



WINOOSKI SCHOOLS

We are the future.

From: Sean McMannon, Superintendent

To: Task Force on the Implementation of the Pupil Weighting Factors Report

Date: December 1, 2021

Thank you for your time and effort since June 29th, the Task Force's first meeting, in working on what I and many others consider to be the most important equity issue in our State right now. Thanks to the thorough research conducted by UVM and Rutgers, we now know that we have an inequitable school funding system that causes harm to students and families who reside in districts with high %s of students living in poverty and with Multilingual or English Language Learning needs.

In the Winooski School District, 62% of our students live in poverty. 33% of our students are multilingual learners. 27% of our students qualify for special education services. As the Pupil Weighting Factors Report clearly indicates, the current funding weights are not keeping up with the needs of our students, and do not reflect the actual costs we incorporate into our school budget. As a result, Winooski and many other districts do not have the same opportunities as students in wealthier districts.

I want to ground us in established law: the Brigham decision in 1997, the enabling legislation Act 59 of this Task Force and Act 173:

In 1997, in *Brigham v. State*, the Vermont Supreme Court concluded that the State constitution requires the provision of substantially equal educational opportunity to all students. The Court declared the State's education funding system unconstitutional because it resulted in wide disparities in per-pupil expenditures.

The *Brigham* Court wrote that "...the right to education is so integral to our constitutional form of government, and its guarantees of political and civil rights, that any statutory framework that infringes upon the equal enjoyment of that right bears a commensurate heavy burden of justification. The distribution of a resource as precious as educational opportunity may not have as its determining force the mere *fortuity* of a child's residence."

(Act 59), The enabling legislation of this Task Force states in...

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Section 1(b)

- “neither the factors considered by the current formula nor the value of the weights reflect contemporary educational circumstances and costs.”
- “values for the existing weights have weak ties, if any, with evidence describing the difference in the costs of educating students with disparate needs or operating schools in different contexts.”

Section 1(c)

- The major recommendations of the (Pupil Weighting Factors) Report are **straightforward**, specifically that the General Assembly increase certain of the existing weights

Act 173, Section 11

Section 11 of Act 173 calls for a “census grant supplemental adjustment” in relationship to pupil weighting factors. The implementation of Act 173 can only happen equitably in conjunction with increased weighting - or some other means of supplemental adjustment. In short, the implementation of a block grant and increased funding for factors such as poverty, English language learners, and rurality must go hand in hand. In fact, the implementation of Act 173 without increased weighting for poverty, or other categorical aid, would adversely impact revenues for SU/SDs with high child counts and in turn ultimately impact student services or local tax rates.

In Winooski, COVID-19 showed us we need more staff to meet the complex needs of our students. Winooski made the decision to invest federal COVID funds in new teachers such as literacy & math interventionists, social workers, summer programs focused on re-engaging students after being out of school due to the pandemic, and three new multilingual liaisons. Unfortunately, when the federal funding goes away, the staff will as well. This would not happen if the legislature corrects the weights.

Close to 100% of the comments from the public asked for the recommended weights from the 2019 report to be implemented. Speakers took time away from their work and lives to explain to you what the issues are with treating poverty, rurality, small schools and ELL with categorical aid. You continue to push for categorical aid to fund Multilingual learners, separating those students from their peers in the funding formula.

By choosing to separate/segregate ELL funding from the rest of the formula, and intentionally setting the amount at substantially less than empirical analysis says it should be, I believe this proposal results in discrimination against ELL students on the basis of national origin and language. As the court in *Brown vs*

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Board of Education said: "To separate students from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone." Brown, 347 U.S. at 494. This is as true for funding schemes as it is for where students are physically educated.

I am asking you to get back in the lane of which you were charged, and create a plan to implement the report's recommendations. Should you continue to favor your model of categorical aid and weights over the empirically-based recommendations of the report authors, I fear your current position is not in compliance with current law as stated earlier in Brigham, Act 173, S.13 and Brown vs. Board of Education, and could represent further delay and continued harm to our most vulnerable students and families.