



Legislative Fiscal Bureau

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TO: Members
Blue Ribbon Commission on School Funding

FROM: Christa Pugh, Fiscal Analyst

SUBJECT: Funding for Special Education, Economically - Disadvantaged, and English Language Learner Pupils -- Memorandum #5

In response to a question raised by members of the Commission, I am providing information about funding for pupils in categories identified under the Vincent v. Voight State Supreme Court ruling in 2000.

The Vincent v. Voight decision on the constitutionality of the school aid formula was issued by the State Supreme Court in July, 2000. In that decision, the Court concluded that the state school finance system did not violate either the uniformity clause or the equal protection clause of the Wisconsin Constitution. The Court also held that the school aid system more effectively equalized the tax base among districts than the system upheld as constitutional in the previous school finance decision of the Court in 1989 (Kukor v. Grover).

In the Vincent decision, the Court also held that Wisconsin students have the right to an equal opportunity for a sound basic education that "will equip them for their roles as citizens and enable them to succeed economically and personally." The decision also noted that this standard must take "into account districts with disproportionate numbers of disabled students, economically-disadvantaged students, and students with limited English language skills."

The following tables shows state funding provided in categorical aid programs for pupils with special needs, English language learners, and low-income pupils. Table 1 shows categorical aid funding under three programs that provide aid for special needs pupils. The primary special education appropriation reimburses a portion of the costs for educating and transporting pupils enrolled in special education. The high cost special education program provides additional aid to reimburse 90% of the cost of educating individual pupils whose special education costs exceed \$30,000 in a single year. The supplemental special education aid program provides aid to school districts meeting the following criteria in the prior year: (a) per pupil revenue limit authority below the statewide average; (b) special education expenditures as a percentage of total district

expenditures above 16%; and (c) membership less than 2,000 pupils. A district may receive either supplemental special education aid or high cost special education aid in a given year, but not both.

TABLE 1

**Categorical Aid Funding for Special Needs Pupils
2000-01 to 2018-19**

	Child Count	Special Education Aid			High Cost Special Education	Supplemental Special Education
		Prior Year Aidable Costs	Appropriation	Proration	Appropriation	Appropriation
2000-01	125,267	\$880,915,596	\$315,681,400	35.8%	0	0
2001-02	126,852	936,787,956	315,681,400	33.7	0	0
2002-03	126,879	989,101,487	315,681,400	31.9	0	0
2003-04	127,779	1,037,592,026	316,466,900	30.5	0	0
2004-05	129,070	1,069,514,911	320,771,600	30.0	0	0
2005-06	129,873	1,110,784,291	320,771,600	28.9	0	0
2006-07	128,526	1,157,850,871	332,771,600	28.7	3,500,000	0
2007-08	126,496	1,213,607,540	350,192,500	28.9	3,500,000	0
2008-09	125,304	1,285,385,255	368,939,100	28.7	3,500,000	1,750,000
2009-10	125,301	1,322,974,688	368,939,100	27.9	3,500,000	1,750,000
2010-11	124,722	1,312,271,260	368,939,100	28.1	3,500,000	1,750,000
2011-12	123,825	1,385,983,348	368,939,100	26.6	3,500,000	1,750,000
2012-13	123,287	1,343,053,653	368,939,100	27.5	3,500,000	1,750,000
2013-14	122,654	1,359,647,100	368,939,100	27.1	3,500,000	1,750,000
2014-15	120,434	1,375,594,466	368,939,100	26.8	3,500,000	1,750,000
2015-16	120,864	1,391,199,161	368,939,100	26.5	3,500,000	1,750,000
2016-17*	N.A.	1,408,164,500	368,939,100	26.2	8,500,000	1,750,000
2017-18*	N.A.	1,435,560,700	368,939,100	25.7	9,239,000	1,750,000
2018-19*	N.A.	N.A.	368,939,100	N.A.	9,353,800	1,750,000

*Estimated

Table 2 shows funding in the appropriation for bilingual-bicultural aid. In certain cases, school districts are required by state law to provide special classes to pupils of limited-English proficiency (LEP). These classes are required at schools that enroll 10 or more LEP pupils in a language group in grades K-3, or 20 or more in grades 4-8 or 9-12. These school districts are eligible for categorical aid. Aidable costs under the program are defined as the districts' prior year costs for salaries, special books, equipment and other expenses approved by DPI that are attributable only to programs for LEP pupils.

TABLE 2**Categorical Aid Funding for Bilingual Pupils
2000-01 to 2018-19**

	<u>Pupils</u>	<u>Appropriation</u>	<u>Proration</u>
2000-01	29,016	\$8,291,400	19.3%
2001-02	32,394	8,291,400	18.0
2002-03	34,199	8,291,400	17.2
2003-04	35,768	8,291,400	13.8
2004-05	39,255	8,291,400	11.4
2005-06	38,941	9,073,800	11.5
2006-07	43,442	9,890,400	11.6
2007-08	47,456	9,890,400	11.3
2008-09	47,858	9,890,400	10.8
2009-10	49,286	9,544,200	9.7
2010-11	49,543	9,544,200	9.4
2011-12	49,905	8,589,800	8.0
2012-13	48,188	8,589,800	8.3
2013-14	47,417	8,589,800	7.4
2014-15	46,954	8,589,800	8.8
2015-16	46,851	8,589,800	8.8
2016-17	47,567	8,589,800	N.A.
2017-18	50,848	8,589,800	N.A.
2018-19	N.A.	8,589,800	N.A.

*Estimated

Table 3 shows funding appropriated for the achievement gap reduction (AGR) program, formerly known as the student achievement guarantee in education (SAGE) program, which provides grants to schools with a high percentage of low-income pupils if the school agrees to implement strategies to improve pupil performance. Aid is calculated by determining the total number of low-income pupils enrolled in grades K-3 in all schools participating in the SAGE or AGR programs and then dividing the appropriation by the number of pupils to determine the per pupil allocation. In 2016-17, the payment amount was equal to approximately \$2,238 for each low-income pupil, and 203 school districts received aid under the program.

Table 3 also shows the total number of economically disadvantaged pupils in public schools in the state, based on data from the Department of Public Instruction. An economically disadvantaged pupil is defined as one who meets the income eligibility guidelines for a free or reduced-price lunch, or meets alternative criteria established by DPI. (It should be noted that the count in Table 3 includes all economically disadvantaged public school pupils in the state, including those who are in grades or attend schools that do not participate in the SAGE/AGR programs.)

TABLE 3

**Categorical Aid Funding for Low Income Pupils
Provided Under Achievement Gap Reduction
2000-01 to 2018-19**

	<u>Economically Disadvantaged Pupils</u>	<u>SAGE/AGR Appropriation</u>
2000-01	211,702	\$54,015,600
2001-02	229,277	71,190,600
2002-03	242,730	90,290,600
2003-04	244,144	90,290,600
2004-05	254,202	90,290,600
2005-06	264,527	97,614,000
2006-07	274,698	98,588,000
2007-08	281,111	111,984,100
2008-09	292,699	111,984,100
2009-10	323,728	109,184,500
2010-11	342,771	109,184,500
2011-12	354,830	109,184,500
2012-13	360,787	109,184,500
2013-14	366,300	109,184,500
2014-15	361,122	109,184,500
2015-16	342,653	109,184,500
2016-17	331,713	109,184,500
2017-18	329,418	109,184,500
2018-19	N.A.	109,184,500

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