



**Massachusetts**  
**APPLESEED** | Center for  
Law & Justice

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March 18, 2019

Representative Alice Peisch, House Chair and  
Senator Jason M. Lewis, Senate Chair  
Joint Committee on Education  
State House, Room 473G  
Boston, MA 02133

**RE: Testimony in Support of S.238/H.586, *An Act providing rightful opportunities and meaningful investment for successful and equitable education***

Dear Chairwoman Peisch, Chairman Lewis, and Honorable Members of the Committee:

Massachusetts Appleseed respectfully submits the following testimony in support of S.238/H.586, *An Act providing rightful opportunities and meaningful investment for successful and equitable education* and requests that the Joint Committee on Education give a favorable report for both bills.

The mission of the Massachusetts Appleseed Center for Law and Justice (MA Appleseed) is to promote equal rights and opportunities for Massachusetts residents by developing and advocating for systemic solutions to social justice issues. Through in-depth research, community problem-solving, and consensus building we develop powerful solutions to pressing social justice challenges.

Central to this mission is achieving equity in public education. Students of color, students with disabilities, English Language Learners (ELLs) and youth experiencing homelessness all face a range of barriers to quality education. Among these is the opportunity gap, which is the disparity of access to academic resources. MA Appleseed believes that funding reform under the PROMISE Act would help achieve equity by removing some of these barriers.

Access to a quality education is key to social mobility and poverty alleviation. But students in low-income communities often are not provided equitable opportunities for success. A major reason for this in Massachusetts is the state's outdated school funding formula, which calculates funding based on school districts' wealth and expenses. The formula severely underestimates the costs of health care and special education by \$2.63 billion per year<sup>1</sup> and fails to provide adequate support to ELL and low-income students.

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<sup>1</sup> [Mass Budget](#), *Building an Education System that Works for Everyone*

MA school districts are spending 140% more on staff benefits than the formula provides.<sup>2</sup> The number of students receiving in-district special education services is higher than the formula's assumptions,<sup>3</sup> as are out-of-district costs.<sup>4</sup> And the formula allocates only "\$9,450 for all ELL students," leading to less funding for high school and elementary ELLs despite the high needs and challenges in those grades.<sup>5</sup> While wealthy communities can make up for these shortfalls,<sup>6</sup> low-income districts cannot,<sup>7</sup> leaving students with significant needs without appropriate resources.<sup>8</sup>

MA Appleaseed has advocated for a change to the school funding formula for years. In *Hancock v. Commissioner of Education*, MA Appleaseed helped 19 families sue the state for failing to meet its duty of providing an education for all. While the Supreme Judicial Court ruled against those families, it acknowledged that many Massachusetts school districts were underfunded and underperforming. In doing so, the Court formally acknowledged the educational disparities affecting low-income and marginalized youth in this state.

MA Appleaseed's work continues to focus on youth justice and the intersections of education, the criminal justice system, homelessness, and immigration. Young people from these disadvantaged backgrounds rely on public schools as ladders for social mobility. As a result, inadequate funding means a denial of opportunities and resources to mitigate those disadvantages.

Until April 2018, MA students could be arrested for non-violent behavior in a process that lacked accountability. These practices disproportionately affected students of color and students with disabilities. State legislation reformed this process, but without proper resources it is more difficult for schools to adopt better practices. More resources are also necessary for homeless youth, whose forced mobility makes academic success nearly impossible,<sup>9</sup> and immigrant youth, who must deal with language barriers as well as the possibility of parental detention and/or deportation. To create healthy school climates, dismantle the school-to-prison pipeline, and support students with significant needs, low-income school districts need realistic and adequate funding.

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<sup>2</sup> [FBRC Report](#) at 7

<sup>3</sup> [FBRC Report](#) at 8 (The formula assumes "that 15% of students receive in-district special education services 25% of the time ... [when] around 16% of students receive some level of in-district special education services statewide.")

<sup>4</sup> [FBRC Report](#) at 8 (Out-of-district SPED costs in 2013 "were 59% higher than the foundation budget rate of \$25,454.7").

<sup>5</sup> [Mass Budget, Building an Education System that Works for Everyone](#) (Elementary ELLs need to get "caught up with peers from the outset," and there are significant challenges to teaching long-term ELLs and teens arriving in MA schools without English skills.)

<sup>6</sup> [Commonwealth Magazine, Ed funding problem most acute in low-income communities](#) (Brookline, a high-income district, "spent 83 percent above its foundation budget.")

<sup>7</sup> [Mass Budget, Building an Education System that Works for Everyone](#) (In the lowest-income districts, "spending on teachers per pupil is 27 percent below the amount called for in the formula...")

<sup>8</sup> [FBRC Report](#) at 11 (To properly fund services aimed at turning around underperforming schools, the formula needs to increase "based on concentration of poverty" and "should provide high poverty school districts with enough funding to pursue several turnaround strategies at once.")

<sup>9</sup> [Using What We Know: Supporting the Education of Unaccompanied Homeless Youth](#) at 480 ("[A]s many as three-quarters of older homeless youth do not finish high school...")

The legislation before the Committee would lead to increased school funding and, consequently, greater equity in public education. Historically marginalized students need appropriate resources to overcome disparities. By increasing school funding, the PROMISE Act would improve access to quality public education for students of color, students with disabilities, ELLs, immigrant youth, and homeless youth. **Massachusetts Appleseed strongly urges you to issue a favorable report for S.238/H.586**, ensuring that Massachusetts' outdated school funding formula is reformed to properly calculate our districts' and students' needs and provide for an equitable education system.

Thank you for considering this testimony and please do not hesitate to contact me if you should have any questions or require additional information.

Respectfully submitted,

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Deborah M. Silva,  
Executive Director  
Massachusetts Appleseed Center for Law & Justice