

Pursuant to Executive Order 13985 (January 20, 2021) on "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government"

Equity Action Plan Summary

U.S. Department of Education

The Department of Education's (ED) mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Delivering equity through ED

As we enter a new era of possibility for our nation, education must be at the forefront of our recovery, rebuilding, and resiliency efforts. As educator Horace Mann stated, education has the capacity to be the "great equalizer." From pre-K through postsecondary and adult learners, education has the power to bring the American Dream within reach of every individual, lift communities, draw people together, strengthen our democracy, drive our economy, and meet our nation's vast potential. To meet this potential, our nation's education system must reckon with and address the long-standing disparities that underserved students and communities face in achieving equal education opportunities. And to fulfill its mission, ED must embed equity throughout its operations and mission to meet the needs of every learner.

New strategies to advance equity

● **Prioritize college access and college completion**

Postsecondary attainment continues to be inequitably available for traditionally underserved populations as accessibility, affordability, equitable funding, and verification remain barriers to a postsecondary degree or certificate. For example, although federal financial aid helps make college accessible, there are many barriers currently associated with applying for and receiving financial aid. Another challenge is that community colleges, state regional universities, and Minority-Serving Institutions (MSIs)—some of the nation’s most inclusive colleges—disproportionately serve low-income students and students of color but typically receive less education revenue per student than four-year flagship institutions. To address these barriers, the Department will review and improve its verification model, including the criteria it uses to select applicants for financial aid verification. The Department intends to undertake a comprehensive approach to address these inequities and effect change, including by investing in Historically Black Colleges and Universities (HBCUs), Tribally Controlled Colleges and Universities, Hispanic-Serving Institutions, Predominately Black Colleges, Asian American Pacific Islander Serving Institutions, other MSIs, community colleges, and other under-resourced public institutions; supporting institutions, systems, and states to raise completion rates for underserved students; and sponsoring a new vision of college excellence that makes inclusivity a marker of prestige.

● **Ensure equitable impact of American Rescue Plan (ARP) funding for K-12 students**

Certain student groups have been disproportionately impacted by the pandemic, including but not limited to students from low-income backgrounds, students with disabilities, multilingual learners, students experiencing homelessness, and migratory students. The Department is committed to the ARP’s intended purpose of helping schools and communities recover from the pandemic. State Educational Agencies (SEA) and Local Educational Entities (LEA) have considerable discretion in deciding how to use these resources to support students

New strategies to advance equity

disproportionately impacted by the pandemic through evidence-based interventions. The Department will continue to support states and districts in ways that advance inclusive planning for how they will use funds, select high-quality interventions, and provide transparency and accountability in the use of these historic resources. For example, the Department has required all SEAs and LEAs to complete public plans for the use of their ARP Elementary and Secondary School Emergency Relief (ESSER) funds and required diverse and inclusive planning processes to identify that the best investment decisions will be made. Reporting requirements finalized by the Department will provide visibility into how SEAs and LEAs identified and supported students most impacted by the pandemic. The Department will also continue to support SEAs and LEAs in meeting and enforcing the requirements of ARP ESSER's first of its kind Maintenance of Equity requirement, which ensure that SEAs and LEAs do not disproportionately reduce per-pupil funding to districts and schools and that SEAs do not cut funding at all for the highest poverty districts.

● **Invest in resources to help advance civil rights**

Advancing equity rests on the presumption of equal opportunities and protection under the law. As noted in the Executive Order, Government programs are designed to serve all eligible individuals. To meet this objective and to enhance compliance with existing civil rights laws, agencies were obligated to address the operational status and level of institutional resources available to offices or divisions within the agency that are responsible for advancing civil rights or whose mandates specifically include serving underrepresented or disadvantaged communities. In support of this mandate, in August 2021, the Department's Office of Civil Rights (OCR) made the historic decision to collect data from the 2020-21 and 2021-22 school years, marking the first time OCR has conducted civil rights data collection from all public schools two school years in a row instead of every other year. The additional collection will allow the Department to identify inequities in educational opportunities as the country continues to grapple with the COVID-19 pandemic and its effects on students' academic, social, and emotional development.

New strategies to advance equity

OCR is also seeking public input on a proposed 2021-22 Civil Rights Data Collection. OCR has proposed, among other things, restoring data elements removed during the previous administration that have long been useful to both OCR and the Department in identifying racial disparities and inequities in students' access to educational programs and staff, such as early childhood, preschool, and kindergarten programs; credit recovery programs; advanced placement courses; and teachers.

● **Advance equity in contracting and procurement**

Minority owned small businesses receive about 20 percent of total agency procurement actions, but they receive significantly fewer overall dollars. In response, the Department is identifying opportunities to award higher dollar actions to minority owned small businesses, consistent with the authorizing statute and regulations governing minority owned small business contract awards. As one example, the Department's Industry Liaison, jointly with the agency's Office of Small and Disadvantaged Business Utilization (OSDBU), will host quarterly equity roundtable discussions with representatives of underserved communities to discuss areas of concern, identify barriers, and formulate realistic strategies to help these communities address as many barriers as possible. Additionally, the Department will work with its Senior Executive Service SES to ensure executive performance plans address progress towards our achievement of the small business contracting goals.

● **Advance equity in grant process strategies**

The Department pursues its mission by funding programs that will improve access to high-quality educational opportunities and programs that pursue innovations in teaching and learning with a focus on underserved students. Each year the Department convenes panels of external education professionals and practitioners to serve as peer reviewers. To advance equity in the grants process, the Department will expand its outreach efforts to attract the broadest possible pool of reviewers. By recruiting peer reviewers with broader experience, we can ensure that applications are evaluated by individuals who represent diverse experiences and

New strategies to advance equity

perspectives and whose expertise allows for all entities to access benefits and opportunities available through Department grant programs. The Department will also revise the standard form required under Section 427 of the General Education Provisions Act. Under Section 427, each applicant for assistance under an applicable program must describe in its application the steps the applicant proposes to take to ensure equitable access to, and equitable participation in, the project or activity to be conducted with such assistance by addressing the special needs of students, teachers, and other program beneficiaries in order to overcome barriers to equitable participation, including barriers based on gender, race, color, national origin, disability, and age. The Department will initiate a more active review of the forms, establish meaningful criteria, and provide technical advice to applicants on how to develop specific and actionable steps. The Department will also create an equity dashboard to provide the public with accurate information on equity in the nation's education system and assist the Department and other stakeholders in identifying gaps in our collective capacity to understand equity in education.

Building on ED's progress

This equity action plan builds on ED's progress delivering on equity and racial justice in the first year of the Biden-Harris Administration.

- **Supporting America's education system through the COVID-19 pandemic**

The Department distributed unprecedented resources to states, districts, K-12 schools, and postsecondary institutions, including funding, guidance, and technical assistance to help educators meet the needs of all students, especially those disproportionately impacted by the pandemic. The Elementary and Secondary School Emergency Relief fund of the American Rescue Plan Act of 2021 (ARP ESSER) invested \$122 billion to help K-12 schools safely reopen, stay open, and address the academic, social, and emotional needs of all students. With these resources, schools across the country, from Vermont to Hawaii, are hosting vaccination clinics. Many districts, like DeKalb County, Georgia, have improved ventilation in their schools. Washington Local Schools in Ohio hosted its first summer camp for students in grades K-3, which included a focus on academics. Arkansas created the Arkansas Tutoring Corps. New York City is hiring hundreds of school social workers. And Gaston County Schools in North Carolina used ARP ESSER funds to double nursing staff and secure a nurse for each of their 54 school locations so nurses no longer have to split their time between two buildings.

- **Supporting higher education with pandemic relief funding**

The Department also distributed \$40 billion through the ARP to more than 5,000 colleges and universities to help students access high-quality education and the academic, emotional, and financial support needed to thrive and safely return to on-campus, in-person instruction and activities. The ARP is one of the largest single investments ever made in American higher education—for both students and institutions. Approximately half of this funding went directly to students—those with the greatest financial need—in the form of emergency financial aid to assist with educational expenses as well as costs associated with basic needs (e.g., housing,

Building on ED's progress

food, transportation) impacted by the coronavirus. The Department released more than \$10 billion to community colleges, \$2.7 billion to HBCUs, \$192 million to Tribal Colleges and Universities, and more than \$13 billion to Minority-Serving Institutions, such as Hispanic Serving institutions and Asian American and Native American Pacific Islander-serving institutions. This support is in addition to the Department's investment of nearly \$1 billion in grant funds to the nation's most under-resourced institutions and discharging of approximately \$1.6 billion of infrastructure debt provided to HBCUs that participate in the HBCU Capital Financing Program.

● **Advancing equity through Title IX**

The Department of Education's Office of Civil Rights (OCR) launched a comprehensive review of its actions to Title IX, which prohibits sex discrimination in education programs and activities that receive federal funding. As part of its review, OCR conducted the Department's first-ever virtual public hearing on Title IX, bringing together an extraordinary range of voices and views. In addition, OCR issued a Q&A resource explaining how OCR interprets schools' current obligations under the Title IX regulations. Finally, OCR announced that it anticipates publishing a Notice of Proposed Rulemaking to amend the Department's Title IX regulations and confirmed its interpretation that Title IX prohibits discrimination based on sexual orientation and gender identity.

● **Supporting learners with disabilities**

The Department also invested more than \$3 billion in ARP funds to support children with disabilities who were disproportionately impacted by the pandemic and its disruptions to in-person learning. These resources are specifically aimed at helping more than 7.9 million infants, toddlers, and students served under the Individuals with Disabilities Education Act recover from the pandemic and succeed in the classroom. Recipients of the funds used the resources for hiring additional special education personnel, upgrading technology in schools, procuring professional development

Building on ED's progress

for special educators and new educational materials for classrooms, supporting transportation for students with disabilities, and funding before and after-school programs.

● **Supporting student loan borrowers**

In this moment of national crisis, the Department has redoubled its efforts to support student loan borrowers, many of whom have struggled with unemployment, reduced work hours, and other financial stressors brought on by the pandemic. The Department's initial efforts to provide targeted loan relief have already led to the approval of \$15 billion in student loan cancellation for more than 670,000 borrowers, encompassing \$1.5 billion to borrowers who have been taken advantage of by their institutions, \$7.8 billion for over 400,000 borrowers who have a total and permanent disability, and \$1.26 billion to over 100,000 borrowers who attended the now-defunct ITT Technical Institute. These efforts have particularly helped low-income borrowers and Black Americans, who rely more heavily on student loans due to a host of financial inequities, such as under-employment, pay disparities, and the racial wealth gap.

In October 2021, the Department also revamped the Public Service Loan Forgiveness (PSLF) program, which allows borrowers to study for and work in jobs that may be lower-paying without being overly burdened by student loan debt, announcing changes to the program to allow borrowers to receive credit for past periods of repayment on loans that may not otherwise qualify for PSLF. Prior to these changes, and since 2017, which was the first time a borrower was eligible for forgiveness, 16,000 borrowers have received forgiveness. Since the program improvements were announced—between October 2021 and January 2022—more than 70,000 additional borrowers have been helped. This has resulted in nearly \$5 billion in relief, which has had an effect on families' pocketbooks and long-term financial outlook. The Department also communicated with hundreds of thousands of public service workers to let them know the minimum number of payments for which they would gain credit towards loan forgiveness under these temporary changes.