92 percent of the Americans from all economic groups in their representative sample would prefer a distribution which resembles that of Sweden (Figure 2).

Figure 2:



When Bell, Bernstein, and Greenberg (2008) compared the United States to industrialized European nations – we have one of the highest poverty rates for children (22.6 percent). In the same study, Bell et al. found that our country does less than any of the others to reduce the effects of poverty for low-income families. After government transfers through tax policies, cash benefits, housing, health care subsidies and child care assistance, the United States still has a child poverty rate of 18.4 percent.

## What are the effects of inequities in school funding?

You will recall that Ferguson (1991) and others found that the quality of teachers has a strong effect on student learning. However, Darling-Hammond (2010) has determined that highly qualified teachers are more frequently found in wealthier schools and school districts in the United States. More experienced and higher paid teachers often choose to teach in more affluent areas. These experienced teachers often can demand better working conditions. The practice of lowering or waiving credentialing standards to fill classrooms in high-minority, low-income schools—a practice that is unheard of in high-achieving nations and in other professions—became commonplace in many American states during the 1990s (p. 41).

She cited two of the studies she conducted which documented this situation. In 2002, she found that Massachusetts students in schools serving the highest concentrations of minority students

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were five times more likely to have uncertified teachers than were students in schools serving the fewest minority students. Similarly, in South Carolina and Texas she determined that the ratio was four to one.

In addition to hiring less-qualified teachers, Darling-Hammond (2010) contended that schools with primarily minority students have often had less challenging and current course requirements, curricula, materials, and equipment. In racially mixed schools, she calls curricular tracks “color-coded.” Darling-Hammond supported this charge with research conducted in 1993 by Jeannie Oakes:

*Latino students who scored near the 60<sup>th</sup> percentile on standardized tests were less than half as likely as White and Asian students to be placed in college prep classes. And even those who scored above the 90<sup>th</sup> percentile on such tests had only about a 50 percent chance of being placed in a college prep class, while their White and Asian peers were virtually assured of such placements...Oakes’s team found similar patterns for African American and Hispanic students in the Midwestern and East Coast cities they studied. (p. 57)*

The education of American Indians has not fared better than that of lower-class African American and Hispanic students. It is noteworthy that schools on American Indian reservations do not even get funds from property taxes, since Indian reservation property is exempt from taxation. Beaulieu (2000) observed:

*...schools with predominantly Indian student populations experience... extremely high student and staff mobility. These schools also tend to serve student populations disproportionately affected by violence and substance abuse that negatively impact school readiness and individual capacity to learn. These problems are also compounded by the fact that schools serving Native students usually lack the appropriate knowledge base for accomplishing the professional development and curricular development objectives necessary for sustained improvement while also meeting unique social linguistic and cultural needs. (p. 30)*

## Where Are We Now?

Today’s economy is more demanding than ever, so dropping out of high school is often disastrous. And yet, according to Bureau of Labor statistics reported in 2009,

African-American dropouts had less than a 25 percent chance of getting a job while white dropouts who had not completed high school had a greater chance – approaching 45 percent.

By the time they were 21, 59 percent of white high school graduates not in college were employed, while only 46 percent of African-American high school graduates not in college were employed,

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According to Fiscella & Kitzman (2009), these educational inequities have profound effects on health suggesting the following data:

A 30-year-old black male with no more than 9 years of education can be expected to live on average 10 fewer years than a white male of the same age and education.

Education affects health by impacting future occupational status, income, neighborhood residence and wealth.

Education also affects health independently of socio-economic factors, because it is strongly associated with a range of risk behaviors: smoking, diet, physical activity, early sexual activity, teenage pregnancy and crime.

The racial gap in education is a primary contributor to racial disparities in mortality.

Child poverty, low birth weight and lack of child health insurance largely explain racial disparity in adult health; these effects are mediated through disparities in educational achievement.

While it appears that increased federal spending on schools is correlated with a reduced achievement gap, it is also possible, that “educational inequality is rooted in economic problems and social pathologies too deep to be overcome by school alone” (Traub, 2000).

The relation between education and the economy seems to be reciprocal. Darling-Hammond (2010) noted that dropouts cost the country at least \$200 billion a year in lost wages and taxes, as well as costs for social services and crime. She stresses that since the 1980s, national investments have spent 3 times more on the prison system than on education. Recall that Odden and Pincus (2008) indicated that an adequate education costs approximately \$9500 per student. Yet states spend an average of \$43,000 per year to incarcerate a juvenile. With 5 percent of the world’s population in the United States, we house 25 percent of the world’s criminals (Kang & Hong, 2008).

Even within districts, some disparities between schools differing in social class have been documented. Roza & Hill (2004) reported discrepancies in funding between schools in different socio-economic neighborhoods that ranged from 10 to 23 percent of the overall school’s budget. Parents of students in middle and upper middle class schools refuse to tolerate poor conditions. They lobby more effectively for academic programs, libraries, computers and teachers. Additionally, parents in affluent areas raise funds in the hundreds of thousands of dollars to gain more programs for their children.

David Berliner (2005) has asked profound questions about why Americans say they believe in equal opportunity for all and yet tolerate inadequate levels of funding for schools of low income and minority students. He traces this dissonance to various beliefs:

*Perhaps we are not doing well enough because our vision of school reform is impoverished. It is impoverished because of our collective view about the proper and improper roles of government in ameliorating the problems that confront us*

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*in our schools: our beliefs about the ways in which a market economy is supposed to work; our concerns about what constitutes appropriate tax rates for the nation; our religious views about the elect and the damned; our peculiar American ethos of individualism; and our almost absurd belief that schooling is the cure for whatever ails society. These well-entrenched views that we have as a people make helping the poor seem like some kind of communist or atheistic plot. (p. 8)*

### No Child Left Behind

In 2001, President George W. Bush signed the No Child Left Behind Act (NCLB) that expanded ESEA testing requirements and introduced an aggressive federal role in holding states accountable for showing improved student performance. NCLB distributed money according to enrollment and category. States used formulas that distributed funds to districts which showed annual yearly progress on a per-pupil basis. Both supporters and opponents of No Child Left Behind agree that it dramatically increased and reshaped the federal role in education.

### Impact of No Child Left Behind

NCLB was intended to close achievement gaps, particularly for minority students. However, Baker et al. (2010) noted that scores of African Americans on the National Assessment of Educational Progress (NAEP) increased at a much higher rate prior to NCLB in fourth-grade math and eighth-grade reading than after the act was implemented. This was also true for white students in fourth- and eighth-grade math and reading.

One provision of No Child Left Behind permitted parents to remove a student from a low performing school and transfer to another, better performing, school in the district. The Title I funds earned by that student would be transferred to the better performing school and the sending school would also be required to pay transportation costs. This had the effect of giving underperforming public schools fewer resources – compounding the problem for schools that were already not being funded adequately. Furthermore, when students in schools continued to lose ground, courts and others stepped in to “remediate” the situation.

The sanctions imposed by NCLB had the effect of punishing or threatening punishment to low-performing schools and teachers, sending them the message that they were incompetent and that they should not have the right to make decisions about how to educate their students. These messages do not have the effect of motivating teachers, and motivation research has shown that the motivation of teachers is reflected in that of their students. For instance, when they studied more than 1200 students, Midgley, Feldlaufer, and Eccles (1989) found that students had less confidence that they could succeed at learning when they were assigned to teachers who had less confidence that they could succeed at teaching. Similarly, Reeve (2009) found that when teachers felt that they had little opportunity to make choices, they were more likely to deny choices to their students. These studies suggest that threatening public schools and teachers with punishment has harmful effects on the students who remain in public schools.

Supporters of No Child Left Behind appreciate the increase in accountability for schools and teachers as well as the focus on low scoring sub-groups especially those not large enough to

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lower the site averages. Critics have decried the lack of federal funding for many of the act's mandates, the emphasis on penalties, the reliance on standardized tests, and the lack of attention to gifted students as well as to subjects such as science and social studies. In addition, researchers consider the NCLB goal of 95 percent of students meeting state standards in reading and math by 2014 to be unrealistic.

### **Race to the Top**

Race to the Top was signed into law by President Barack Obama in 2009. The program shifted the bases of awarding funds to emphasize competition. Competitive grants, like Race to the Top (RTTT) and Investing in Innovation (i3), reward reform planned in select states. Funding is flexible as long as states demonstrate grant dollars are aligned with the agenda outlined in their winning applications. Only twelve states received funding through RTTT.

One criterion for a successful Race to the Top application was "improving teacher and principal effectiveness based on performance." If punishment and threats have unintended consequences, what about merit pay for outstanding teachers? Research has shown that rewarding educators' effectiveness based on their students' performance has not been found to be an effective incentive. In a major study of performance pay in the United States, the National Center on Performance Incentives and the Rand Corporation studied effects over a three-year period (Springer, Ballou, Hamilton, Le, Lockwood, McCaffrey, Pepper, and Stecher, 2010). They concluded that teachers who were randomly assigned to receive bonuses based on their students' performance did not have higher performing students than teachers not offered the same incentive. In other words, merit pay does not seem to have a solid positive foundation in educational research.

Another problem with politicians recommending evaluating teacher effectiveness based on improvements in their students' performance is that a valid assessment has not been developed. There appear to be major flaws with formulas used to calculate "value-added assessment" or "value-added modeling." Ravitch reported a 2010 study by the United States Department of Education which estimated that "even with three years of data, there was an error rate of 25 percent" when these formulas were used.

### **Alternatives Such as Vouchers and Charter Schools**

One goal of both, NCLB and RTTT has been to offer choice to parents whose children attend poorly performing public schools. In the 1990s, vouchers and charter schools were proposed as viable ways of offering choices to parents who were dissatisfied with their public schools. It was assumed that this would promote competition with traditional public schools, and this would cause them to manage their funds better. Mismanagement of funds was identified as a problem by people who noted that per-pupil spending by the public schools had doubled since 1965, while SAT scores were going down. However, Darling-Hammond (2010) noted that during that same time period, the educational system had expanded access to high school for minorities and students with disabilities. This suggests that even if the assessments had remained constant over the years, the scores of the populations tested would not be comparable.

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Vouchers give a sum of money to the parents, who use it toward the expenses of a private school. The fact that the private school could be religious has provoked a number of lawsuits challenging the use of public funds for church-sponsored institutions. Vouchers do not typically pay for all of the costs of a private school, and usually parents are responsible for providing for transportation in addition to other fees. Accordingly, low-income parents frequently cannot take advantage of a voucher system, and there are charges that the system can lead to segregation (Lubienski & Weitzel, 2008).

Large-scale studies of voucher schools have revealed little difference in student performance compared to public school students with similar backgrounds, and having vouchers has not raised the performance of the neediest students in public schools (Rouse & Barrows, 2009). In 2008, Lubienski and Weitzel presented a thorough review of the research cited by proponents of vouchers and private schools. They noted that most of the studies repeatedly cited by advocates of privatization have not been published in peer-reviewed journals, and they identified a number of flaws in research which claims the superiority of using vouchers to pay for education in private schools. Their conclusion -- that there have been mixed results in the research -- applied to outcomes of studies when vouchers were financed either by public funds or by private benefactors.

Charter schools are considered public schools, and they receive public funding. They may be managed by either a nonprofit or a for-profit business, and they may receive additional corporate or foundation funds. In many states, they do not need to meet requirements imposed on other public schools. For instance, many charter schools set their own standards for curriculum, teacher quality and assessment.

Charters were originally proposed as an opportunity for educators to test research-supported methods for reaching hard-to-educate children. However, Ravitch (2010) contends that many of them are now managed by people who have more business than pedagogical expertise. Many apply free-market techniques as they attempt to motivate teachers with merit pay. In addition, these charter schools compete for the most successful students in the poorest communities, and they are not compelled to retain low performers. Both of these practices leave public schools with the lowest performing and least motivated students.

Ravitch (2010) notes that there certainly are some highly successful charter schools. But many of these do not enroll as high a percentage of the neediest students as public schools do. In 2009, a large-scale research study which was funded by pro-charter advocates revealed that only 17 percent of 2403 charter schools had significantly more growth in test scores compared to traditional public schools, and, in fact, 37 percent showed significantly less growth (Center for Research on Education Outcomes, 2009). The study also revealed large differences in quality among charter schools.

## **Research-Based Recommendations for the Federal Government to Promote Equity**

Instead of relying on either a carrot or a stick approach, Linda Darling-Hammond (2010) has speculated about what would happen if Americans spent more money on public education and societal changes which would promote equity. She presented evidence that demonstrated how Finland and South Korea have realized profound national changes in education since the 1970s.

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With publicly-financed education, Finland has focused on equitable funding for schools and extensive preparation for teachers, all of whom receive 2-3 years of quality graduate education financed by the government. In South Korea, 100 percent of the teachers are certified. Clearly, these approaches require systemic changes – not quick fixes of separate problems.

In order to build a more equitable system that will support our growing technological needs, Darling-Hammond (2010) suggests the following:

- Secure housing, food and health care, so that children can come to school ready to learn each day,
- Provide supportive early learning environments,
- Equitably fund schools which provide equitable access to high-quality teaching,
- Provide well-prepared and well-supported teachers and leaders,
- Support standards, curriculum and assessments that focus on 21<sup>st</sup>-century goals, and
- Encourage schools to be organized for in-depth student and teacher learning. (p. 26)

In order to recruit, prepare and support a strong teaching force in America, Darling-Hammond (2010) notes that our country must refuse to continue its practices of hiring minimally-trained teachers and paying the lowest salaries to teachers in the poorest districts. Instead, all school districts need to be able to recruit top candidates. She recommends that the federal government provide:

- scholarships to cover the costs of teacher education for high-ability students who plan on teaching in low-income districts,
- incentives for institutions of higher education to create successful models of teacher education to prepare educators to work with diverse learners,
- scholarships for teacher residencies such as those available to doctors and psychologists after they have graduated,
- matching grants to states and districts in order to attract and retain highly-qualified teachers in high-need schools,
- matching grants to enable districts to give teachers significant time and resources for ongoing professional development including mentoring and collaborative research, and
- valid and reliable national assessments for teacher certification.

Finally, since highly-qualified educational administrators are also essential to the job satisfaction of teachers, Darling-Hammond recommends that similar funding policies should be adopted by the federal government for recruiting, training and keeping strong educational leaders.

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## **ADDITIONAL RESOURCES**

### **Resources Presenting Opposing Arguments of the Public/Private Debate**

#### **Advocating for the privatization of schools:**

##### **Website:**

<http://www.arightdenied.org/presentation-slides>

##### **Films:**

*Waiting for Superman*  
*The Cartel*  
*The Lottery*

#### **Not advocating for the privatization of schools:**

##### **Article:**

Lubienski, C. & Weitzel, P. (2008). The effects of vouchers and private schools in improving academic achievement: A critique of advocacy research. *Brigham Young University Law Review*, (2), 447-485.

##### **Film:**

## **Funding and Equity Issues**

*Race to Nowhere* – provides a broad picture of the variety of problems confronting public schools in the United States

**Resource advocating for the Constitution to recognize education is a fundamental right**

<http://www.right-to-education.org/>

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