

School Finance and English Language Learners: A Legislative Perspective

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The state of California educates over six million or twelve percent of the nation's student population. Of the six million students, over three million of California students are enrolled in free/reduced lunch programs. Approximately three million are Latino and 1.5 million are classified as English Language Learners (ELLs). Of these, eighty-five percent are Spanish speaking (CDE, 2009). The clear demographic trend in California is an increase of students in poverty, of Latino students and of Spanish speaking English Language Learners (ELL), at the same time that we are experiencing a decrease in White students (CDE, 2009). For example, the White student population was forty percent in 1995 and dropped to thirty percent in 2005, while the Latino population increased from thirty-eight percent to forty-seven percent during this same time period.

English Language Learners are significantly underperforming in math and reading compared to White students in all grade levels (CDE, 2009). The achievement gap actually continues to increase the longer that students are in school. The U.S. Census data (2000) reveals that only approximately 50 out of 100 Latinos graduate from high school, only 10 out of 100 graduate from college, a mere four out of 100 receive a graduate degree, and less than a half percent graduate with a doctorate.

These trends create major challenges for policy makers and advocates. Most critical is examining the potential causes of the achievement gap. Consequently, we need to understand the school finance policy that has most affected English language learner students if we expect to improve the educational opportunity and attainment of this growing community. Most scholarly articles related to California school finance and English Language Learners focus on court cases (i.e. *Serrano v. Priest* ; *Rodriguez v. LAUSD*), propositions (i.e. Prop. 13 ; Prop. 98) and/or budget revenue/expenditure analysis (i.e. local property taxes and fees; state general purpose revenue).

Notably missing from the scholarship is a historical legislative overview to understand entitlement funding earmarked to target ELLs in California. The author focuses primarily on categorical entitlement funds because entitlement resources are more stable since the funding source is guaranteed to renew each fiscal year, and, due to a long history of availability, we know more about these funds. Currently, only two significant entitlement categorical funds designated for ELLs in California exist. They are State Economic Impact Aid (EIA) and Federal Title III funds (formerly Title VII). The former allocation accounts for the majority of the funds provided to directly serve ELLs. In addition, other key legislation (e.g. AB 1329. AB 507) related to English Language Learners is often cited in the bilingual education literature but without an emphasis on the fiscal impact including AB 2284 (1972), the first legislation that provided funds for bilingual education in California. This article provides (1) an overview of the major legislative actions affecting entitlement funding for California English Language Learners since 1968 and (2) a discussion of the current salient issues to improve education for ELLs related to school finance. The next section will outline germane legislation that has impacted the K-12 school finance for ELLs.

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1. *Serrano v. Priest* (1976) The *Serrano II* decision also held that the legislative response to *Serrano I* was insufficient, and affirmed the trial court's order requiring that wealth based funding disparities between district be reduced to less than \$100 by 1980
 2. *Rodriguez v. LAUSD* (1992) California Supreme Court Case related to intra-district inequities
 3. Proposition 13 (1978) lowered property taxes by rolling back property values to their 1975 value and restricted annual increases in assessed value of real property to an inflation factor
 4. Proposition 98 (1988) requires a minimum percentage (39%) of the state budget to be spent on K-14 education.

Historical Legislative Analysis

As shown in Table I, the first contemporary federal piece of legislation that provided entitlement funds to educate English Language Learners was in 1968 with the passage of the Title VII Bilingual Education Act. This was added during the 1967 reauthorization of the Elementary and Secondary Education Act (ESEA, 1965). “The passage in 1968 of the Title VII Bilingual Education Act as a new provision of the Elementary and Secondary Education Act of 1965 authorized funds for local school districts” (Escamilla, 1989, p. 1). Title VII introduced bilingual education and was originally intended for Spanish speaking students, but in 1968 merged into the all encompassing Bilingual Education Act or Title VII of the Elementary and Secondary Education Act.

In its first year, the act provided funding for 76 Bilingual Education programs and served students who spoke 14 different languages (Blanco, 1978). In 1969, only 7.5 million dollars was approved for spending on bilingual education programs. The act encouraged instruction in English and multicultural awareness in the wake of the Civil Rights movement although it did not require bilingual programs. The act also gave school districts the opportunity to provide bilingual education programs without violating segregation laws. The federal funding provided by this act to school districts was used for resources for educational programs, teacher training, development of materials and parent involvement projects. Title VII encouraged the development of bilingual education in general. By 1968, 14 states had enacted statutes that permitted bilingual programs, and 13 others passed legislation that mandated them (National Clearinghouse, 1986).

As shown in Table I, prompted by the federal Bilingual Education Act legislation, California Assembly Bill (AB) 2284 (1972) also known as the Bilingual Education Act was the first piece of state legislation in California that pertained to funding school districts for services provided to English Language Learners. It funded 69 districts (125 schools) and served 20,216 students during the 1974-75 school year. Assembly Bill 2284 funds for 1974 totaled \$4 million. The legislative intent of this bill was to provide supplemental financial assistance for school districts to meet extra costs of phasing in bilingual education programs. Because classroom instruction for all subjects must be conducted in both English and the primary language of the limited-English-speaking children, the act excludes financial support for ESL programs. Assembly Bill 2284 provisions require that the State department of education administer all the provisions of the Bilingual Education Act (California Advisory Committee to the U.S. Commission on Civil Rights, 1976). Ultimately, this piece of legislation was quite open and permissive. It did not require districts to provide bilingual education services to English Language Learners (ELLs), but merely allowed them to compete amongst themselves in applying for funds to develop bilingual programs (Hakuta, 2007).

5. Title VII was replaced with Title III with NCLB (2001)

Table I

Chronological Timeline of ELL School Finance Legislation

Legislation	Year	Focus
ESEA Title VII Provision		
“Bilingual Education Act”	1968	The act provided federal funding to encourage local school districts to try approaches incorporating native language instruction. This was the first time U.S. Congress had endorsed funding for Bilingual Education.
California AB 2284	1972	It was the first piece of state legislation in California that pertained to funding school districts for services provided English Language Learners (ELLs). It did not require districts to provide bilingual education.
California AB 1329	1976	Replaced AB 2284. Established the legal Framework for a mandatory bilingual education program.
California AB 65	1978	Consolidates existing state funding sources for compensatory and bilingual education into a new economic Impact Aid allocation formula.
California AB 507	1980	Replaced AB 1329. This Act mandated that districts provide bilingual instruction for every LEP student in California. It strengthened the former act in several ways including expanding the use of students’ primary languages in classroom instruction.
NCLB Title III	2001	Replaced Title VII. The purpose of the Title III LEP Student Program is to ensure that all English Learners, attain English proficiency. The focus became English proficiency and not biliteracy.
California AB 1802	2006	Revised the funding formula for EIA for both school districts and charter schools, and requires the use of different data in the new formula.

A few years later, California Assembly Bill 1329 (1976) also known as the Chacon-Moscone Bilingual Bicultural Education Act, which essentially replaced AB 2284, was the first state legislative act that mandated school districts to provide language minority students with equal educational opportunities despite their limited proficiency in English which established the legal framework for a mandatory bilingual education program (Jepson & De Alth, 2005). This act was a response to the *Lau v. Nichols* 1974 Supreme Court decision (Jepson & de Alth, 2005; Wiley, 2002).

Unlike the federal legislation, which left decision making regarding program type for ELLs to localities, AB 1329 explicitly proclaimed bilingual education as a right of English language learners (Hakuta, 2007), trying to make a direct link between funding and instructional program type for students learning English as a second language. More specifically, it established transitional bilingual education programs to meet the needs of ELL students. Program requirements follow federal guidelines for identification, program placement and reclassification of students as fluent English proficient (FEP). Given the broad nature of the federal guidelines, the program specifics were omitted, thus leading to inconsistent program implementation. Another key issue at the time was the diluted compliance mechanisms in place to hold school districts accountable. This was done as a part of negotiated politics that favored local control versus state mandates. Again, the consequences of the laissez faire approach resulted in many inconsistent, low quality programs that went unaccounted for and “promising” programs were not readily identified and replicated.

After passing AB 1329, California Assembly Bill 65 (1977) attempted to equalize California school finance and fund school programs for English Language Learners. The school finance portion of the bill arose as a response to the 1976 *Serrano v. Priest II* decision in which the California Supreme Court said that the existing school finance system was unfair to both students and taxpayers. AB 65 provided additional state assistance to increase per pupil expenditures in low wealth districts and imposed new limits on the growth of expenditures in districts with high per pupil property values.

As shown in Table I, the bill merged state funding of separate programs for compensatory and bilingual education into a consolidated system called Economic Impact Aid (Chaffee, 1979). It guaranteed a dollar amount for each English Language Learner originally set at \$300 per student. The significance of this bill was that funds were now targeted by number of ELLs and not urban concentration of AFDC defined poverty. The result was categorical funding to provide support and experimentation with program approaches to support ELLs. Not until AB 65 did substantial state funds begin to be allocated to service English Language learners by creating an Economic Impact Aid formula (EIA funds) that more fairly provided resources to this growing community. The reason for the dramatic increase is that the formula is based partly on the R-30 language census data, which has shown a dramatic increase in students learning English as a second language since 1977. In addition, the money now followed the ELL student and contained instructional program language that supported previous laws.

As shown in Table I, California Assembly Bill 507 (1980) also known as the Bilingual Education Improvement and Reform Act was designed to update and strengthen AB 1329. This act gave the goal of developing fluency in second language as effectively and efficiently as possible to bilingual programs. It listed programs that are available and variations of those programs. It listed teacher qualification requirements. It required bilingual classes at schools where there were more than 10 students in the same grade that spoke the same primary language. It was the most significant bill in terms of articulating bilingual instructional programs for English Language Learners but it never reached a critical mass above thirty percent of all ELLs in bilingual programs (Crawford, 1991). However, in 1986, the Governor of California allowed the (Bilingual Education Act, 1980) sunset provisions to take effect by refusing to sign AB 2813 that would have extended the Bilingual Education Act. Although some school districts voluntarily continue to enforce the provisions of Chacón-Moscone, it is done without a clear mandate to do so and without direct funding or bilingual programmatic guidelines.

As shown in Table I, not until No Child Left Behind (NCLB) (2001), 20 years later, did any significant legislative change related to entitlement categorical funds for English Language learners occur. The revamping of the ESEA (1965) brought about significant changes to Title II, not in terms of funding allocation but in terms of philosophical perspectives. NCLB replaced Title VII (the Bilingual Education Act, 1968) with Title III “Language Instruction for Limited English Proficient and Immigrant Students”. The major philosophical and pedagogical shift was that the USDE no longer supported bilingual education. It now favored an English Only approach .

6. *Lau v. Nichols* (1974) is a U.S. Supreme Court case that addressed issues of language minority students

The California Department of Education (2007) synthesizes the fiscal impact of Title III on their website with the following statement:

The United States Department of Education allocates Title III funds to state educational agencies, such as the California Department of Education, to provide subgrants to eligible local educational agencies based on the number of LEP students enrolled. All school districts, county offices of education, direct funded charter schools, juvenile/hall court schools, and California Department of Youth Authority institutions that report the enrollment of one or more LEP students on the R30-Language Census are eligible to participate in the Title III LEP Program.

Funds must be used for the following supplementary services as part of the language instruction program for LEP students:

- *English language development instruction*
- *Enhanced instruction in the core academic subjects*
- *High quality professional development for teachers...*

As shown in Table I, the only other significant state legislative change related to entitlement categorical funds targeted for ELL students was AB 1802 (2006). In a 2007 letter, California Deputy Superintendent, Susan Lange, provides the following overview of Assembly Bill 1802 (Chapter 79, Statutes of 2006).

This bill revised the funding formula for EIA for both school districts and charter schools, and requires the use of different data in the new formula...A district's EIA eligible pupil count is the sum of the following:

- Number of economically disadvantaged (ED) pupils...
- Number of English learners (EL), as reported in the prior year R30-LC Language Census.
- A calculated number for each district that has a combined ED and EL pupil count (or concentration) greater than 50 percent of the district's total pupil enrollment, as reported in the prior year California Basic Educational Data System (CBEDS)...

Even though new data is now required for the EIA formula, the impact is undeniable in that the funding for ELLs has increased significantly from 62 million in 1978 to over a billion dollars allocated in 2009 (CDE, 2010; Chaffee, 1979). These funds continue to be the only earmarked state funding source for English Language Learners in California, albeit a significant amount.

Salient Issues to Address

The historical legislative overview highlights that there was originally a strong link between funding the education of English language Learners and bilingual education in California. This strong link between funding and bilingual programs was weakened by the sunset of the Chacon-Moscone Bilingual Bicultural Education Act in 1986 followed by Proposition 227 in 1998. It was further weakened by NCLB (2001) at the federal level when Title VII was replaced with Title III. However, once we go beyond the legislation and examine the scholarship and the practice in schools, it becomes very clear that many important school finance issues need to be addressed to better meet the needs of ELLs. They primarily revolve around concepts of equity, adequacy and social justice. Due to the limited space, the author will briefly focus on three of the most salient issues to improve the education of ELLs as they relate to school finance.

The first salient issue is that there is limited public transparency and accountability for resource allocation (Espinosa & Ochoa, 1992; Jimenez-Castellanos, 2008) within school districts. The focus of accountability seems

7. The Obama administration (2008) favors returning to the pre-NCLB support for transitional bilingual programs. NCLB has not been reauthorized as of this writing.

to be on minimal compliance not on improving equity or student outcomes (Adams, 2007). For example, the fiscal mandate is to use state EIA funds and other categorical funds to support low income and EL learners in order to eliminate the achievement gap. However, there is no credible state or county oversight to assure that districts allocate resources equitably. Initial research findings by Espinosa (1985), Odden (1992) and Ladd, Chalk and Hansen (1999) assert that the direction of financial reporting needs to move from state compliance to a more localized, intra-district and schoolbased school finance analysis. In 1995, Hertert posited that “school level differences were generally greater than those measured at the district level” (p.78).

Although in existence, the state’s monitoring structure, the Categorical Program Monitoring (CPM), has been criticized heavily in the past. In California, as Timar (1994) and Jimenez-Castellanos and Rodriguez (2009) point out, the categorical programs are rarely (if ever) under any kind of review or scrutiny with regard to equity standards. Moreover, Timar (2007, p. 17) states that in reality and practice “there is little evidence by which to conclude that the present system of categorical funding is equitable, efficient, or rational”. And, “Economic Impact Aid, one of the oldest and largest programs, flows only marginally to those for whom it was intended” (Timar, 2007 p. 29). Additionally, the California Legislative Analyst’s Office found that, due to discretion measures that districts choose to exercise, some of the largest categorical programs available “do not follow students to school site level” (California LOA, 2003).

The second salient issue is that EIA funds are related to low achievement for ELLs (Jimenez, 2010). Many educators might assume that the previous statement is obvious since schools with more ELLs receive more EIA funds, at least in theory, and ELLs tend to be low performers on most academic achievement instruments, in particular standardized tests. However, these categorical funds are provided to eliminate the achievement gap, not to institutionalize such a gap. The key question becomes, why would these types of funds be negatively correlated to school achievement?

To be clear, EIA funds are provided to districts in order to supplement the learning opportunities for low income students and EL learners. However, in practice, compensatory funds seem to be used to remediate education for ELL’s and low income students. Consequently, a school’s curriculum and instructional programs are impacted by the amount of compensatory funds that suggests a low expectations model of education (Rodriguez, 2007; Jimenez-Castellanos, 2010). Remedial education, by traditional and popular definition, will not be designed to promote high achievement but instead will provide low rigor, typically one or two standard deviation below the mean (Espinosa & Ochoa, 1992). This remedial perception and use of discretionary funds may institutionalize a low quality instructional program for schools with low income, and English learner students exemplifying the equity and social justice issues embedded in the allocation of resources (Espinosa, 1985; Jimenez-Castellanos, 2008). We must go beyond the low expectations and self-fulfilling prophecy notions of educating ELLs.

The third salient issue is that there is a lack of understanding regarding the cost of effective programs for English Language learners in California. This requires for us to account for not only categorical funds but also base funds. There have been cost studies for ELLs conducted in several states including: Arizona (NCSL, 2005), Pennsylvania (Augenblick, 2007), New York (NYIC, 2008), Colorado (Augenblick, 2003), New Jersey (Dupree & Augenblick, 2006). All of which conclude that the current funding for ELLs is inadequate to a varying degree.

In California, Gandara and Rumberger (2007) focus on the issue of what is an adequate education for ELLs and what should be the adequate funding for this population. They also found the current funding for ELLs to be inadequate. One of the major findings articulates the complexity of cost studies to get at the adequate funding necessary for ELLs to reach state benchmarks. According to the authors this depends on the outcome sought by policy makers—this ranges from “reclassification to Reclassification to English proficiency, proficiency in academic subjects, and biliteracy” (p. 2-3).

As previously stated, the issue is not just about the amount of funds but how you use those funds. From their full review, Gandara and Rumberger (2007, p. 3) conclude that “little consensus exists on either the amount or type of additional resources needed to educate English learners above and beyond those needed for low income students generally”. Therefore, they conducted five school case studies, which revealed among other things the following:

- Additional time (e.g., a longer school day/year) is critical.
- Non cognitive goals, such as learning to navigate U.S. culture, are very important but receive relatively scant attention because of lack of funding.
- Computers are critical resources, especially for EL pupils, because they allow students to move at their own pace and provide the opportunity to help them catch up outside of class or school; but funding to update and maintain computers is a drain on a school’s core budget.
- Schools serving EL students need libraries and materials that span more than one language and often many grades.
- Communication with parents is critically important, and almost all strategies require extra resources.
- Professional development needs to be focused on collaboration, but there is not enough time available because of the cost of providing substitutes for teachers.
- Independent of the instructional strategies offered, every school needs bilingual personnel because students and families need to be communicated with and understood in order to support student learning.
- Close collaboration and positive feelings among faculty, both related to staff stability, are important factors in the relative success of these schools.

Conclusion

The first objective of this article was to provide a historical legislative overview of the entitlement categorical funding for English Language Learners in California. After reviewing legislative and scholarly records, the first federal entitlement funds designated to ELLs was developed in 1968 via the Title VII provision of ESEA the “Bilingual Education Act” and replaced in 2001 with the Title III provision in NCLB. In California, the first entitlement funds were EIA funds developed through AB 65 in 1977 and revised in 2006 with AB 1802. These two pots of monies continue to be the only federal and state entitlement funds for ELLs. The amount of EIA allocations in particular have increased exponentially due to a formula based on the number of ELLs identified using the R-30 language census data and low income students. The Title III funds (previously Title VII) do not have a formula attached to them as do Title I funds, therefore; Title III allocation amounts have not seen the same increases.

The second objective of this article was to identify and discuss the salient contemporary issues related to school finance and English language learners in California. The author identified three salient issues that should continue to be explored to improve school financing to better educate ELLs:

- (1) There is limited public transparency and accountability for resource allocation. In other words, we do not know exactly how districts allocate funds among individual schools and how they are spending.
- (2) EIA funds are misused at the school level to such a degree that they are highly related to low achievement.
- (3) We need to understand the cost of effective programs for English Language learners, which include both base funds and categorical funds.

In conclusion, there has been an increase in ELL funding over the past 30 years in California mostly due to the increased number of ELLs and the EIA formula based on student counts. Unfortunately, these funds have

not produced the desired results due to a lack of transparency and accountability and ineffective use of EIA funds. In the end, there needs to be a policy and practical reengagement to link effective instructional programs for English Language Learners to adequately fund these effective programs using both base funds and categorical funds. It is unfair and unwise to propose that entitlement categorical funds be reduced or eliminated since costing out effective programs for ELL's has not been accurately done since we do not know if the current amount provided to ELLs is adequate to achieve high academic outcomes. However, it is clear that districts and schools must utilize categorical funds in a much different manner than currently employed to assure success for ELLs.

References

Adams, J. (2007). *School Finance Redesign Project (SFRP)*. University of Washington, Center on Reinventing Public Education. Retrieved on November 21, 2007, from www.schoolfinanceredesign.org

Anonymous. (n.d.). *Evolution of Important Events in California Bilingual Education Policy*. Retrieved from <http://www.stanford.edu/~hakuta/www/policy/ELL/timeline.html>

Augenblick, J. (2003). *Calculation of the Cost of an Adequate Education in Colorado using the Professional Judgement and the Successful School District Approaches*. Colorado School Finance Project. Denver, Colorado. Retrieved January 10, 2010 from <http://www.cosfp.org/pdfs/FULLREPO.PDF>

Augenblick, J. (2007). *Costing Out the Resources Needed to Meet Pennsylvania's Public Education Goals*. Pennsylvania State Board of Education. Retrieved May 10, 2010 from http://www.schoolfunding.info/states/pa/costingout_pa.php3

Bilingual Education Act 1968 P.L. 90-247, 81 Stat. 816, 20 U.S.C.A. 880

Blanco, G. (1978). *The implementation of bilingual/bicultural programs in the United States*. In B. Spolsky (Ed.), *Case studies in bilingual education* (pp. 457-468). Rowley, MA: New-bury House.

California Advisory Committee to the U.S. Commission on Civil Rights (1976, June). *State Administration of Bilingual Education – ¿Si o No? Report prepared by California Advisory Committee to the U.S. Commission on Civil Rights*. Sacramento, CA. Retrieved March 5, 2010 from www.law.umaryland.edu/marshall/usccr/documents/cr12ed88.pdf

California State Legislature (1972). *Laws 1972, Assembly Bill 2284*

California State Legislature (1976). *Laws 1976, Assembly Bill 1329*

California State Legislature (1977). *Laws 1977, Assembly Bill 65*

California State Legislature (1980). *Laws 1976, Assembly Bill 507*

California State Legislature (2006). *Laws 2006, Assembly Bill 1802*

California Coalition for Fair School Finance (1978). *A community Education Project. Summary of Provisions of Post-Proposition 12 Legislation for funding Education*. Retrieved January 14, 2010 from www.edsource.org/assets/files/.../EdS_hist_Post-prop13Legis.pdf

California Department of Education (1982). *The Bilingual Education Improvement and Reform Act of 1980 (Chapter 1339/1980): Guidelines for implementation of state bilingual programs*. Office of Bilingual Bicultural Education. Sacramento, CA.

California Department of Education. Finance and Grants. Retrieved May 9, 2010 from <http://www.cde.ca.gov/fg/aa/ca/eia.asp>

California Department of Education. Specialized Programs. Retrieved January 12, 2010 from <http://www.cde.ca.gov/sp/el/t3/title3faq.asp>

California Department of Education (CDE): Ed Data. Retrieved January 10, 2009 from <http://www.ed-data.k12.ca.us/welcome.asp>

California Department of Education (2007, September 19). Retrieved January 5, 2010 from <http://www.cde.ca.gov/fg/fo/r14/eia07apptlrl.asp?print=yes>

California Legislative Analyst's Office. *Analysis of the 2002-03 budget bill: Reforming categorical program funding*. Retrieved November 12, 2007 from http://www.lao.ca.gov/analysis_2002/education/ed_09_Categorical_Reform_anl02.htm

California Proposition 13 (1978). *People's Initiative to Limit Property Taxation*.

California Proposition 98 (1988). *Classroom Instructional Improvement and Accountability Act*.

Proposition 227 (1998). *English for the Children*.

Chaffee, J. (1979). *California Schools Beyond Serrano: A Report on Assembly Bill 65 of 1977*. California State Department of Education. Sacramento, CA.

Crawford, J. (1991). *Bilingual Education: History, Politics, Theory and Practice*. Los Angeles, CA: Bilingual educational Services Inc.

Elementary and Secondary Education Act of 1965 (ESEA).

Escamilla, K. (1989). *A Brief History of Bilingual Education in Spanish*. ERIC Digest. ERIC Clearinghouse on Rural Education and Small Schools Charleston WV. ED308055.

Espinosa, R. W. (1985). *Fiscal resources and school facilities and their relationship to ethnicity and achievement in the Los Angeles Unified School District*. San Diego CA: The Social Equity Technical Assistance Center, San Diego State University.

Espinosa, R. W., & Ochoa, A. M. (1992). *The educational attainment of California youth: A public equity crisis*. San Diego, CA: The Social Equity Technical Assistance Center, San Diego State University.

Gándara, P., & Rumberger, R. W. (2007, March). *Resource needs for California English learners. Getting Down to Facts Project Summary: Institute for Research on Education Policy & Practice*. Stanford University.

Guthrie, J. W. (1978). *Proposition 13 and the Future of California's Schools*. Phi Delta Kappan 60(1), 12-15.

Hakuta, K. (2007, January 10). *Issues in the Education of English Language Learners*. Powerpoint presentation for EDU 388 at Stanford University. Retrieved May 21, 2010 from www.stanford.edu/~hakuta/Courses/.../Lecture1_History_Policies.ppt

Hertert, L. (1995). *Does equal funding for districts mean equal funding for classroom students? In L. Picus & J. Wattenbarger (Eds.), Where does the money go? Resource allocation in elementary and secondary schools (pp. 71-84)*. Thousand Oaks, CA: Corwin Press.

Jepson, C. & de Alth, S. (2005) *English learners in California schools*. Public Policy Institute of California. San Francisco, CA. Retrieved February 2010 from http://www.ppic.org/content/pubs/report/R_405CJR.pdf

Jiménez-Castellanos, O. (2008). *Beyond equality, equity and adequacy: Intra-district resource allocation's impact on school achievement*. Unpublished doctoral dissertation, Claremont Graduate University/ San Diego State University.

Jiménez-Castellanos, O. (2010). *Relationship Between Educational Resources and School Achievement: A Mixed Method Intra-District Analysis*. Urban Review. 1-21. DOI: 10.1007/s11256-010-0166-6

Jiménez-Castellanos, O., & Rodriguez, J. L. (2009). *Resource allocation for low income Latino English learners: A multiple comparative case study approach*. Bilingual Research Jour-nal, 32(3), 298-316.

Ladd, H. F., Chalk, R., & Hansen, J. S. (Eds.). (1999). *Equity and adequacy in education finance: Issues and perspectives*. Washington, DC: National Academy of Science Press.

Lau v. Nichols (1974), 414 U.S. 563, 94 S.Ct. 786

Lemberger, N. (1997). *Bilingual Education*. Mahwah, NJ: Lawrence Erlbaum.

National Clearinghouse for Bilingual Education. (1986, March). *The status of state statutes for language minority students*. Forum, pp.1-3.

National Conference of State Legislatures, 2005 *Prepared for the Arizona Legislative Council*. Retrieved March 1, 2010 from www.schoolfunding.info/states/az/AZ-NCSLEnglangu2005.pdf

- Dupree, A., & Augenblick, H. (2006). *Report on the cost of education*. Trenton, NJ: New Jersey Department of Education.
- New York Immigration Coalition (2008, November). *Getting it Right: Ensuring a Quality Education for English Language Learners in New York*. Policy Brief. Retrieved February 21, 2010 from www.thenyic.org/templates/documentFinder.asp?did=967
- Odden, A. (Ed.) (1992). *Rethinking school finance: An agenda for the 1990s*. San Francisco: Jossey-Bass Inc., Publishers.
- Rivera, C. (Ed.) (1984). *Placement procedures in bilingual education: education and policy issues*. Clevedon: Multilingual Matters
- Rodriguez v. LAUSD (1992) No C 6 11-3 5 8.
- Rodríguez, G. M. (2007). *Cycling on in cultural deficit thinking: California school finance and the possibilities of critical policy analysis*. In G. Rodríguez & A. Rolle (Eds.), *To what ends & by what means? The social justice implications of contemporary school finance theory & policy* (pp. 107–143). New York: Routledge.
- Serrano v. Priest, 487 P.2d 1241 (1971).
- Timar, T. (1994). *Politics, policy, and categorical aid: New inequities in California school finance*. *Educational Evaluation and Policy Analysis*, 16(2), 143–160.
- Timar, T. (2007). *Financing k-12 education in California: A system overview*. Technical report retrieved November 12, 2007, from Institute for Research on Education Policy & Practice, Stanford University Website: <http://irepp.stanford.edu/projects/cafinance-studies.htm>
- United States Census Bureau (2000). *Educational Attainment*. Washinton, D.C.
- U.S. Department of Education. (2001). *No Child Left Behind Act of 2001*. Washington, DC: U.S. Department of Education.
- Wiley, T. (2002). *Accessing language rights in education: A brief history in the U.S. context*. In J.W. Tollefson (Ed.), *Language policies in education: Critical issues* (pp. 39-64). Mahwah, NJ: Lawrence Erlbaum.

