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The Invest in Excellence and Equity in American Education Act

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1. SUMMARY OF THE ACT

The “Invest in Excellence and Equity in American Education Act” (the “**Act**”) is designed to create a new, federal approach to education funding predicated on the “Evidence Based Model” or “**EBM**” developed by Allan Odden at the University of Wisconsin, and Lawrence O. Picus at the University of Southern California. The EBM—and hence the Act—determines the specific level of funding a school district in a given state needs to deliver a quality education to the unique student population it serves. The Act defines this funding level as a district’s “**Adequacy Target**.”¹

Under the Act, the dollar amount of a school district’s Adequacy Target is based on the cost of implementing those research-based “best practices” which over time have had a statistically significant relationship to improving student achievement. Examples of the research-based practices that are funded under the Act include (but are not limited to):

- Reducing class size for K-3 to no more than 15 students per classroom;
- Retaining instructional coaches/facilitators/mentors;
- Tutoring;
- Specialized instructional resources for ELL;
- Technology;
- Professional development;
- Full day Kindergarten;
- Parent outreach;
- Wrap around services;
- After school and extended day programs; and
- Guidance counselors, nurses, and school psychiatrists.

The Act adjusts the cost of implementing these practices automatically to account for a given state’s overall and regional labor markets and related economic factors, as well as the enrollment and demographic composition of the student population attending each school district.² Hence the concentration of low-income, African American, English language learner, and special needs students in a district directly impact the computation of the resources a particular district will receive.³

The Act then prioritizes the investment of new federal dollars in the neediest districts across America—i.e. those furthest from having the resources which the evidence indicates is required to educate the students they serve. Hence, the funding formula in the Act ensures it will equitably build the capacity of traditionally underfunded public schools which serve low-income students generally, and minority students specifically.

Once passed, the Act will:

- (i) help ensure every school district in America will have adequate resources to fund a quality public education for all the students it serves;
- (ii) distribute new federal education funding in a manner that is equitable, taking into account the race, ethnicity and income class of all students attending America’s public schools;
- (iii) tie the federal government’s new investments in public education to funding those educational practices which the evidence and/or research indicate enhance student achievement; and

(iv) create a federal approach to education funding that is accountable to taxpayers, because the federal investment is capped at the dollar amount the evidence indicates a school district actually needs—and not a penny more.

The Act does not replace, supplant, alter or in any way modify any existing federal funding for education, whether under Title I, The Individuals With Disabilities Education Act, or otherwise. Instead, all new education funding under the Act will be entirely supplemental to all pre-existing federal education funding laws.

2. HOW THE ACT WORKS

The Act creates the following three new grant programs for funding public education:

(i) First is the “[Equity and Excellence Initiative](#),” which is a federal matching grant program that allows the federal government to co-invest with those states that voluntarily elect to increase their per pupil funding in “Targeted Schools.” The Act defines a “**Targeted School**” as a school which (a) has total funding from all sources which is less than 75% of its Adequacy Target—i.e. the amount of resources the evidence indicates it needs to educate the children it serves, or (b) has a student population that is 20% or more low income, or (c) has a student population that is 20% or more English learners, or (d) has a student population that is 20% or more comprised of a racial minority.

Under this Initiative, the federal government would match increases states make in funding for their Targeted Schools on a dollar-for-dollar basis, up to a limit of the Adequacy Target of funding for each such Targeted School. Once the Adequacy Target is reached, the federal investment would increase annually thereafter solely by inflation, as long as the state in question satisfies its maintenance of effort obligations.

(ii) Second is the “[Educating Every Child Initiative](#),” which empowers the Federal Department of Education (the “**DOE**”) to make grants directly to Targeted Schools, up to the Adequacy Targets of such schools. While these grants are purely discretionary, if the DOE desires to make such grants, it must prioritize those school districts that are furthest away from having the resources the evidence indicates they need to educate the students they serve. Going forward, states that have Targeted Schools receiving such discretionary grants must maintain their existing funding for said Targeted Schools on a fully inflation-adjusted basis.

Any school district which receives either an Equity and Excellence Initiative grant or an Educating Every Child Initiative grant must use such federal funding to implement evidence-based practices identified in the Act, but has the discretion to choose which such practices it will implement. All school districts receiving such grants are required to report back to the DOE on their utilization thereof.

(iii) Third is the “[Facilities Modernization Initiative](#),” which creates a federal grant program to assist Targeted Schools in making capital investments needed either to modernize existing or to construct new school buildings, so that all such facilities are safe, modern, environmentally friendly, capable of housing current and future technologies, and create an atmosphere that promotes learning. The DOE will work collaboratively with states that have Targeted Schools receiving Facilities Modernization Initiative grants to create a priority list of all Targeted Schools with capital needs in such states.

The Act provides for state and school district level technical assistance grants to assist in the implementation of the three grant programs the Act establishes.

ENDNOTES

¹ John G. Augenblick, John L. Myers, Amy Berk Anderson, “Equity and Adequacy in School Funding”, The Future of Children – Winter 1997. http://futureofchildren.org/futureofchildren/publications/docs/07_03_04.pdf

² Allen Odden, Lawrence O. Picus, Michael Goetz, Michelle Turner Mangan, Mark Fermanich, “And Evidenced-Based Approach to School Finance Adequacy in Washington”, (September 2006), 3.

³ Michelle Turner Mangan, Ted Purinton, Anabel Aportela, “Illinois School Finance Adequacy Study – Part I: A Comparison of Statewide Simulation of Adequate Funds to Current Revenues”, (March, 2010), 9.