1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 05/26/99 Wanted: Soon				Received By: mlief			
				Identical to LRB: By/Representing: Collins			
For: Legislative Fiscal Bureau 6-9917							
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Subject: Education - miscellaneous	Extra Copies: PG			
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Legislative Fiscal Bureau

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- Kall Triun

May 20, 1999

Joint Committee on Finance

Paper #778

Student Achievement Guarantee in Education (DPI -- Categorical Aids)

[LFB 1999-01 Budget Summary: Page 489, #2]

CURRENT LAW

A total of \$15,030,000 GPR is provided in 1998-99 for the student achievement guarantee in education (SAGE) program. The SAGE program awards five-year grants to school districts with at least one school with an enrollment made up of at least 50% low-income pupils (as defined by USC 2723) in the previous school year. Eligible school districts may enter into a contract with Department of Public Instruction (DPI) on behalf of one school in the district if in the previous school year, the school had an enrollment that was made up of at least 30% low-income pupils and the school board is not receiving a preschool through grade five (P-5) grant on behalf of that school.

Statutorily, the Milwaukee Public Schools (MPS) school district can enter into contracts on behalf of up to ten schools. If other districts have more than one eligible school, they are required to contract for the school with the largest number of low-income pupils in kindergarten and first grade. DPI is permitted to allow school districts to contract for one additional school if other eligible school districts have declined to participate in SAGE and DPI determines that sufficient funding is available. Based on DPI's interpretation of the SAGE statutes, DPI has permitted several school districts, with original SAGE contracts, to contract for up to an additional two SAGE schools under the second round of contracts. In addition, under the second round of contracts, DPI, under the waiver process, has permitted MPS to contract for an additional seven schools, increasing the total number of MPS contracts to 14.

The original SAGE contracts, which apply to school years 1996-97 through 2000-01, covered kindergarten and first grade in 1996-97, with the addition of grade two in 1997-98 and grade three in 1998-99. These contracts expire on June 30, 2001. Under 1997 Act 27 (the 1997-99 state budget), a second round of contracts is permitted for additional schools and school districts, to cover school years 1998-99 through 2002-03 with kindergarten and first grade in 1998-99 and the addition of grade two in 1999-00 and grade three in 2000-01. These contracts expire on June 30, 2003.

School districts must do all of the following in each SAGE school. (a) reduce each class size in the applicable grades to 15 pupils; (b) keep the school open every day for extended hours and collaborate with community organizations to make educational and recreational opportunities as well as community and social services available in the school to all district residents; (c) provide rigorous academic curriculum designed to improve academic achievement; and (d) create staff development and accountability programs that provide training for new staff members, encourage employe collaboration, and require professional development plans and performance evaluations.

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Funding per pupil is determined by dividing the amount appropriated by the number of low-income pupils enrolled in eligible grades in every SAGE school in the state. Kindergarten pupils are pro-rated based on the number of hours per day they spend at school. School districts may receive no more than \$2,000 for each low-income pupil; in each year of the program, SAGE schools have received the full \$2,000 for each low-income FTE pupil.

Additionally, DPI is required to arrange for an evaluation of the SAGE program and must allocate \$250,000 annually for this purpose. The Department has contracted with the University of Wisconsin-Milwaukee (UWM) for this evaluation.

In order to continue to receive funding under the SAGE program, school districts must pass an annual review. At the end of each school year, a committee consisting of the State Superintendent, the Chairpersons of the Education Committees in the Senate and Assembly and the head of the UWM evaluation team must review the progress of each SAGE school and may recommend that DPI terminate a contract if a school has made insufficient progress or has violated the requirements of SAGE.

GOVERNOR

Provide \$3,454,000 GPR in 1999-00 and \$13,483,400 GPR in 2000-01 for the SAGE program to fund schools that began contracts in 1996-97 and 1998-99 and a third round of SAGE contracts starting in 2000-01.

Create new eligibility requirements for those schools that would participate in the third round of contracts starting in 2000-01. Specify that a school district would be eligible to participate in the program in 2000-01 if, in the 1998-99 school year, a school in the district had an enrollment that was at least 50% low-income. Under current law, a school district is required to have an enrollment that was at least 50% low-income in the previous school year.

Specify that a school district other than MPS would be eligible to enter into a contract on behalf of one or more schools in the district if all of the following apply: (a) in the previous school year, the school had an enrollment that was at least 62% low-income; (b) the school is not receiving a P-5 grant; (c) the school district, if eligible in the 1996-97 and 1998-99 school years, participated in either year; (d) the school is not currently participating in the program; and (e) the school is not a comparison school for purposes of the annual program evaluation.

Specify that MPS would be eligible to enter into a contract on behalf of one or more schools in the district if all of the following apply: (a) the school, in the previous school year, had an enrollment that was at least 80% low-income; (b) the school is not receiving a P-5 grant; (c) the school is not currently participating in the program; and (d) the school is not a comparison school for the purposes of the annual program evaluation.

Codify current practice to permit MPS to contract for up to ten schools in both the 1996-97 and 1998-99 contract rounds, for a total of 20 schools. Also codify current practice to provide that if a school board of an eligible school district does not enter into a contract, other school boards may apply to enter contracts on behalf on one or more schools, except for MPS.

Extend: (a) the date in which DPI may enter into SAGE contracts from June 30, 1999, to June 30, 2001; (b) the annual evaluation of the program from the 2001-02 school year to the 2003-04 school year; and (c) the date in which no funds may be encumbered from the SAGE appropriation from June 30, 2003, to June 30, 2005. These modifications would conform current programmatic sunset dates with the timing of the proposed third round of five-year SAGE contracts.

DISCUSSION POINTS

- 1. The SAGE program was established under 1995 Act 27 (the 1995-97 budget) based on recommendations from the Urban Initiative study completed by DPI in order to identify methods for improving pupil achievement in low-income school districts. SAGE was initiated as a five-year program and included a provision for a program evaluation which would determine the effectiveness of the components of SAGE. As part of the 1997-99 budget act (1997 Act 27), the Legislature recommended providing additional funding in order to fund a second round of contracts that would expire on June 30, 2003.
- 2. The most recent SAGE program evaluation, from December 1998, indicates that students in first grade SAGE classrooms achieved significantly higher scores in the tested areas of math, reading and language arts than pupils in the comparison classrooms. The evaluation reported that the achievement of first grade pupils appeared to be maintained in second grade; however the advantage did not appear to have increased significantly. Teachers in the program reported greater knowledge of their students and spending more time on instruction as compared to classroom management. In addition, SAGE schools reported an increase in the extended day activities offered and participation in those activities in 1997-98.
- 3. Preliminary results from the 1999 Project STAR study in Tennessee, indicate that students who have attended small size classes (13 to 17) in kindergarten through grade three, continue to outperform students who attended large size classes (22 to 25), after they enter grades with larger class sizes. The study reports that small-class students have completed more advanced courses, were less likely to be retained and were less likely to drop out of high school than those who attended regular classes or regular classes with a teacher's aide.

- 4. In 1998-99, 46 school districts have SAGE contracts with DPI on behalf of 80 individual schools and approximately 7,500 FTE kindergarten through third grade low-income pupils. The current SAGE participating schools and school districts are listed in an attachment to this paper. School districts receive \$2,000 for each eligible pupil.
- 5. The Governor's budget bill would provide continuing funding for the current SAGE schools. The Department estimates that 9,097 FTE low-income pupils will be attending the 80 SAGE schools in 1999-00 and 10,881 FTE low-income pupils in 2000-01. Based on these pupil counts, the SAGE program would need an additional \$3.2 million GPR in 1999-00 and \$6.7 million GPR in 2000-01 to fund each eligible pupil at \$2,000 each. The funding provided in the budget bill is sufficient to fund these estimated additional costs, as well as the ongoing \$250,000 per year of evaluation costs.
- The Governor's budget bill also provides additional funding for a third round of 6. SAGE contracts which would begin in 2000-01. The funding provided and the eligibility requirements recommended for the third round of SAGE contracts contained in the bill are based on a DPI initiative that was prepared separately from DPI's 1999-01 biennial budget request. Under the DPI initiative, the SAGE program would be expanded over the next three biennia to include all eligible schools with a poverty rate of 50% or more. Eligibility rates for the additional schools would continue to be based on prior year poverty rates. However, the qualifying low-income rates would different for each contract round (2000-01, 2002-03 and 2004-05) and for MPS and non-MPS schools. For 2000-01, eligible districts other than MPS with a poverty rate of 62% or more in the prior year could participate in the program, while eligible schools in MPS with a poverty rate of 80% or more could participate. For 2002-03, eligible non MPS schools with poverty rates between 54% and 62% in the prior year could participate in the SAGE program and MPS schools with a poverty rates between 70% and 80% could participate. For contracts starting in 2004-05, the qualifying poverty rate for non-MPS schools would be between 50% and 54% and between 50% and 70% for MPS schools.
- 7. The funding estimated to be available for the third round of SAGE contracts after deducting the costs to fund continuing contracts is \$6.5 million GPR in 2000-01. Under the Governor's proposed allocation method for the third round of contracts, using more recent data on the poverty rates in these schools, it is estimated that 20 schools in MPS and 11 schools in the remainder of the state would be eligible to contract for SAGE aid at \$2,000 per pupil at an estimated cost of \$5.85 million GPR in 2000-01. If the Committee wishes to approve the Governor's recommendations relating to the third round of SAGE contracts, it could do so and reduce funding by \$650,000 GPR in 2000-01.
- 8. Concerns have been raised regarding the Governor's proposed allocation of funding based on differing poverty rates for MPS and the remaining school districts. According to the data reported to DPI for the 1998-99 school year, out of the 471 schools with a poverty rate of 30% or more, approximately 23.6% are located in MPS. Under the current SAGE program, the statutes require that no more than 10 schools be funded in MPS. The Department, however, has waived this provision and provided funding for 14 schools in MPS, which represents approximately 18% of the

total schools funded under the program. One could argue that based on poverty rates, a significant portion of funding under the program should be provided to MPS. Table 1 below shows the number and percent of MPS schools and the number of other schools at various low-income rates.

TABLE 1

Number and Percent of Schools with Poverty Rates of 30% or More*

Poverty Rates	MPS Schools	MPS % of Total	Non MPS Schools	Non MPS % of Total	<u>Total</u>	Cumulative <u>Total</u>	MPS as % of Cumulative Total
More than 90%	26	92.9%	2	7.1%	28	28	92.9%
80% to 90%	28	82.4	6	17.6	34	62	87.1
70% to 80%	23	56.1	18	43.9	41	103	74.8
60% to 70%	19	43.2	25	56.8	44	147	65.3
50% to 60%	9	14.5	53	85.5	62	209	50.2
40% to 50%	4	3.6	108	96.4	112	321	34.0
30% to 40%	_2	1.3	<u>148</u>	98.7	<u>150</u>	471	23.6
Totals	111		360	•	471		

^{*}Based on information reported to DPI by school districts for the 1998-99 school year.

- 9. As illustrated in the table above, MPS has most of the schools with very high poverty rates, with 74.8% of the schools with a poverty rate of 70% and above. Based on the concentration of poverty in MPS, allocating most of the funding to MPS may be desirable. However, if funding were allocated strictly based on poverty rates, concerns could be raised that school districts other than MPS would receive little funding for class size reduction, until schools with poverty rates under 70% were funded. Further, one could note that under the federal class size reduction initiative, MPS would receive over 30% of the funding allocated for Wisconsin in 1998-99, \$6.2 million of the \$20.1 million provided to Wisconsin, while some smaller school districts will not receive sufficient funding to support the costs of one new teacher.
- districts under the third round of contracts, one alternative would be to specify a maximum number of schools that could be funded under the third round for MPS and for the remainder of the state. By specifying a number of schools rather than a percent of poverty, DPI would have more flexibility in awarding contracts. If schools with higher poverty rates decided not to participate, DPI could contract with another school with a lower poverty rate if the funding were available.
- MPS and up to 11 schools in the remainder of the state could be funded under a third round of contracts. This alternative would be consistent with the number of schools that would receive funding under the Governor's and DPI's allocation method; however, it may not result in the same schools receiving the funding. Another alternative would be to specify that up to 22 schools in MPS and up to 13 in the remainder of the state could be funded under a third round of contracts. Under

this alternative, it is estimated that all of funding recommended by the Governor would be expended based on contracting with schools with the highest poverty rates, excluding current SAGE schools, P-5 schools, comparison schools and school districts that declined twice to participate in the program.

- 12. The Committee may also wish to consider whether school districts that twice declined to participate in the program should be excluded from participating in the third round of contracts. It may be possible that these school districts have had a change in circumstances that would now allow the school board to contract for SAGE funding, such as additional space or increased enrollment. If the Committee modified the Governor's proposal to allow these school districts to be eligible for SAGE funding, current estimates as to the costs of the program, which are based on the schools with the highest poverty rates, would be unchanged.
- 13. The Committee could also consider providing additional GPR to fund all eligible schools at a certain statewide poverty rates. Table 2 below shows the total estimated funding that would be needed to fund all eligible schools, except current participating SAGE schools and P-5 schools, at 10% incremental poverty rates starting with 50%.

TABLE 2

Estimated Cost to Funding All Eligible Schools At Various Poverty Rates

			Cur	nulative
Poverty Rate	Estimated	Change	Number	of Schools
Threshold	Total Funding	to Bill	<u>MPS</u>	Non-MPS

More than 70%	\$10,200,000	\$3,700,000	44	6
More than 60%	14,400,000	7,900,000	62	19
More than 50%	17,800,000	11,300,000	70	54

14. Consideration could also be given to whether statutory language relating to DPI's waiver authority should apply to the eligibility requirements under the SAGE program. As noted, DPI waived the current law provision that limits the number of MPS schools that could contract under the program. The statutory waiver provision provides that a school board may request the Department to waive any school board or school district requirement. It is questionable whether the limitation of contracting with no more than 10 schools in MPS is a school board or school district requirement, or a requirement relating to DPI. The Committee may wish to specify whether or not DPI could waive the eligibility requirements under the proposed third round of contracts for the program. By allowing DPI waiver of eligibility requirements, legislative control is lessened and the provisions become more of goal and target rather than a requirement. However, by allowing a waiver, DPI would have the flexibility to award all of the funding even if certain eligible applicants do not sign contracts.

- 15. The Committee may also wish to consider whether funding for a third round of contracts should be provided at this time. If the Committee decides not to fund a third round of contracts, \$6.5 million GPR in 2000-01 could be deleted. When created, the SAGE program was to be funded for five years and if the program proved successful in improving the performance of low-income K-3 pupils, the program could be funded beyond the June 30, 2001 sunset date. While the current annual evaluation indicates that the program has been successful in improving student achievement, the Committee may wish to wait until the next budget cycle, which will be just prior to the expiration of the five-year contracts, to determine if and to what extent additional funding should be provided for the program. In addition, with potential on-going federal funds available for class size reduction, the Committee may wish to consider whether additional state funds are needed at this time, or whether the Legislature should work to develop a class-size reduction plan that takes into account the federal funding, once it is known how much federal aid will be available and if the funding will indeed be ongoing.
- 16. Under the federal class size reduction initiative, \$1.2 billion is appropriated for one year with each state receiving a formula allocation starting July 1, 1999, based on the greater of the state's share of Elementary and Secondary Education Act Title 1 or Title II funding. Each state is then required to distribute all of the federal funding to local educational agencies as follows: (a) 80% of the funding must be allocated in proportion to the number of children, based on federal census numbers, in low-income families; and (b) the remaining 20% will be distributed based on school enrollments within each agency. If the amount a school district would receive under this formula allocation is less than the starting salary for a new teacher, the state may not make an award to that district unless the district agrees to form a consortium with at least one other agency for the purpose of reducing class size, unless the district has already reduced class size and intends to use the funding for professional development activities.
- 17. School districts may use the federal funds to recruit, hire and train teachers. In addition, up to 15% of the funds may be used to: (a) test new teachers for academic knowledge; and (b) provide professional development. If an agency has already reduced class size in the early grades to 18 or less students, the district may use the funding to: (a) further reduce class size in grades 1-3; (b) reduce class size in other grades, including kindergarten; and (c) improve teacher quality, including professional development.
- 18. Federal funding provided under this initiative may not supplant state and local funds provided to reduce class size. In addition, the funding may not be used to increase the salaries or provide benefits, except professional development and enrichment programs, to teachers currently employed by the school district. Further, no more than three percent of the funding received by the agency may be used for administrative costs. Continuing funding has been requested for this initiative; however, it has not yet been approved.
- 19. If funding for a third round of contract is approved, a technical modification to the statutory language regarding calculating the payments is necessary.
 - 20. The SAGE program is considered a categorical aid and is included in the calculation

of the state's goal of funding two-thirds of partial school revenues. If funding would be adjusted for the program, the amount of funding needed for equalization aids would be affected.

ALTERNATIVES

A. Funding for a Third Round of SAGE Schools

- 1. Approve the Governor's recommendation to provide \$3,454,000 GPR in 1999-00 and \$6,983,400 GPR in 2000-01 for the SAGE program to fund schools that began contracts in 1996-97 and 1998-99 and \$6,500,000 GPR in 2000-01 to fund a third round of SAGE contracts starting in 2000-01. Include a technical modification to correct the statutory calculation of payments to SAGE schools.
- 2. Modify the Governor's recommendation by deleting \$650,000 GPR in 2000-01 based on an estimate of the costs to fund additional eligible schools under a third round of SAGE contracts. Include a technical modification to correct the statutory calculation of payments to SAGE schools. Increase equalization aids by \$216,700 GPR in 2000-01 to fully fund the estimated cost of two-thirds funding of partial school revenues.

Alternative A2	<u>GPR</u>
1999-01 FUNDING (Change to Bill)	- \$433,300

3. Modify the Governor's recommendation by deleting \$650,000 GPR in 2000-01 and by specifying that not more than 20 schools in MPS and 11 schools in the remainder of the state could be funded under the third contract round beginning 2000-01. Delete the statutory references to eligibility being based on 80% and 62% rates under the third contract round. Include a technical modification to correct the statutory calculation of payments to SAGE schools. Increase equalization aids by \$216,700 GPR in 2000-01 to fully fund the estimated cost of two-thirds funding of partial school revenues.

Alternative A3	<u>GPR</u>
1999-01 FUNDING (Change to Bill)	- \$433,300

4. Modify the Governor's recommendation by specifying that not more than 22 schools in MPS and 13 schools in the remainder of the state could be funded under the third contract round beginning 2000-01. Delete the statutory references to eligibility being based on 80% and 62% rates under the third contract round. Include a technical modification to correct the statutory calculation of payments to SAGE schools.

5. Modify the Governor's recommendations by providing GPR to fund all eligible schools, excluding current participating SAGE schools and P-5 schools, with the following poverty

Page 8

Public Instruction -- Categorical Aids (Paper #778)

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rates. Delete equalization aids by 33.3 cents for every dollar appropriated for the program to adjust the estimated cost of two-thirds funding of partial school revenues.

	Poverty Rate Threshold	SAGE <u>Funding</u>	General Aid Offset	Net Change to Bill
a.	More than 70%	\$3,700,000	-\$1,233,300	\$2,466,700
b.	More than 60%	7,900,000	-2,633,300	5,266,700
c.	More than 50%	11,300,000	-3,766,700	7,533,300

6. Maintain current law by providing funding only to continue current SAGE contracts. Delete the proposed third round of contracts with \$6,500,000 GPR in 2000-01 from the program and provide \$2,166,700 GPR for equalization aids to fully fund the estimated cost of two-thirds funding of partial school revenues.

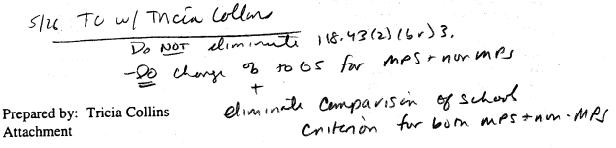
Alternative A6	<u>GPR</u>
1999-01 FUNDING (Change to Bill)	- \$4,333,300

B. Schools that Twice Declined

- 1. Delete the Governor's recommendation that would exclude otherwise eligible school districts from entering into SAGE contracts if the school board declined to participate in the program in 1996-97 and 1998-99.
 - 2. Maintain current law.

C. DPI Waiver Authority

- 1. Specify that DPI cannot waive any statutory allocation of the number of MPS and non-MPS schools that can participate in the third round of SAGE contracts.
- 2. Maintain current law, which has been interpreted to allow DPI to use its waiver authority to authorize additional schools in excess of statutory allocations.



ATTACHMENT

1998-99 Participating SAGE Schools

District Name	School Name	District Name	School Name
	Adama Eviandohin	Milwaukee	Allen-Field
Adams-Friendship Area	Adams-Friendship	Milwaukee	Carleton
Adams-Friendship Area	Castle Rock	Milwaukee	Fairview
Antigo	Mattoon	Milwaukee	Forest Home Ave
Antigo	North	Milwaukee Milwaukee	Longfellow
Appleton Area	Foster	Minwaukee	Dongiono
Appleton Area	Jefferson	Milwaukee	Maple Tree
Ashland	Lake Superior Primary	Milwaukee	Maryland Ave
Ashland	Marengo Valley	Milwaukee	Sherman
Baraboo	South	Milwaukee	Twenty-First Street
Bayfield	Bayfield	Milwaukee	Browning
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Beloit	Robinson	Milwaukee	Story K-8
Bowler	Bowler	Milwaukee	Thirty-eight Street
Boyceville Community	Tiffany Creek	Milwaukee	Wisconsin Ave
Bruce	Bruce	Milwaukee	Wis. Conservatory
Bruce	Exeland	Necedah Area	Rockview/Necedah
	Classica	Northwood	Minong
Clayton	Clayton	Oshkosh Area	Webster Stanley
Cudahy	Parkview		Ogema
Cudahy	Kosciuszko	Prentice	Tripoli
Eau Claire Arca	Longfellow	Prentice	Giese
Fond du Lac	Chegwin	Racine	Glese
Cilmon	Gilman	Sheboygan Area	Jefferson
Gilman Glidden	Glidden	Sheboygan Area	Washington
	Fort Howard	Siren	Siren
Green Bay Area	Jefferson	South Shore	Oulu
Green Bay Area	Wilson	South Shore	South Shore
Janesville	Wilson	South Shore	Bouth bhore
Kenosha	Durkee	Stanley-Boyd Area	Boyd
Kenosha	McKinley	Stanley-Boyd Area	Stanley
Kickapoo Area	Viola	Stevens Point Area	Jefferson
La Crosse	Hamilton	Superior	Blaine
La Crosse	Franklin	Superior	Cooper El
La Crosse	Jefferson	Superior	Lake Superior
La Crosse	North Woods	Superior	Pattison
Lac Du Flambeau #1	Lac Du Flambeau	Suring	Mountain
Ladysmith-Hawkins	Ladysmith	Suring	Suring
Laona	Robinson	Waukesha	White Rock
Laona	Robinson	Waakosiia	William 1100M
Madison Metro	Glendale	Wausau	Hawthorn Hills
Madison Metro	Mendota	Wausaukee	Wausaukee
Madison Metro	Midvale	Wauzeka-Steuben	Wauzeka
Menominee Indian	Keshena Primary	Webster	Webster
Menomonie Area	River Heights	Winter	Winter/Radisson

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LFB BUDGET AMENDMENT **[ONLY FOR LFB]**

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See form AMENDMENTS — COMPONENTS & ITEMS.

AMENDMENT SENATE BILL 45 TO 1999 ASSEMBLY BILL 133 AND 1999

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

At the locations indicated, amend the bill as follows:

#. Page !0.0!, line . 15.: delete "623" and substitute "652" V#. Page 1001, line 22: clelite lines 22 and 23.

(180/0)

W#. Page 1002, line 6.: delete "625 (and substitute "658"). #. Page 1.007 line . 10.: delete lines 10 and 11, (end) **#.** Page . . . , line . . . : #. Page , line : **#.** Page , line :



State of Misconsin 1999 - 2000 LEGISLATURE

LRBb0422/1 MJL:kmg:jf

LFB:.....Collins - SAGE

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1	At the locations indicated, amend the bill as follows:
2	1. Page 1001, line 15: delete "62%" and substitute "65%".
3	2. Page 1001, line 22: delete lines 22 and 23.
4	3. Page 1002, line 6: delete "80%" and substitute "65%".
5	4. Page 1002, line 10: delete lines 10 and 11.
6	(END)