



INTESOL Policy Brief on HB 1001 Budget Formula for the [Non English Speaking Program p. 66 for the 2022-2024 Biennium](#)

Indiana Teachers of English to Speakers of Other Languages
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The Indiana Teachers of English to Speakers of Other Languages' (INTESOL) professional organization is grateful for stable funding of 22.5 million in the Non English Speaking Program Bill of HB 1001 for this biennium (2022-2024). Its provision protects the general education funds of already over-tapped local general education budgets, particularly given the demands of the pandemic.

The Indiana Teachers of English to Speakers of Other Languages (INTESOL) professional organization **opposes the currently proposed tiering formula in the Non-English Speaking Bill (HB 1001). We advocate for a return to the per-pupil formula where the value for each child is the same.** In the previous budget cycle, a tiered formula was adopted that provides more funding for English Learners who are lower in their English proficiency. Specifically, English proficiency levels 1 and 2 receive greater dollar amounts over those at levels 3 and 4 on the WIDA Access English Language Proficiency Test. With tiering, districts receive disparate funding. Below we outline our rationale for employing the same per-pupil amount across all English levels and NOT the currently proposed tiered formula.

- **Indiana has far more 3s and 4s than 1s and 2s:** 65% of Indiana's ELs are level 3 and 4s. Only 35% of Indiana's ELs are 1s and 2s (newcomers). With the current use of the tiering formula, only 72 districts out of 363 have higher densities of 1s and 2s or 19.8%. Among those 72, the majority have only 1-2 English learner students that represent a tiny proportion of their district.
- **The tiering formula ensures that a large majority of districts cumulatively lose NESP funding over Year 1 and 2 compared to a base amount per pupil:** While funding is higher with tiering in the first year for 1s and 2s, it goes down in Year 2 when students make progress (Figure 1, Figure 2). The few districts that benefited from the 1s and 2s now get fewer dollars, impacting their entire EL population. Out of 363 districts with ELs, 228 received fewer dollars with this tiering formula, 135 gained with the tiering formula, BUT only 4 districts gained significantly. As an example, during the 2019-2021 biennium with the tiering formula, in urban district MSD of Perry Township, the total loss for Year 1 and 2 was **\$33,419.31**. They received LESS funding because the tiering system was implemented instead of a per pupil base. Relative to other districts in the state, they have a high proportion of Level 1s and 2s, yet there was still a negative financial impact to them. In Goshen, Indiana, the total loss between Year 1 and 2 was **\$33,824.97**, which represents the most negatively impacted district by this current Indiana tiering formula. Impacts to districts are detailed below (Table 1, Figure 1, Figure 2).

- **Lower levels of language proficiency progress more quickly; higher levels are slower:** While level 1 and 2 students seem to be more in need when they first arrive, WIDA English test data and language acquisition research show that they make faster progress than their higher-level peers (3s in 4s). In short, levels 3s and 4s take longer to move from level 3 to 5, whereas moving from a 1 to a 2 goes quickly. “When considering language growth, one principle to be aware of is ‘lower is faster, higher is slower’” (WIDA Consortium, 2009).
- **Short timeline to get students English proficient:** ESSA (Every Student Succeeds Act), [Section 3121\(a\)\(6\)](#) mandates a report every two years of the number and percentage of “ELs who have not yet attained English language proficiency within five years” (U.S. Department of Education, 2015). Equal dollars per pupil makes it easier for districts to meet the needs of all English learners and to more easily project their future EL budgets.

Financial NESP tiering impact to school districts during the last biennium (2019-2021).

Because an even per pupil amount was NOT applied during the last biennium, the financial impact to schools with the tiering formula is detailed below for the 30 most gravely impacted districts. As an example, the School City of Hammond would have received \$31,814.84 more if the base/per pupil amount had been employed. Instead, they received appreciably less impacting their capacity to serve their entire EL population (Table 1, Figure 1).

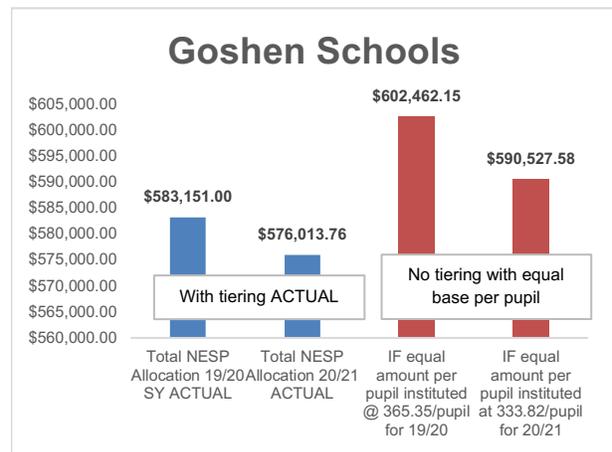
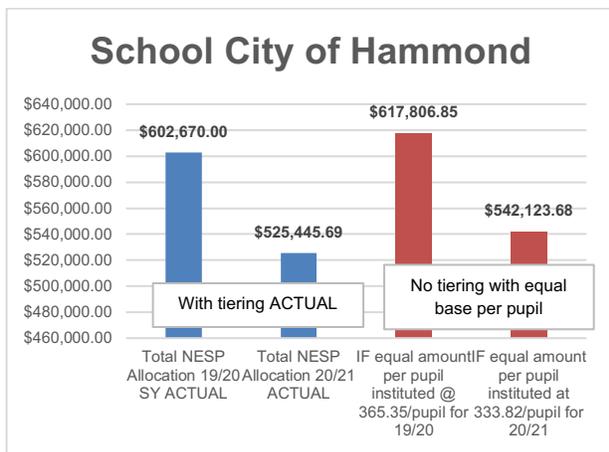
Table 1. Financial impact to districts due to implementation of tiering in the last biennium instead of an equal per pupil amount.

| Corporation Name | Public ELL Student Count 2019-2020 used for funding formula | Because tier was adopted instead of base, financial impact during for last biennium |
|-----------------------------------|---|---|
| Goshen Community Schools | 1769 | -\$33,824.97 |
| Perry Township Schools | 4807 | -\$33,419.31 |
| School City of Hammond | 1624 | -\$31,814.84 |
| M S D Wayne Township | 3217 | -\$29,379.81 |
| M S D Pike Township | 2069 | -\$24,019.34 |
| Westview School Corporation | 694 | -\$21,837.66 |
| West Noble School Corporation | 565 | -\$19,125.52 |
| South Bend Community School Corp | 1732 | -\$18,280.47 |
| Avon Community School Corp | 627 | -\$16,884.60 |
| Fairfield Community Schools | 304 | -\$14,687.00 |
| Carmel Clay Schools | 729 | -\$14,394.33 |
| Middlebury Community Schools | 310 | -\$14,231.80 |
| Hamilton Southeastern Schools | 1002 | -\$14,145.19 |
| Franklin Township Com Sch Corp | 672 | -\$13,629.50 |
| M S D Decatur Township | 518 | -\$11,048.28 |
| Crown Point Community School Corp | 241 | -\$10,875.57 |

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|-------------------------------------|------|--------------|
| Lake Central School Corporation | 341 | -\$10,614.47 |
| Lafayette School Corporation | 943 | -\$10,288.03 |
| Community Schools of Frankfort | 848 | -\$10,268.14 |
| Tippecanoe School Corp | 868 | -\$9,506.49 |
| School City of Whiting | 144 | -\$8,612.84 |
| Brownsburg Community School Corp | 279 | -\$8,290.93 |
| Bartholomew Con School Corp | 1266 | -\$7,685.97 |
| Penn-Harris-Madison School Corp | 291 | -\$7,580.59 |
| Christel House Academy South | 171 | -\$7,404.92 |
| Christel House Academy West | 156 | -\$7,135.35 |
| Warsaw Community Schools | 692 | -\$6,809.40 |
| Merrillville Community School Corp | 186 | -\$6,610.75 |
| Greater Jasper Consolidated Schools | 258 | -\$6,161.16 |
| Clark-Pleasant Community Sch Corp | 365 | -\$6,111.30 |

Figure 1. School City of Hammond: Actual impact to districts with tiering formula versus base formula. **LOSS over last biennium: -\$31,814.84**

Figure 2. Goshen Schools: Actual impact to districts with tiering formula versus base formula. **LOSS over last biennium: -\$33,824.97.**



Federal and state law requirements:

- Federal and State laws and regulations require school districts to serve all English learners until they have been exited from the English as a new language program. (Title VI of the Civil Rights Act of 1964; Lau v. Nichols 414 U.S. 563, 94 S. Ct. 786, 1974; Equal Educational Opportunities Act (EEOA), 1974; Castaneda v. Pickard (1981); Plyler v. Doe (1982); [ESSA \(2015\)](#) reauthorization of ESEA).
- Research shows that it takes between 4-10 years for individuals to reach academic language proficiency. When our level 3 and 4 students do not get the support they need, they are more likely to become long-term ELs. (Hakuta, Butler & Witt, 2000; Collier & Thomas, 2017)
- Many Indiana districts admit they do not directly serve level 3 and 4 students. The tiered formula reinforces districts exclusively serving 1s and 2s and not meeting the needs of all their ELLs.

References

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