



April 13, 2021

The Honorable Greg Abbott
Governor of Texas
P.O. Box 12428
Austin, TX 78711

Commissioner Mike Morath
Texas Education Agency
1701 N. Congress Avenue
Austin, TX 78701

Dear Governor Abbott and Commissioner Morath,

As President and CEO of the Southern Education Foundation (SEF), a 154-year-old civil rights and education advocacy organization, I am writing to encourage you to use Texas's share of K-12 relief funding under the American Rescue Plan Act (ARPA) toward the advancement and improvement of public schools in the state. As you know, Texas will receive \$12.4 billion in the third iteration of the Elementary and Secondary School Emergency Relief Fund (ESSERF III) from the ARPA to directly support and bolster public education in the state.ⁱ Out of this amount, at least \$11.2 billion must be distributed to local educational agencies (LEAs), and the state can reserve a maximum of \$1.24 billion for its own use. As a part of its total ESSERF III allocation, Texas is also receiving over \$620 million to specifically address lost instructional time, \$124 million to institute and bolster summer enrichment programs, and another \$124 million for afterschool programs.ⁱⁱ In addition, Texas will receive a share of the \$7.2 billion for broadband expansion from the ARPA and \$27.6 billion of the \$360 billionⁱⁱⁱ in state and local funding in the ARPA. This historic infusion of federal funding provides new opportunities to update school infrastructure in low-wealth rural and urban school districts, recruit and retain a high-quality teacher workforce, and implement the recommendations included in this letter.

Like you, we at SEF are concerned that the persistence of this pandemic over the past year and the financial toll it has taken on Texas's public education budget will negatively affect the state's education system for years to come. We are particularly concerned about longstanding inequities, exacerbated by the pandemic, which will persist unless we take action. As such, SEF encourages state and local education agencies throughout Texas to prioritize the needs of their most vulnerable students – students with disabilities, students from low-income families, students of color, English learners (ELs), and other historically underserved students and their families. As Texas receives funding awarded from the ARPA and distributes the aid to local education agencies and for other educational purposes, SEF urges each of your offices to:

1) Articulate measurable equity goals and demonstrate public transparency around how ESSERF III and broadband expansion relief dollars are being disbursed and spent.

To ensure that ARPA funding is applied in a way that will close historic opportunity gaps between students in the state, SEF urges Texas to develop and make public an equity plan that includes guidance for LEAs on spending their ARPA allocations, measurable goals for LEAs and

students, and a framework and tools that schools can use to address the academic and non-academic needs of their most vulnerable students. We ask that such an equity plan be made available to Texans and other interested organizational parties for review and public comment. We also ask that the state follow a deliberate and structured needs assessment process, in conjunction with LEAs, to ensure that current investments made with ARPA funding are sustainable and help improve academic achievement in the long run. We ask that such a needs assessment process authentically engages with students, families, and communities regarding their priorities for usage of ARPA funds – particularly students, families, and communities of color.

2) Devise a comprehensive plan to permanently close the digital divide in Texas and, using ARPA broadband relief funding and state and local relief funding, ensure that the state’s digital infrastructure is equipped to support families through crises.

Texas’s share of the \$7.2 billion for E-Rate expansion within the ARPA should go toward strengthening schools’ and libraries’ ability to provide internet access for students and families. Additionally, we urge the state to use a portion of the \$27.6 billion in state and local aid from the ARPA toward investments in broadband throughout the state. The COVID-19 pandemic has exposed and exacerbated decades-long digital disparities in Texas. As you know, the state’s digital divide disproportionately impacts rural students, students of color, and students from low-income families.^{iv} SEF is encouraged by efforts in Texas over the past year to allocate funds to support broadband connectivity, such as the use of broadband signal extenders, the purchase and distribution of mobile WiFi hotspots, and the deployment of WiFi-equipped school buses in underserved communities throughout the state. However, according to recent research from SEF, Common Sense Media, and the Boston Consulting Group, nationwide, around three-quarters of the measures to deliver broadband and device access to students over the past year are temporary and will expire over the next three years.^v

The latest round of federal relief through the ARPA can help sustain long-term investments to guarantee high-speed internet access to every family in rural and urban areas of Texas. If the Federal Communications Commission (FCC) authorizes the use of E-Rate funding for remote learning purposes, we also urge the state to help families access these resources.^{vi} SEF applauds Governor Abbott for his commitment to building out broadband infrastructure in rural Texas and hopes that federal relief funding through the ARPA can complement state-level efforts to close the digital divide.

3) Purchase personal protective equipment (PPE) for K-12 students and staff members, develop a strong COVID-19 testing infrastructure in schools, and upgrade ventilation systems and infrastructure for schools.

As more of Texas’s school districts reopen for in-person learning, students and educators in the state need assurances that their learning environments will be physically safe and healthy. SEF believes that an ongoing commitment to protecting the state’s teacher workforce, students, and families is critical to fully curbing the pandemic and safely reopening schools. As such, we encourage the state to utilize a portion of its ARPA allocation to purchase personal protective equipment such as masks and desk dividers for classroom environments. We also urge the state to

draw from President Biden’s \$10 billion school-based COVID-19 testing strategy and support school districts in developing and implementing testing systems for students and staff members.^{vii} Finally, SEF recognizes that a disproportionate percentage of schools with outdated HVAC systems and other infrastructure serve primarily students of color and students from low-income families.^{viii} As such, SEF urges the state to compel school districts, particularly those with a higher proportion of outdated school buildings, to use a portion of ARPA funds to upgrade their HVAC systems to minimize the spread of COVID-19 and other airborne pathogens.

4) Support the implementation of whole child supports, comprehensive summer learning, enrichment, and afterschool activities as parts of the state’s strategy for recuperating lost learning time.

As previously mentioned, the ARPA provides Texas with over \$620 million to address lost learning time and a combined \$248 million for summer enrichment and afterschool programs. Particularly in this moment, utilizing evidence-based strategies to close learning gaps between historically underserved students and well-served students is imperative. Both research and practice show that the implementation of policies that promote educating the whole child leads to improved outcomes for students inside and outside the classroom.^{ix} Often carried out through community schools, a whole child educational approach involves engaging parents and families, community partners, health care providers, direct service organizations, and tutoring and afterschool providers in a child’s education. Community schools improve student attendance, social and emotional wellness, engagement, behavior, and academic performance – particularly for students from low-income families.^x As Texas turns the corner on the COVID-19 pandemic, students across the state are grappling with the ramifications of mental health issues and trauma, lost learning time, and fewer to no opportunities to socialize with their peers. Using Texas’s ARPA allocation to invest in community schools – public schools geared toward helping students thrive and reach their full potential inside and outside the classroom – will accelerate the closure of opportunity gaps in Texas. As such, SEF recommends that the state allocate a considerable portion of its ARPA relief toward investing in expanded learning time and creating equitable pathways for students to access the academic and extracurricular supports needed to succeed.

5) Assist child care and early childhood education providers in remaining open, retaining staff members, and facilitating early learning and development among Texas’s students.

Texas will receive a significant sum under the ARPA to invest in child care; these funds could be directed to allow child care centers across the state to rehire and retain, at least in the short term, more of their staff members. The child care industry in Texas is one of the foundations of a strong economy in the state. As you know, child care centers and early learning providers faced tremendous challenges during the COVID-19 pandemic; declining enrollment forced many to close their doors, with some permanently shuttering. Texas’s early learning system is among the strongest in the nation, and we hope critical federal relief from the ARPA can help further strengthen early learning opportunities for Texas’s children.

Investments in child care are particularly important because studies have repeatedly shown that early opportunities to learn can improve a child’s chances of academic and professional success throughout their life.^{xi} Moreover, child care workers are disproportionately women of color^{xii}, and

supporting the recruitment and retention of the child care workforce will also enable women of color employed by child care centers to earn a wage that allows them to support themselves and their families. SEF urges the state to dedicate ARPA funds intended for child care to assist child care centers in keeping their workforce and providing high-quality early learning opportunities for Texas's youngest children.

6) Adhere to maintenance of effort and maintenance of equity requirements in the ARPA.

As you know, the ARPA includes both maintenance of effort and maintenance of equity provisions to prevent states from significantly reducing their level of education funding and making disproportionate cuts to high-need school districts. These are important safeguards to ensure public education budgets do not experience drastic cuts from one year to the next. When education at the state level is underfunded, students from low-income families, rural students, and students of color experience the greatest disparities. While Texas continues to underfund public education for its most vulnerable students, ARPA funding gives the state an opportunity to rededicate its attention to funding public schools and to re-center the needs of these students across the state. As such, SEF strongly urges Texas to not seek waivers from maintenance of effort and maintenance of equity requirements under the ARPA and instead commit to fully funding public education.

I appreciate the opportunity to write to you regarding recommended uses of relief funding coming to Texas from the federal government through the ARPA. If you have any further questions regarding the contents of this letter, please reach out to SEF's Government Affairs and Advocacy Analyst, Sujith Cherukumilli, at scherukumilli@southerneducation.org. We look forward to hearing from you soon.

Sincerely,

A handwritten signature in cursive script that reads "Raymond C. Pierce".

Raymond C. Pierce
President and CEO
Southern Education Foundation

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- ⁱ “American Rescue Plan Elementary and Secondary School Emergency Relief Fund Methodology Table.” Office of Elementary and Secondary Education. U.S. Department of Education, March 2021. https://oese.ed.gov/files/2021/03/FINAL_ARP-ESSER-Methodology-and-Table.pdf.
- ⁱⁱ “Estimated FY2021 Grants to States and Institutions of Higher Education Under the Education Stabilization Fund Based on the Senate-Passed Substitute to H.R. 1319.” Congressional Research Service, March 8, 2021. https://www.democrats.senate.gov/imo/media/doc/CD%20memo_ESSER_EANS_HEERF_Senate%20passed%20Sub%20to%20HR1319_3-8-21.pdf.
- ⁱⁱⁱ Needler, Sarah. “Analysis for States: The Coronavirus State and Local Fiscal Recovery Fund.” The Council of State Governments, March 2021. https://web.csg.org/tcs/wpcontent/uploads/sites/13/2021/03/FiscalAnalysisForStates_032621.pdf.
- ^{iv} “The Homework Gap in the United States.” Future Ready Schools, 2020. <https://futureready.org/homework-gap/>.
- ^v Ali, Titilayo Tinubu, Sumit Chandra, Sujith Cherukumilli, Amina Fazlullah, Hannah Hill, Neil McAlpine, Lane McBride, Nithya Vaduganathan, Danny Weiss, and Matthew Wu. “Looking Back, Looking Forward: What It Will Take to Permanently Close the K-12 Digital Divide.” Southern Education Foundation, Common Sense Media, Boston Consulting Group, January 28, 2021. <https://www.southerneducation.org/wp-content/uploads/2021/01/Looking-Back-Looking-Forward-Report-01272021.pdf>.
- ^{vi} “Southern Education Foundation Response to the Federal Communications Commission's Request, WC Docket No. 21-31.” Federal Communications Commission, February 16, 2021. <https://ecfsapi.fcc.gov/file/102161762329551/SEF%20Response%20to%20FCC's%20WC%20Docket%20No.%2021-31.pdf>.
- ^{vii} Lim, David. “Biden Admin Unveils \$10B School Testing Plan for Covid-19.” POLITICO. POLITICO, March 18, 2021. <https://www.politico.com/news/2021/03/17/biden-covid-school-testing-plan-476716>.
- ^{viii} “K-12 Education: School Districts Frequently Identified Multiple Building Systems Needing Updates or Replacement.” United States Government Accountability Office, August 11, 2020. <https://www.gao.gov/products/gao-20-494>.
- ^{ix} See, e.g. “Community Schools: Transforming Struggling Schools into Thriving Schools.” Southern Education Foundation, Center for Popular Democracy, Coalition for Community Schools, <https://www.southerneducation.org/publications/communityschoolsreport/>; “Community Schools Playbook.” Partnership for the Future of Learning, <https://communityschools.futureforlearning.org/assets/downloads/community-schools-playbook.pdf>; “Illustrating the Promise of Community Schools.” RAND, https://www.rand.org/pubs/research_reports/RR3245.html.
- ^x Id.
- ^{xi} Melnick, Hanna. “Healthy Child Development Depends on Quality Child Care-And So Does the Economy.” Learning Policy Institute, May 21, 2020. <https://learningpolicyinstitute.org/blog/covid-healthy-child-development-depends-quality-child-care>.
- ^{xii} Smith, Linda, Kathlyn McHenry, Suzann Morris, and Hannah Chong. “Characteristics of the Child Care Workforce.” Bipartisan Policy Center, February 8, 2021. <https://bipartisanpolicy.org/blog/characteristics-of-the-child-care-workforce/>.