



November 28, 2022

Submitted via Regulations.gov

Mark Schneider
Director of the Institute of Education Sciences
Department of Education
550 12th Street, SW
Washington, DC 20024

Attention Docket ID No. ED-2022-SCC-0120

Re: Agency Information Collection Activities; Comment Request; Common Core of Data (CCD) School-Level Finance Survey (SLFS) 2022-2024

Dear Director Schneider,

Thank you for the opportunity to provide comments regarding the proposed School-Level Finance Survey (SLFS) for fiscal years 2022-2024. We applaud the decision to administer the SLFS as an annual and universal data collection with the assistance of the Department of Education's Office for Civil Rights (OCR). Because school spending decisions shape educational opportunity, the information provided by the SLFS is critical to ensure that recipients of Federal financial assistance from the Department of Education do not discriminate on the bases of race, color, national origin, sex, or disability.ⁱ

The Education Civil Rights Alliance (ECRA) is a diverse and experienced group of organizers, educator organizations, community groups, professional associations, and civil rights organizations that are committed to protecting the civil rights of marginalized students. The ECRA is convened by the National Center for Youth Law (NCYL). NCYL believes in the incredible power, agency, and wisdom of youth. Driven by their voices and experiences, we have worked for more than 50 years to transform government agencies and public systems, so that they Center Youth with equity, dignity, and care.

As participants in the ECRA, we affirm that a just and equitable distribution of school resources is necessary to ensure student civil rights. Overwhelming research shows that school spending directly impacts student learning, but marginalized students too

often bear the burden of inadequate school resourcing.ⁱⁱ Longstanding educational finance data show persistent disparities across districts that map onto differences in race and class composition.ⁱⁱⁱ Recent data indicate similar disparities *within* some districts as students in schools with whiter, wealthier demographics benefit from greater per-pupil spending and more experienced teachers.^{iv} The universal collection of school-level finance data by NCES will support OCR to identify finance inequities that may indicate civil rights violations.

We appreciate that the technical assistance from NCES that accompanies the proposed SLFS data collection will help states and districts meet their obligation under the Every Student Succeeds Act to publish school-level per-pupil spending data on annual report cards.^v Accurate reporting of these data will empower families, community organizations, and other advocates to hold districts to account for fair and equitable budgeting.

We support the proposed timeline for a July 2024 release of the FY22 datafile, and we urge NCES and OCR to marshal the resources necessary to realize this timeline.^{vi} Timely cleaning and analysis of the data by NCES are needed for OCR to identify and address possible civil rights violations. In addition, the timely public release of annual SLFS data will provide researchers with vital data to better understand the causes and consequences of resource inequity and to examine the impact of policy changes.

Students who commonly experience educational marginalization – including low-income students; Black, Native, and Latine students; students who speak English as a second language; students with disabilities; and students experiencing homelessness – deserve robust educational resource investments. The annual, universal collection of school-level finance data will provide important information to enable equity in school resource allocation decisions and to hold districts to account for civil rights violations. For these reasons, we support the proposed SLFS data collection for 2022-24.

Sincerely,

AACTE
American Humanist Association
APNI, Inc.
Association for Special Children and Families
The Center for Civil Rights Remedies at UCLA's Civil Rights Project
Center for Law and Education
Chicago Lawyers' Committee for Civil Rights
Clearinghouse on Women's Issues
Disability Law Colorado
Education Law Center
Family Based Services Association of NJ
Feminist Majority Foundation

INCLUDEnyc
Maine Parent Federation
Metropolitan Parent Center, Sinergia Inc
National Alliance for Partnerships in Equity
National Center for Parent Leadership, Advocacy, and Community Empowerment
National Center for Youth Law
North Carolina Justice Center
The Parents' Place of MD
PEAK Parent Center
The PEAL Center
PEER Illinois
Prepared To Teach
Public Advocacy for Kids (PAK)
Public Advocates
SPAN Parent Advocacy Network (SPAN)

ⁱ Section 203(c)(1) of the 1979 Department of Education Organization Act (DEOA) authorizes OCR to coordinate data collection related to compliance with civil rights laws in its jurisdiction, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments, and Section 504 of the Rehabilitation Act of 1973.

ⁱⁱ See C. Kirabo Jackson, “Does School Spending Matter? The New Literature on an Old Question,” *An Equal Start: Policy and Practice to Promote Equality of Opportunity for Children* (2020), https://works.bepress.com/c_kirabo_jackson/38/; Bruce D. Baker, Learning Policy Institute, *How Money Matters for Schools* (2018), <https://learningpolicyinstitute.org/product/how-money-matters-brief>.

ⁱⁱⁱ See Bruce D. Baker, Matthew Di Carlo, Kayla Reist, and Mark Weber, Albert Shanker Institute and Rutgers Graduate School of Education, *The Adequacy and Fairness of State School Finance Systems* (2021), <https://www.schoolfinancedata.org/the-adequacy-and-fairness-of-state-school-finance-systems-2022/> at 4, 28. (“Spending is 21 percent below adequate in the typical Black/African-American student’s district, and 13 percent below for the typical Hispanic/Latinx student. In contrast, the average white student’s district spends 21 percent above adequate levels”); EdBuild, *\$23 Billion* (2019), <https://edbuild.org/content/23-billion/full-report.pdf> at 4. (“Nationally, predominantly white school districts get \$23 billion more than their nonwhite peers, despite serving a similar number of children. White school districts average revenue receipts of almost \$14,000 per student, but nonwhite districts receive only \$11,682”).

^{iv} Tara García Mathewson, “New Data: Even Within the Same District, Some Wealthy Schools Get Millions More Than Poor Ones,” *The Hechinger Report* (Oct. 31, 2020), <https://hechingerreport.org/new-data-even-within-the-same-district-some-wealthy->

[schools-get-millions-more-than-poor-ones/](https://www.urban.org/sites/default/files/2022-03/dividing-lines-racially-unequal-school-boundaries-in-us-public-school-systems.pdf); Tomás Monarrez and Carina Chien, Urban Inst., *Dividing Lines: Racially Unequal School Boundaries in US Public School Systems* (2021), <https://www.urban.org/sites/default/files/2022-03/dividing-lines-racially-unequal-school-boundaries-in-us-public-school-systems.pdf>.

^v See Supporting Statement Part B at 5; 20 U.S.C. § 6301(h)(1)(C)(x) (requiring states to produce report cards that include “per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual non-personnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local educational agency and each school in the State for the preceding fiscal year”).

^{vi} See Supporting Statement Part A at 15.