

## Goal 4. Equity:

**Increase educational opportunities for underserved students and reduce discrimination so that all students are well-positioned to succeed.**

### Goal Leader: Assistant Secretary for Office for Civil Rights (OCR)

**Objective 4.1: Equitable Educational Opportunities.** Increase all students' access to educational opportunities with a focus on closing achievement gaps, and remove barriers that students face based on their race, ethnicity, or national origin; sex; sexual orientation; gender identity or expression; disability; English language ability; religion; socioeconomic status; or geographical location.

**Objective 4.2: Civil Rights Compliance.** Ensure educational institutions' awareness of and compliance with federal civil rights obligations and enhance the public's knowledge of their civil rights.

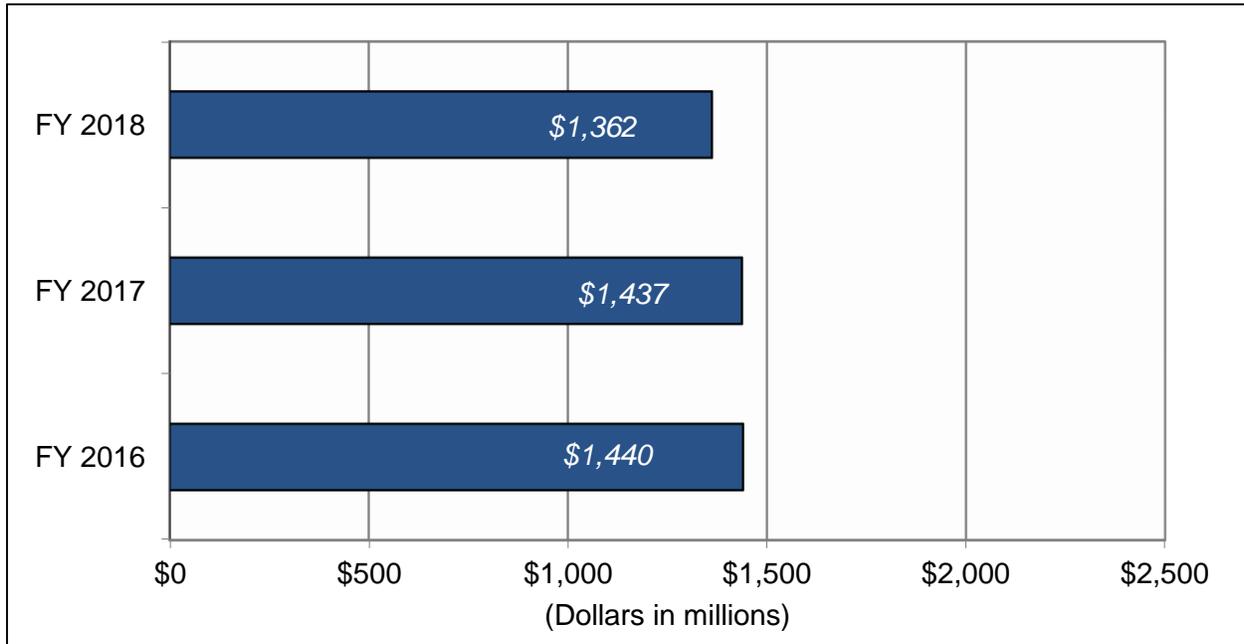
### Public Benefit

Equal access to equitable opportunities in education permeates every facet of the Department's work and is the cornerstone of the mission to promote student achievement and preparation for global competitiveness. Through grant programs, loans, technical assistance, and civil rights enforcement, the Department improves educational opportunities and outcomes for all students—regardless of income, home language, ZIP code, age, sex, sexual orientation, gender identity, race, or disability.

The Department works to serve students from their very first instructional experiences through early learning investments and to serve P-12 students through the implementation of the ESSA, which was signed into law in December 2015 and goes into effect with the 2017–18 school year. The ESSA continues the ESEA's longstanding focus on providing resources and supports for students from low-income families, students with disabilities, English learners, and students who are migrant, homeless, or in foster care. The ESSA also focuses on providing support and interventions for the lowest-achieving schools as well as providing equal access to excellent educators for low-income and minority students.

In addition to enhancing educational opportunities, the Department also works to eliminate discriminatory barriers that might prevent students from achieving their fullest potential. One way that the Department continues to monitor progress toward closing equity gaps in the nation's schools is through the biennial CRDC. In FY 2016, the Department released its 2013–14 CRDC report, demonstrating that despite significant work from districts across the country, persistent disparities remain, highlighting the need for a continued focus on educational equity. Another way is through continued efforts in OCR to address issues of equity in educational opportunity through both its policy and robust enforcement work.

**Goal 4 Discretionary Resources**



**Major Discretionary Programs and Activities<sup>57</sup> Supporting Goal 4 Performance Metrics [Dollars in Millions]**

POC	Account	Obj.	Program	FY 2016 Appropriation	FY 2017 Annualized CR <sup>58</sup>	FY 2018 President's Budget
OCR	OCR		Office for Civil Rights	107	107	107
OESE	ED	4.1	State agency programs: Migrant	375	374	374
OESE	IE	NA	Indian Education: Grants to local educational agencies	100	100	100
OESE	IE	NA	Indian Education: Special programs for Indian children	38	38	38
OESE	SIP	NA	Alaska Native education	32	32	--
OESE	SIP	NA	Native Hawaiian education	33	33	--
OESE	SIP	4.1, 4.2	Training and advisory services	7	7	7
OESE/OELA	ELA	4.1, 4.2	English Language Acquisition	737	736	736
OSERS	SE	NA	Special Olympics education programs	10	10	--
<b>TOTAL, GOAL 4</b>				<b>1,440</b>	<b>1,437</b>	<b>1,362</b>

POC = Principal Operating Component.

CR = Continuing Resolution.

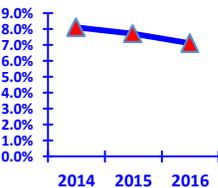
NA = Not applicable.

NOTES: Many programs may have sub-activities that relate to other goals. Detail may not add to total due to rounding.

<sup>57</sup> All the programs listed are discretionary programs, as distinct from mandatory programs. These include both competitive and noncompetitive/formula programs.

<sup>58</sup> A full-year 2017 appropriation was not enacted at the time the FY 2018 Budget was prepared; therefore, the Budget is built off of the *Further Continuing Appropriations Act, 2017* (P.L. 114-254). The amounts included for 2017 reflect the annualized level provided by the continuing resolution.

**Goal 4: Details**

U.S. Department of Education Indicators of Success	Baseline	Actuals			Current Year Target	Current Year Results	Actual-to-Target 2016		Out-Year Targets		Trend Line (Actuals)
		2014	2015	2016	2016	2016	Missed <sup>59</sup>	Exceeded <sup>60</sup>	2017	2018	
<b>4.1.A. National high school graduation rate<sup>61</sup></b>  <b>INCREASE</b> 	SY: 2011–12 80.0%	SY: 2012–13 81.4%	SY: 2013–14 82.3%	SY: 2014–15 83.2%	FY: 2016 84.5% <sup>62</sup>	<b>NOT MET</b>			85.0%	85.3%	
<b>4.1.B. Gap in the graduation rate between students from low-income families and all students<sup>63</sup></b>  <b>DECREASE</b> 	SY: 2013–14 7.7%	SY: 2012–13 8.1%	SY: 2013–14 7.7%	SY: 2014–15 7.1%	FY: 2016 7.6% <sup>64</sup>	<b>MET</b>			7.4%	6.8%	

<sup>59</sup> Missed target by <=1, or if percentage, <=1.3 percentage points.

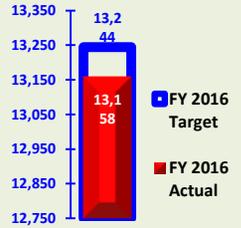
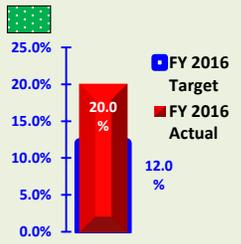
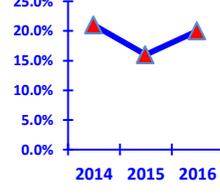
<sup>60</sup> Surpassed target; not just met the target. If a diminishing target, the actual was below the reduction target set.

<sup>61</sup> Metric is aligned with an Agency Priority Goal (APG).

<sup>62</sup> SY 2014–15 actuals are being used to compare against the FY 2016 target; SY 2015–16 (aligns with FY 2016) data not available until 2017.

<sup>63</sup> Metric is aligned with an APG.

<sup>64</sup> SY 2014–15 actuals are being used to compare against the FY 2016 target; SY 2015–16 (aligns with FY 2016) data not available until 2017.

U.S. Department of Education Indicators of Success	Baseline	Actuals			Current Year Target	Current Year Results	Actual-to-Target 2016		Out-Year Targets		Trend Line (Actuals)
		2014	2015	2016	2016	2016	Missed <sup>59</sup>	Exceeded <sup>60</sup>	2017	2018	
<b>4.1.C. Number of schools that do not have a gap or that decreased the gap between students from low-income<sup>65</sup> families and the state average of all students<sup>66, 67</sup></b>  INCREASE 	SY: 2013–14 13,048	NA	SY: 2013–14 13,048	SY: 2014–15 13,158	FY: 2016 13,244 <sup>68</sup>	NOT MET			13,442	13,487	
<b>4.2.A. Percentage of proactive civil rights investigations launched annually that address areas of concentration in civil rights enforcement<sup>69</sup></b>  INCREASE 	FY: 2013 7.0%	FY: 2014 21.0%	FY: 2015 16.0%	FY: 2016 20.0%	FY: 2016 12.0%	MET			15.0%	15.0%	

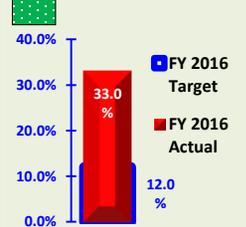
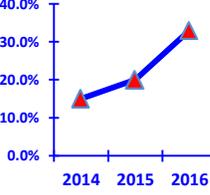
<sup>65</sup> For purposes of this metric, eligibility for Free or Reduced Price Lunches (FRPL) under the National School Lunch Program (NSLP) is the primary source of data for identifying economically disadvantaged (low-income) students for reporting on student outcomes, including graduation rates. The Department is currently considering options for redefining “economically disadvantaged” students for student outcomes reporting and other uses. Should the Department make such a change, data on economically disadvantaged students may not be entirely comparable with data for previous years.

<sup>66</sup> Metric is aligned with an Agency Priority Goal (APG).

<sup>67</sup> This measure is calculated as the number of schools in which the ACGR for low-income students was equal to or greater than the statewide ACGR for all students PLUS the number of schools with a gap that reduced the size of this gap by 5 percent or more. Initially the data points in the 2015 APR were for a percentage calculation versus the number.

<sup>68</sup> SY 2014–15 actuals are being used to compare against the FY 2016 target; SY 2015–16 (aligns with FY 2016) data not available until 2017.

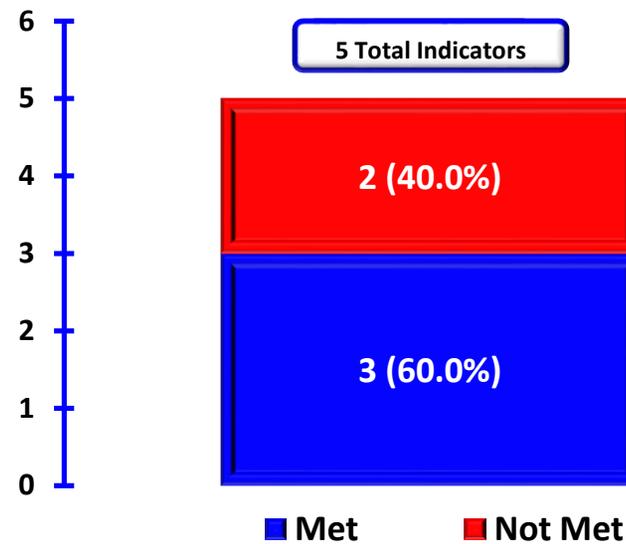
<sup>69</sup> Retiring metric at conclusion of FY 2016. Please see appendix B for additional information pertaining to the metric’s retirement. If a new metric is being proposed, the new metric will be directly below the indicator measurement direction of the metric being retired.

U.S. Department of Education Indicators of Success	Baseline	Actuals			Current Year Target	Current Year Results	Actual-to-Target 2016		Out-Year Targets		Trend Line (Actuals)
		2014	2015	2016	2016	2016	 Missed <sup>59</sup>	 Exceeded <sup>60</sup>	2017	2018	
<b>New Metric: Average number of cases substantively<sup>70</sup> resolved, per investigative staff member</b>	FY: 2016 5.17	NA	NA	FY: 2016 5.17	NA	NA	NA		5.27	5.32	NA
<b>4.2.B. Percentage of proactive civil rights investigations resolved annually that address areas of concentration in civil rights enforcement<sup>71</sup></b>	FY: 2013 8.0%	FY: 2014 15.0%	FY: 2015 20.0%	FY: 2016 33.0%	FY: 2016 12.0%	<b>MET</b>			16.0%	18.0%	
<b>INCREASE</b> 											
<b>New Metric: Number of technical assistance presentations and press releases on Office for Civil Rights' work</b>	FY: 2016 317	NA	NA	FY: 2016 317	NA	NA	NA		333	341	NA

<sup>70</sup> “Substantively” resolved includes cases with the following outcomes: finding of insufficient evidence, closure through early complaint resolution (ECR) process, cases that resulted in change without an agreement, and cases that resulted in change with a resolution agreement. The ultimate disposition of a case (that is, the case outcome) is tracked in OCR’s database and includes the above categories. For example, an outcome that is considered not substantive would be a dismissal.

<sup>71</sup> Retiring metric at conclusion of FY 2016. Please see appendix B for additional information pertaining to the metric’s retirement. If a new metric is being proposed, the new metric will be directly below the indicator measurement direction of the metric being retired.

### Goal 4 FY 2016 Indicator Performance Summary



NA = Not applicable.

TBD = To be determined.

Academic Year (AY) is a collegiate year spanning August–May; School Year (SY) spans August–July and is aligned with a P–12 school year; Fiscal Year (FY) corresponds to a federal fiscal year; Calendar Year (CY) spans January–December.

Data Sources and Frequency of Collection:

- 4.1.A. National Center for Education Statistics (NCES) *EDFacts*; annually
- 4.1.B. NCES *EDFacts*; annually
- 4.1.C. NCES *EDFacts*; annually
- 4.2.A. Office for Civil Rights' (OCR) Case Management System (CMS) and Document Management (DM) systems; quarterly
- 4.2.B. OCR CMS and DM systems; quarterly

**Note on performance metrics and targets:** These metrics were established as a part of the *FY 2014–18 Strategic Plan*. Metrics may be updated or revised to reflect awareness of more accurate data or clarifications. Such updates or revisions are identified in footnotes.

## Analysis and Next Steps by Objective

**Objective 4.1: Equitable Educational Opportunities. *Increase all students' access to educational opportunities with a focus on closing achievement gaps, and remove barriers that students face based on their race, ethnicity, or national origin; sex; sexual orientation; gender identity or expression; disability; English language ability; religion; socioeconomic status; or geographical location.***

### *FY 2016 Implementation Strategy*

The Department is committed to pursuing equity at all stages of education, from birth through adulthood, by supporting institutions of: early learning; elementary and secondary education; career and technical, and postsecondary education; adult education; workforce development; and independent living programs. The Department's goal is to ensure that all—not just a subset—of the nation's children have access to high-quality preschool, graduate high school, and obtain the skills necessary to succeed in college, in the pursuit of a meaningful career, and in their lives. Accordingly, the equity goal incorporates programs and initiatives across the Department.

In December 2015, Congress passed the ESSA, which reauthorized and amended the ESEA. The ESSA continued the ESEA's longstanding commitment to equal opportunity for all students with its focus on ensuring that students from low-income families and students of color have equitable access to excellent educators and its requirement that meaningful actions are taken to improve the lowest-performing schools. Throughout FY 2016, the Department worked diligently to analyze the changes to the ESEA made by the ESSA and provide guidance and technical assistance to states, districts, and the public on the new law, as well as on the transition to the new law. The Department coordinated this support across offices, including OESE, OSERS, the Office of English Language Acquisition (OELA), OII, and the Office of Planning, Evaluation and Policy Development (OPEPD).

In addition to supporting states as they prepare to implement the ESSA, the Department also worked to improve equitable access by removing discretionary barriers to education. In FY 2016, OCR continued its work to enhance equitable opportunity for students through the development of civil rights guidance materials and by enforcing federal civil rights laws to remove discriminatory barriers to education.

OCR and the Office of the General Counsel (OGC) continued to support the equity goal of increasing educational opportunities for underserved students and reducing discrimination by representing the Department in litigation. In FY 2016, OGC worked with attorneys from OCR and the Department of Justice (DOJ) to file 13 statements of interest and *amicus curiae* briefs in federal courts to clarify the government's interpretation of civil rights laws.

### *FY 2016 Barriers to Success*

A key challenge is the continued implementation of the changes to the ESEA made by the ESSA in addition to managing the transition from the *No Child Left Behind Act* (NCLB). Limited resources are a risk to achieving this strategic objective, and pose challenges to implementation.

As SIG ends, limited capacity at the state, district, and school levels could impact the sustainability of reforms in schools and support for the implementation of school-based

interventions. Ensuring quality and completeness of data at the state and local levels to enable better measurement of success also remains a challenge.

### ***Key Milestones and Future Actions***

Staff will continue to support states on their Educator Equity Plans. In FY 2017, the Department intends to host additional Educator Equity Labs and to continue to provide support for states through OESE program officers and the EASN.

On October 11, 2016, the Department announced awards to expand opportunity in CTE and dual language programs under the PFS Initiative. Additionally, the Department awarded a technical assistance grant to the Boston-based [Social Finance Inc.](#), in partnership with [Jobs for the Future](#), in order to improve outcomes for underserved, high-need youth, through the development of PFS projects to implement new or scale up existing high-quality CTE opportunities. The Department also awarded a contract to the Washington, DC-based AIR to identify effective strategies to improve outcomes for children learning English. The study focuses on early learning-dual language programs for English learners from pre-K to grade 3.

The Department also may consider revising its strategies for achieving the objective to reflect changes to programs made by the Congress in the ESSA as well as the policy priorities of the new administration.

**Objective 4.2: Civil Rights Compliance. *Ensure educational institutions’ awareness of and compliance with federal civil rights obligations and enhance the public’s knowledge of their civil rights.***

### ***FY 2016 Implementation Strategy***

OCR’s implementation strategy for this strategic objective involves the issuance of policy guidance, robust data collection, vigorous enforcement through investigations and monitoring, proactive technical assistance and engagement with stakeholders through interagency working groups, and the dissemination of information and response to public inquiries to enhance the public’s knowledge of their civil rights. In the policy arena, in FY 2016, OCR issued five policy guidance documents.

In FY 2016, OCR unveiled its 2013–14 CRDC, published a [First Look](#) document detailing preliminary findings, and, for the first time ever, released the full, privacy-protected data set for the 2013–14 CRDC, which is available for [direct download from the Department’s webpage](#). OCR continues to work with other offices in the Department to prepare and publish data sheets based on the CRDC 2013–14 data findings, including the [rollout of chronic absenteeism data](#) and website, which were published in June.

In FY 2015, OCR overhauled [its website](#) to increase usability and to provide more information to the public, and in FY 2016, OCR continued to update its website with case resolution agreements and letters, policy guidance documents, technical assistance materials, and information about OCR’s enforcement processes.

OCR continued to provide excellent customer service to enhance the public’s knowledge of their civil rights by responding to public inquiries for information. Through the Customer Service Team, OCR responded to 5,025 incoming correspondence inquiries and answered 8,019 OCR “Hotline” call inquiries in FY 2016. The Department also distributed 701 copies of selected OCR publications in response to inquiries from advocacy groups, educational institutions, state and

local educational agencies, parents, students, members of the general public, and enforcement offices.

### ***FY 2016 Barriers to Success***

In FY 2016, OCR received a record-high number of complaints (16,720) and resolved 8,631 complaints despite challenges facing its operations, including a massive long-term staffing shortage and compressing and moving office space. Complaint volume and limited resources impacted OCR's ability to conduct and resolve proactive investigations and to conduct proactive technical assistance. OCR continues to leverage all resources, both staffing and technological, to ensure that its enforcement and outreach efforts are timely, efficient, and effective, and used the minimal budgetary relief provided in FY 2016 to recruit, hire, and on-board new staff to support the more than 60 percent increase in complaint volume.

### ***Key Milestones and Future Actions***

In FY 2017, OCR will continue its focus on improving the quality and efficiency of investigations through training, technology, innovation, and strategic partnerships; expanding transparency; increasing proactive efforts to highlight the full range of OCR's work through the release of data and materials to the public; and expanding technical assistance available to the public. In December 2016, OCR released its [FY 2016 Annual Report](#), detailing efforts to protect students' civil rights.