



Date: September 5, 2023

Source of Report: EPS History and Summary Documents

Topic: Essential Programs and Services

History

In 1993, Governor John McKernan signed into law An Act to Enhance the Role of the State Board of Education (1993). A primary focus of this legislation was to develop a set of long-range goals and standards for both school performance and student achievement. The recommendations made by the State Board of Education would inform the development of the Maine Learning Results. Subsequently, in 1994 and 1995, working groups were established to focus on school funding by developing an implementation plan for funding essential educational programs and services. While we now think of the Maine Learning Results as informing the EPS model, it is important to note that at this time, these works were simultaneously under development. The Maine Learning Results which inform EPS, were established with the eight content areas in statute in 1995 (An Act to Initiate Education Reform in Maine, 1995). This followed the 1994 federal reauthorization of Elementary and Secondary Education Act in the 1994 Improving America's Schools Act which required all states develop state standards.

Additionally, during this time period and prior, school funding was allocated as a fixed per-pupil guarantee amount. This means that what was spent in any given year was considered to be the total cost of education (Dow, 1998). While inflationary adjustments were made on a year-to-year basis, the total amount of funding was dependent on what was spent in the prior year. The work under development between 1993-1997 was a departure from this historic norm as the study group investigated the possibility of an adequacy-based formula.

The Committee focused on identifying an equitable funding formula that cooperated with the Maine Learning Results concluded with the delivery of a report in 1999. The work was informed by empirical evidence, actual costs, and best practices in other states such as MA, NJ, and WY which had all made attempts at defining core education aligned with core costs of education (Silvernail, 2011). Models from the Education Commission of the States (ECS) were reviewed, and 420 public comments were received from 25 public forums seeking stakeholder inputs (Silvernail, 2011). Stipulations were made to restrict the work to only those programs that were essential to achieve the Maine Learning Results. Elements of consideration that fell outside the scope of the study included taxpayer equity, capital improvements, technology, and components outside of MLR required for a comprehensive education.

Definition of Essential Programs and Services

This first iteration of the Essential Programs and Services Funding Formula included a listing of 25 essential components made of eight categories of learning results and six categories of essential services. Essential Programs were defined as those programs and courses Maine

schools need to offer all students so that they could meet the Learning Results standards in the eight Learning Results Program areas (Picus, 2013).

The following eight programs were identified for the EPS model:

- Career Preparation
- English and Language Arts
- Health and Physical Education
- Mathematics
- Modern and Classical Languages
- Science and Technology
- Social Studies
- Visual and Performing Arts

Essential Services were determined to be those resources and services required to ensure that each student is offered an equitable opportunity to achieve the Learning Results. The committee identified the following six services as necessary to meet the goals outlined by the Learning Results:

- School Personnel
- Supplies and Equipment
- Resources for specialized student populations
- Specialized services
- District services
- School-level adjustments

More complete information regarding the specific details of the programs and services can be found in MRSA Title 20-A, Chapter 606-B and details regarding the Maine Learning Results can be found in MRSA Title 20-A, Chapter 222.

A note about the EPS model development: As an adequacy model, EPS was developed using prototypical schools to facilitate resources information. Adequacy based funding formulas start with the base cost of education and then adjust for specific characteristics among the student population such as economically disadvantaged, multi-lingual learners, or special education. Other adjustments are made for geographic cost differences, SAU size, or other SAU features. The following prototypical school sizes were utilized:

- Elementary (K-5) – 250 schools
- Middle (6-8) – 400 students
- Secondary (9-12) – 500 students

The number of students assigned to each level was based on actual average school sizes found in Maine in 1996-1997 (Silvernail, 2011). These prototypical school sizes do not account for current school configuration changes that may include pre-kindergarten classes, inclusion up to the age of 22 for special education students, and other such developments over the last 10 years. Furthermore, actual distribution of funds to SAUs today is based on staff to student ratios and per-pupil expenditure allocations that do not specifically rely on the original prototypical school model (Picus, 2013).

Study Funding

The State Board of Education's continued work to define the essential educational programs and services stalled due to insufficient funding and ultimately concluded in the spring of 1997. LD 1137 appropriated \$75,000 to direct the State Board to continue their development of an implementation plan and stipulated a deadline of January 1, 1998 (An Act Making Unified Appropriations and Allocations for the Expenditures of State Government...for the Fiscal Years Ending June 30, 1998 and June 30, 1999, 1997). The plan presented by the State Board was to be based on the criteria developed by the Governor's Task Force on Learning Results and would have a complimentary set of rules developed by the Department of Education to serve as an implementation guide to ensure schools would be held accountable for the Learning Results. In the same session, LD 1895 directed the State Board to establish a committee to study the school funding formula (Resolve, to Direct the State Board of Education to Study the School Funding Formula, 1997).

In 2001 the Legislature endorsed the EPS concept and appropriated \$150,000 for the development of a model. In 2002 the Legislature endorsed the specific components of the model and requested a plan to implement the model. The subsequent EPS statutes were enacted in 2003 and codified in 20-A MRS §§15670-15687. In the same year, the School Finance Act of 2003 was passed to require the State to provide at least 55% of the cost of the total allocation for K-12 education from the General Fund.

Study Methodology

A seventeen-member committee led by Wes Bonney of the State Board of Education oversaw the development of the initial EPS model. Their deliberations were supported by empirical research conducted by MEPRI, under the direction of Dr. David Silvernail. The model focused on the elements the committee believed were necessary to achieve the Maine Learning Results. The committee recognized that the cost of the EPS model did not include all the costs of providing an education, but rather, focused on those resources required to meet the Learning Results. Committee membership can be viewed in Appendix A (Silvernail, 2011).

The committee's work was informed by empirical evidence, actual costs, and best practices in other states such as MA, NJ, and WY which had all made attempts at defining core education aligned with core costs of education. Models from the Education Commission of the States (ECS) were reviewed, as were two previous models developed in Maine in 1994 and 1995. Those prior models did not have the benefit of the Learning Results guiding them. The Committee continued their research by seeking out expert testimony from the Maine Department of Education, Maine-based educational organizations, experts from MA, WY, NJ, and OH. In all, 420 public comments were received from 25 public sessions held by the Committee seeking stakeholder inputs. A listing of the experts appears in Appendix B (Silvernail, 2011). Stipulations were made to restrict the work to only those programs that were essential to achieve the Maine Learning Results. Elements of consideration that fell outside the scope of the study included taxpayer equity, capital improvements, technology, and components outside of MLR required for a comprehensive education.

Implementation

The EPS Committee delivered their report and recommendations to the State Board of Education in 1999. After review, the State Board forwarded its recommendation to the Joint Standing Committee for Education and Cultural Affairs.

The Legislature endorsed the EPS concept in 2000 and in 2002 endorsed specific components of the EPS model. At this time, they requested an implementation plan. The EPS legislation was successfully passed by the Legislature in 2004 and the school funding law was changed in 2005. This increased the state share of education. Finally, in 2006, the EPS model was implemented beginning in FY 2006.

Revisions to EPS began before the new law had a chance to make an impact. LD1 in 2005 increased the state share of education costs and reduce property taxes and affected the newly enacted 20-A MRS §§15670-15687 with revisions, repeals, and newly enacted language.

Recommendations from Prior Evaluations

EPS Committee, 1999

The original EPS report delivered by the State Board of Education and the Maine Department of Education included additional areas of investigation, or support programs that were needed to support the EPS model. Early childhood education, parental involvement, and gifted and talented programs were identified as essential components to the success of Maine students. The report further insisted that the recommendations were intended to identify “an adequate and equitable amount of resources” necessary for Maine students to achieve the Learning Results but was not intended to outline required spending by category, nor intended to limit the other areas in which a school unit may fund programs.

Silvernail, 2011

Dr. David Silvernail, one of the founding researchers of the EPS model, published a survey of EPS in 2011, whose goal was to describe the history, development, and current status of the cost determination part of EPS. This study was passed by Legislative resolution and required the Department of Education and the Maine Education Policy Research Institute to analyze the components of EPS, including the original policy goal or objective, a detailed description of the original and current methodology used to calculate the required resources.

Dr. Silvernail’s recommendation was a reassessment of the formula to “reaffirm or affirm new fundamental purposes, structures, and processes to ensure equitable education opportunities across the state” (Silvernail, 2011).

Picus, 2013

Picus and Associates conducted their research into EPS through a review of official documents, two data collection trips to Maine that included meetings with the Education and Cultural Affairs Committee, Legislative staff, officials of the Maine Department of Education, representatives of education stakeholder groups, and concluded with a public hearing held by the Education and Cultural Affairs Committee. The Legislature allocated \$150,000 from the General Fund in 2011-2012 and \$300,000 in 2012-2013. The final amount for the study was \$427,175. Picus and Associates determined that Maine designed a school funding system that provides districts with

an equitable distribution of resources. The inequities in the system did not appear to be related to student needs, although the report does recommend alternative ways to distribute funds to schools in order to help meet the needs of their specialized student populations. The study also indicates that Maine should consider developing a model of teacher compensation at the state level. In their research, Picus and Associates determined that states that have elected to allow local compensation models have been largely dissatisfied with the results.

Their recommendations included identifying ways to address the funding disparities that arise as a result of relative wealth disparities across SAUS. One suggested remedy is to include a guaranteed tax base on top of the state's foundation program. The Picus report (2013) indicates that this is (or was) done in eight other states. This solution would deliver a guaranteed amount of revenue per pupil. Ultimately, Picus determined that Maine's formula was equitable before the impacts of SAUs' differing abilities to raise funds above what was required. In short, disparities appeared to be related to local fiscal capacity rather than flaws in the formula.

References

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