

STATE PLANS TO ENSURE EQUITABLE ACCESS TO EXCELLENT EDUCATORS

Frequently Asked Questions



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INTRODUCTION

Equality of opportunity is a core American value. Equal educational opportunity means ensuring that schools have the resources they need to provide meaningful opportunities for all students to succeed, regardless of family income or race. To accomplish this goal, all students must have equitable access to a safe and healthy place to learn, high-quality instructional materials and supports, rigorous expectations and course work, and, most critically, excellent educators to guide learning. Yet, too often, students from low-income families and students of color are less likely than their peers to attend a school staffed by excellent educators, and are more likely than their peers to attend a school staffed by inexperienced educators or educators rated as ineffective.¹ These inequities are unacceptable, and it is essential that a priority be placed on working collaboratively to ensure that all children have access to the high-quality education they deserve, and that all educators have the resources and support they need to provide that education for all children.

In order to move America toward the goal of ensuring that every student in every public school has equitable access to excellent educators, Secretary Duncan announced in July 2014 that the U.S. Department of Education (Department) would ask each State educational agency (SEA) to submit a plan describing the steps it will take to ensure that “poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers,” as required by section 1111(b)(8)(C) of the Elementary and Secondary Education Act of 1965 (ESEA).

This is not the first time that SEAs, local educational agencies (LEAs), and the Federal government have grappled with this complex challenge. In response to the Department’s request, SEAs last submitted their plans under ESEA section 1111(b)(8)(C) in 2006, and some SEAs have updated their plans since that time. Moreover, many SEAs and LEAs have significant work underway that goes beyond the scope of those previously submitted plans to address the problem of inequitable access. However, our continued collective failure to ensure that all students have access to excellent educators is squarely at odds with the commitment we all share to provide an equal educational opportunity. The time is right for a renewed commitment to address this challenge.

The Department has determined that this document is a “significant guidance document” under the Office of Management and Budget’s Final Bulletin for Agency Good Guidance Practices, 72

¹ See, e.g., *Looking at the Best Teachers and Who They Teach: Poor Students and Students of Color are Less Likely to Get Highly Effective Teaching*, Jenny DeMonte and Robert Hanna, April 11, 2014, Center for American Progress (<http://www.americanprogress.org/wp-content/uploads/2014/04/TeacherDistributionBrief1.pdf>); *Civil Rights Data Collection Data Snapshot: Teacher Equity*, Issue Brief No. 4, March 2014, U.S. Department of Education Office for Civil Rights (<http://www.ed.gov/ocr/docs/crdc-teacher-equity-snapshot.pdf>); *High-Poverty Schools and the Distribution of Teachers and Principals*, Charles Clotfelter, et al., March 2007, National Center for Analysis of Longitudinal Data in Education Research; and data submitted to the U.S. Department of Education from State-Reported Annual Performance Reports for School Year 2012-2013, available at <https://www.rtt-apr.us/>. To see this information, click on an individual State, then follow the link to the section of the State’s report on Great Teachers and Leaders.

Fed. Reg. 3432 (Jan. 25, 2007), available at www.whitehouse.gov/sites/default/files/omb/fedreg/2007/012507_good_guidance.pdf. The purpose of this guidance is to help each SEA prepare a comprehensive State plan that meets the requirements of Title I, Part A of the ESEA and helps ensure that all students have equitable access to excellent educators. However, this guidance does not impose any requirements beyond those required under applicable law and regulations, nor does it create or confer any rights for or on any person.

If you are interested in commenting on this guidance, or if you have further questions that are not answered here, please e-mail OESE.EquitableAccess@ed.gov using the subject “State Plans to Ensure Equitable Access to Excellent Educators” or write to us at the following address: U.S. Department of Education, Office of Elementary and Secondary Education, Student Achievement and School Accountability Programs, 400 Maryland Avenue, S.W., Washington, DC 20202.

Please note that this guidance is available in electronic form on the Department’s Web site at www.ed.gov/programs/titleiparta/resources.html.

A. GENERAL GUIDANCE ON STATE PLANS

Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA), as amended, requires a State educational agency (SEA) that receives a Title I, Part A grant to submit to the Secretary a plan, developed by the SEA, in consultation with local educational agencies (LEAs), teachers, principals, pupil services personnel, administrators, other staff, and parents (ESEA section 1111(a)(1)). In meeting that requirement, the SEA must describe the steps that it will take “to ensure that poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers, and the measures that the [SEA] will use to evaluate and publicly report the progress of the [SEA] with respect to such steps” (ESEA section 1111(b)(8)(C)) (In this document we use the term State Plan to mean only State Plans to Ensure Equitable Access to Excellent Educators.)

A-1. What are the requirements that each State Plan must meet?

Consistent with ESEA sections 1111(a)(1), 1111(b)(8)(C), and 9304(a)(3)(B), a State Plan must:

1. **Describe and provide documentation of the steps the SEA took to consult** with LEAs, teachers, principals, pupil services personnel, administrators, other staff, and parents regarding the State Plan.
2. **Identify equity gaps.**
 - **Define** each of the following key terms:
 - Inexperienced teacher;
 - Unqualified teacher;
 - Out-of-field teacher;
 - Poor student;
 - Minority student; and
 - Any other key terms used by the SEA such as “highly effective”, “effective” or “ineffective teacher.”
 - The SEA must, at a minimum, **calculate equity gaps** for poor and minority students for each of the three statutory terms—“inexperienced,” “unqualified,” and “out-of-field”—based on the State definition of those terms. Using the most recent available data for all public elementary and secondary schools in the State (*i.e.*, both Title I and non-Title I schools), calculate the equity gaps between the rates at which:
 - poor children² are taught by:
 - “inexperienced” teachers compared to the rates at which other children are taught by these teachers;

² The Department recognizes that not all SEAs will have access to student-level data and thus an SEA may choose to use school-level data to identify the relevant equity gaps.

- “unqualified” teachers compared to the rates at which other children are taught by these teachers; and
 - “out-of-field” teachers compared to the rates at which other children are taught by these teachers.
 - minority children³ are taught by:
 - “inexperienced” teachers compared to the rates at which other children are taught by these teachers;
 - “unqualified,” teachers compared to the rates at which other children are taught by these teachers; and
 - “out-of-field” teachers compared to the rates at which other children are taught by these teachers.
 - Describe **how the SEA identified the equity gaps**, including the source(s) of the data used for the comparison.
3. Explain the likely cause(s) of the identified equity gaps. (For example, an SEA might conduct a **root-cause analysis**, as discussed in Section D.)
4. Set forth the SEA’s **Steps to Eliminate Identified Equity Gaps**.
- **Describe the strategies** the SEA will implement to eliminate the identified equity gaps with respect to both (1) poor students and (2) minority students, including how the SEA determined that these strategies will be effective. An SEA may prioritize among the identified equity gaps, provided it includes a rationale to support this prioritization. An SEA may use the same strategy to address multiple gaps.
 - Include **timelines for implementing** the strategies.
 - **Describe how the SEA will monitor its LEAs’ actions**, in accordance with ESEA sections 9304(a)(3)(B) and 1112(c)(1)(L), to “ensure, through incentives for voluntary transfers, the provision of professional development, recruitment programs, or other effective strategies, that low-income students and minority students are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers.”
5. Describe the **measures** that the SEA will use **to evaluate progress toward eliminating the identified equity gaps** for both (1) poor students and (2) minority students, including the **method and timeline for the evaluation** (for example, by establishing an equity goal and annual targets for meeting that goal, or by reducing identified gaps by a minimum percentage every year).
6. Describe how the SEA will **publicly report on its progress** in eliminating the identified gaps, including timelines for this reporting.

³ *Id.*

An SEA has considerable discretion in determining how it will include each of the six elements set forth above in its State Plan. The remainder of this document provides specific guidance on how an SEA might develop a comprehensive State Plan that is likely to lead to significant progress in eliminating equity gaps.

Throughout this document, the Department uses the term “students from low-income families” instead of the term “poor ... children” and uses the term “students of color” instead of the term “minority children.” By using these terms, the Department does not intend to change the meaning of the relevant statutory provision or the population of students that is the required focus of a State Plan.

A-2. What does the Department mean when it uses the terms “educators,” “excellent educators,” “equitable access,” and “equity gaps”?

The Department uses the following key terms throughout this document and has defined them for the ease of the reader in understanding this guidance. An SEA has discretion to determine whether it will use these terms in its State Plan and, if so, how it will define them. In developing its definitions, the SEA should consider the State’s context and data.

The term **“educators”** is used by the Department to describe the group of professionals who are the focus of the State Plan. The Department considers the term educators to include teachers, principals, and other school-based instructional staff. The Department encourages an SEA to consider all educators when developing its State Plan because, although ESEA section 1111(b)(8)(C) focuses on student access to teachers, all educators are vital to students’ success and their preparation for college or careers.

The term **“excellent educators”** is used as an umbrella term throughout this document to describe the group of educators to whom students from low-income families and students of color should have equitable access. The Department considers excellent educators to be those who are fully able to support students in getting and remaining on track to graduate from high school ready for college or careers. An SEA has discretion in whether and how to define this term for the purpose of its State Plan. However, the Department encourages SEAs to define an excellent educator as an educator who has been rated effective or higher by high quality educator evaluation and support systems.

The term **“equity gap”** is used by the Department to refer to the difference between the rate at which students from low-income families or students of color are educated by excellent educators and the rate at which other students are educated by excellent educators. By statute, a State Plan must, at a minimum, address the difference between the rate at which students from low income families or students of color are taught by inexperienced, unqualified, or out-of-field teachers and the rate at which other students are taught by these teachers. An SEA has the discretion to use school- or student-level data to identify equity gaps.

The term **“equitable access”** is used by the Department to describe the situation in which students from low-income families and students of color are educated by excellent educators at rates that are at least equal to the rates at which other students are educated by excellent

educators. An SEA has discretion in whether and how to define this term for the purpose of its State Plan. By statute, a State Plan must, at a minimum, address how the SEA will ensure that students from low-income families and students of color are not taught at higher rates than other students by inexperienced, unqualified, or out-of-field teachers. However, the Department encourages an SEA to adopt a more ambitious definition of “equitable access” that reflects the fact that certain subgroups of students — including students with disabilities and English Learners as well as students from low-income families and students of color — have been historically underserved. As a result, they may need greater access to excellent educators than their peers in order to get and remain on track to graduate from high school ready for college or careers.

A-3. In its State plan, may an SEA replace one or more of the statutory terms listed in question A-1 – “inexperienced”, “unqualified”, and “out-of-field” teacher – with another term, such as “ineffective” teacher?

No. An SEA must define and calculate equity gaps for poor and minority students for each of the statutory terms: inexperienced teacher, unqualified teacher, and out-of-field teacher. However, an SEA has discretion in how it defines those terms. To the extent that an SEA determines that there is a relationship between the statutory terms and other key terms that the SEA may use, such as the lowest rating in its educator evaluation system (e.g., “ineffective”), the Department encourages the SEA to consider using those key terms to define the statutory terms. For example, an SEA might elect to define the required term “unqualified teachers” as teachers that receive a rating of “ineffective” on the SEA’s educator evaluation and support system. An SEA may also consider supplementing its analysis of equity gaps to include additional terms related to effectiveness beyond inexperienced, unqualified, and out-of-field (See question C-5).

B. CONSULTATION AND INPUT

B-1. Why is consultation and input on a State Plan needed?

As indicated in question A-1, the ESEA requires an SEA to consult with stakeholders. Moreover, consultation and input are important because stakeholders are likely to have useful insights on the root causes of existing gaps, meaningful strategies for eliminating those gaps, and resources to support those strategies, all of which can help an SEA create a comprehensive State Plan that is likely to lead to significant progress in ensuring equitable access to excellent educators. It is important to provide stakeholders with the SEA’s data analysis (in compliance with all applicable privacy laws, which may include the Family Educational Rights and Privacy Act (FERPA) and State law) that identifies gaps in sufficient time, and with a clear explanation, to allow meaningful input on these issues.

B-2. With whom should an SEA consult regarding the development of its State Plan?

To help ensure that a State Plan is comprehensive and likely to lead to significant progress in eliminating equity gaps, and to lay the foundation for successful implementation, an SEA should

provide opportunities for meaningful input on the proposed plan to teachers' representatives, non-profit teacher organizations, community-based organizations, civil rights organizations, organizations representing students with disabilities, organizations representing English Learners, business organizations, Indian tribes, State and local boards of education, institutions of higher education (IHEs), and other teacher preparation entities, as well as to all of the stakeholders the SEA is required to consult, as described in question A-1 (LEAs, teachers, principals, pupil services personnel, administrators, other staff, and parents). Consultation with these stakeholders should include representation from across the State, including with individuals and groups in rural, suburban, urban, and tribal areas.

B-3. How might an SEA ensure that all stakeholders have a meaningful opportunity to provide input on the SEA's State Plan?

An SEA might ensure that stakeholders have a meaningful opportunity to provide this input by using multiple methods to disseminate: (1) information on the gaps identified in the data including how the SEA defined key terms; (2) the particular questions on which the SEA would like input, including questions regarding root causes, possible strategies to address identified gaps, and plans for measuring and publicly reporting progress; and (3) after taking into account the earlier input, drafts of the SEA's State Plan as it is being developed. Methods of dissemination might include meetings, the SEA's Web site, social media, traditional media, and dissemination through public agencies or community-based organizations that serve students and their families.

In disseminating information, the SEA must ensure that information is made available in an understandable format including, to the extent practicable, in language(s) that families and other stakeholders can understand. (For further information, see question A-9 in the [Department's Non-Regulatory Guidance, Parental Involvement: Title I, Part A](#) (2004)). The SEA must also ensure that communications with individuals with disabilities are as effective as communications with others, including providing auxiliary aids and services, such as accessible technology or sign language interpreters, for individuals with hearing, vision, or speech disabilities (Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 *et seq.*; see also <http://www.ada.gov/effective-comm.htm>).

B-4. When should an SEA consult with stakeholders regarding its State Plan?

The Department encourages an SEA to engage with stakeholders early in the development of its State Plan and to provide multiple opportunities for stakeholders' input through formal and informal means throughout the plan development process. Further, the Department encourages an SEA to continue to consult with stakeholders throughout the implementation of the State Plan and the reporting.

An SEA may combine input and consultation efforts for its State Plan with other such efforts, such as those connected with its request for ESEA flexibility renewal.

C. IDENTIFICATION OF EXISTING EQUITY GAPS

C-1. What is an equity gap?

As described in question A-2, an equity gap is the difference between the rate at which low-income students or students of color are taught by excellent educators and the rate at which their peers are taught by excellent educators. At a minimum, a State Plan must address the difference between the rate at which students from low-income families or students of color are taught by inexperienced, unqualified, or out-of-field teachers compared to the rates at which other students are taught by these teachers. For example, if eight percent of teachers employed by a State's highest-poverty schools are inexperienced, but only four percent of teachers employed by a State's lowest-poverty schools are inexperienced, the State would have an equity gap of four percentage points with respect to inexperienced teachers. An SEA has the discretion to use school- or student-level data to identify equity gaps. As another example, in a State using student-level data, if 4.2% of minority students' classes are taught by teachers rated as highly effective and 6.7% of white students' classes are taught by such teachers, the State would have an equity gap of two and a half percentage points with respect to highly effective teaching.

C-2. What data should an SEA analyze to identify equity gaps?

At a minimum, an SEA must identify equity gaps based on data from all public elementary and secondary schools in the State on the rates at which students from low-income families and students of color are taught by inexperienced, unqualified, or out-of-field teachers (see question A-1). An SEA may also use effectiveness data from educator evaluation and support systems (see question C-5 for additional information). An SEA also may include other relevant data, such as teacher or principal absentee rates, teacher or principal turnover rates, or frequency of employing long-term substitutes.

An SEA may decide, in addition to analyzing equity gaps within the State, to analyze within-district or within-school gaps in access to excellent educators. Understanding these within-district and within-school gaps may be instructive in addressing Statewide gaps.

C-3. What sources might an SEA rely on for the data that inform its State Plan?

An SEA should use the wealth of data that is available to it when developing its State Plan. For example, the Department encourages each SEA to carefully review the data submitted by its LEAs for the [Civil Rights Data Collection \(CRDC\)](#), district level per-pupil expenditures the SEA has submitted to the National Center for Education Statistics (NCES) via the F-33 survey, as well as data that the SEA has submitted to *EDFacts* regarding classes that are taught by highly qualified teachers (HQT)⁴ in developing the State Plan, and any other high-quality, recent data that the SEA has that are relevant to the SEA's State Plan. To assist in this review, the Department sent each SEA its own complete CRDC data file that has been augmented with

⁴ See ESEA section 9101(23).

selected information from other data sources (such as school-level enrollment by race and eligibility for free and reduced-price lunch). Moreover, based on the significant work in most States over the past few years to create and update their longitudinal data systems, an SEA is likely to have additional data that are relevant to the State Plan, including data on teacher and principal turnover rates or effectiveness ratings.

C-4. How might an SEA use the Educator Equity Profile that the Department prepared for each State?

The Department prepared an Educator Equity Profile for each State, which we sent directly to each State’s chief State school officer and *EDFacts* coordinator in November 2014. This profile is based on data that the SEA and its LEAs submitted to the Department. Using data from the 2011–2012 school year, each Educator Equity Profile compares a State’s high-poverty and high-minority schools to its low-poverty and low-minority schools, respectively, on the:

(1) percentage of teachers in their first year of teaching; (2) percentage of teachers without certification or licensure; (3) percentage of classes taught by teachers who are not HQT; (4) percentage of teachers absent more than 10 days; and (5) average teacher salary (adjusted for regional cost of living differences).

The Educator Equity Profile is an example of how an SEA might present its data for purposes of developing its State Plan. An SEA is not required, however, to use the data in the Educator Equity Profile in developing its State Plan. Rather, an SEA should use the best, most recent data available to it. Indeed, the Department encourages an SEA to augment or update the data analysis presented in the Educator Equity Profile if it has more up-to-date or relevant information. The Department used the data that were available through the 2011–2012 CRDC and 2011–2012 *EDFacts*. If an SEA has access to additional, more current data; the use of that data will likely improve the quality and usefulness of its State Plan.

C-5. How might an SEA incorporate data from educator evaluation and support systems into its State Plan?

An SEA may supplement its analysis of equity gaps related to inexperienced, unqualified, and out-of-field teachers with an analysis of equity gaps related to effectiveness. Alternatively, an SEA may define “unqualified” educators as educators who have been rated ineffective by educator evaluation and support systems.

C-6. How might an SEA define “inexperienced” educators for purposes of its State Plan?

An SEA has the discretion to define the term “inexperienced” for purposes of its State Plan based on its State’s context and data. However, the Department encourages an SEA to define “inexperienced” educators as those educators who are in their first year of practice because

research demonstrates that the greatest increase in educator effectiveness occurs after one year on the job.⁵

D. EXPLANATION OF EXISTING EQUITY GAPS

D-1. Why is it important to determine and explain the underlying causes of equity gaps?

Once equity gaps have been identified, an SEA should work to determine why those gaps exist (their root causes). It is critical for an SEA to be able to explain why inequities are occurring so that it can identify the strategies that will be most likely to address those causes and, ultimately, eliminate the gaps. An SEA can close equity gaps and prevent them from recurring for a sustained period only by implementing strategies that are designed to address the root causes of the gaps. The Department refers to this process of determining and explaining the underlying causes of equity gaps as a “root-cause analysis.”

For example, if an SEA identifies gaps in teacher attendance rates, it might determine, as a result of its root-cause analysis, that the underlying cause of the teacher attendance problem in high-poverty or high-minority schools is a lack of strong leadership in the schools. In this case, the SEA might work with LEAs to ensure that their high-poverty and high-minority schools implement strategies aimed at this root cause, such as strategies to attract and retain high-quality leadership, in addition to strategies focused more directly on teacher attendance. If the SEA determines, instead, that the root cause of the teacher attendance problem is substandard working conditions in high-poverty or high-minority schools, the SEA might work with LEAs to undertake a different set of strategies, designed to improve a school’s physical environment and educational climate.

For a second example, if an SEA identifies gaps in access to educators rated as effective or highly effective, it might determine, through data analysis and stakeholder input, that the root cause is a lack of teacher competencies and skills necessary to teach students who have intensive academic and behavioral needs, because many teachers have not been given adequate pre-service and in-service support and training on effective instructional strategies (such as differentiating instruction, providing behavioral supports, conducting progress monitoring, and using assistive technology). The SEA might then work with IHEs and LEAs to implement strategies to address the underlying skills gap, such as providing intensive professional development, offering job-embedded coaching, or using master teachers as mentors. If the SEA determines, instead, that the root cause of the effectiveness gap is an inadequate supply of candidates from which to hire

⁵ See, e.g., Boyd, Donald, *et al.* *The narrowing gap in New York City teacher qualifications and its implications for student achievement in high-poverty schools.* *Journal of Policy Analysis and Management* 27.4 (2008): 793-818; Henry, Gary T., Bastian, Kevin C., and Fortner, C. Kevin. *Stayers and Leavers Early-Career Teacher Effectiveness and Attrition.* *Educational Researcher* 40.6 (2011): 271-280. For related research, see Clotfelter, Charles T., Helen F. Ladd, and Jacob L. Vigdor. *Teacher credentials and student achievement: Longitudinal analysis with student fixed effects.* *Economics of Education Review* 26.6 (2007): 673-682; Harris, Douglas N., and Tim R. Sass. *Teacher training, teacher quality and student achievement.* *Journal of public economics* 95.7 (2011): 798-812.

in high-poverty or high-minority schools, the SEA might work with LEAs to strengthen recruiting processes at those schools.

D-2. What are examples of root causes of equity gaps?

There are a number of possible root causes of equity gaps, including a lack of effective leadership, poor working conditions, an insufficient supply of well-prepared educators, insufficient development and support for educators, lack of a comprehensive human capital strategy (such as an over-reliance on teachers hired after the school year has started), or insufficient or inequitable policies on teacher or principal salaries and compensation. These are offered as examples of root causes; an SEA should examine its own data carefully to determine the root causes of the equity gaps identified in its State.

An SEA should bear in mind that multiple equity gaps (such as gaps on multiple discrete metrics) may have the same root cause or that multiple root causes may contribute to one equity gap.

D-3. What should an SEA examine to determine the root causes of existing gaps?

To identify root causes, an SEA should examine all available information, including quantitative data or statistics, input from stakeholders (for example, survey results or information provided through focus groups), research or lessons learned in other States or LEAs, and other relevant evidence. Note that identifying root causes may require substantial consultation with stakeholders (see Section B above). An SEA should examine this information in varying contexts, bearing in mind that root causes may differ because of, and be affected by, context, including geographic region and school level (see question D-4).

D-4. Should an SEA consider context (such as whether a school is in an urban, rural, or suburban area or whether it is an elementary, middle, or high school) in conducting its root-cause analysis and identifying strategies to address equity gaps?

Yes. It is important for an SEA to consider context because gaps that appear similar may have different root causes in different schools or LEAs depending on such factors as geographic region, including differences among urban, rural, and suburban areas, and school levels. As noted above, consultation with stakeholder groups across the State will lead to a more comprehensive analysis of equity gaps and root causes, which may vary from region to region. Similarly, an SEA should consider context when crafting strategies to address equity gaps. Resources that are available in an urban setting may not be available in a rural setting; thus, different solutions may be appropriate in different contexts.

D-5. How can an SEA improve the quality of its root-cause analysis over time?

An SEA should examine the best information available to it at the time it conducts its root-cause analysis. Moreover, the SEA should seek new information to help improve its root-cause analysis in future years. Such new information may reveal different or more nuanced root causes of equity gaps, thereby enabling the SEA to refine its original root-cause theory and the strategies designed to address the root causes. Further, if an SEA does not see progress in reducing equity gaps over time, it should consider if it has accurately identified the correct root causes for those gaps.

E. STRATEGIES

E-1. What types of strategies might an SEA employ to address inequitable access to excellent educators?

An SEA is not required to employ any specific strategies to eliminate gaps in access to excellent educators. An SEA should develop evidence-based strategies that are:

1. **Targeted to the students with the least access to excellent educators.** An SEA will develop its plan in light of the resources available to it and, given limited resources, it may not be able to implement strategies to eliminate gaps in all LEAs and schools at once. Therefore, it is important to prioritize the classrooms, schools, and LEAs that need the most additional support in attracting, developing, and retaining excellent educators. This may mean that, at first, an SEA focuses its strategies on a select number of LEAs or schools with the greatest need.
2. **Responsive to root causes.** The most effective strategies will focus on the underlying problems that led to inequitable access to excellent educators, whether those problems include a lack of effective principals in high-poverty and high-minority schools, poor working conditions in those schools, an inadequate supply of well-prepared educators in certain areas, lack of professional support, or other root causes. An SEA's State Plan could also include strategies that directly address identified gaps (*i.e.*, strategies that focus on the symptoms in addition to those that focus on the underlying problems). In developing strategies to address the root causes, the SEA should consider all elements of the educator career continuum — from preparation, recruitment, and induction, through ongoing support and development, compensation, evaluation, and advancement, to exit or retirement — to ensure that success in one area is not undermined by a lack of focus in another area.

Promising strategies that SEAs and LEAs have used, or are using, to increase equitable access to excellent educators include, for example: (1) recruiting, developing, and retaining excellent principals with the capacity to provide collaborative leadership and effective instructional support and to create high-quality teaching and learning conditions; (2) ensuring that workplaces are safe, supportive, and productive; (3) providing additional support for educators early in their careers; (4) providing targeted professional development informed by meaningful data; (5)

providing classroom coaching for teachers in high-poverty or high-minority schools to promote the use of effective instructional strategies; (6) providing coaching and mentoring opportunities for principals in high-poverty or high-minority schools on instructional leadership to support teachers in implementing effective classroom strategies; (7) implementing multi-tiered systems of support to deliver evidence-based academic and behavioral interventions of increasing intensity; (8) fostering teams of excellent educators and providing them with time to collaborate; (9) creating leadership opportunities for educators; (10) designing comprehensive human capital systems to ensure strategic recruitment and hiring, including hiring educators in a timely manner, well before school starts; (11) ensuring that a school is not required to accept a teacher without the mutual consent of the teacher and principal; (12) developing innovative compensation systems that reward excellent educators for working in high-poverty or high-minority schools and for keeping all students on track to succeed; (13) encouraging reforms to educator preparation programs by increasing partnerships with those programs, including IHEs, in order to ensure that the programs produce educators who are dedicated to, and prepared for, long-term service and success in high-poverty or high-minority schools; or (14) creating high-quality pipelines to improve the supply of promising new teachers in high-need schools, coupled with strong retention strategies.

Nothing in this document requires or encourages the “forced transfer” of teachers or principals. Such a policy does not address root causes, and is therefore unlikely to address inequities in access to excellent educators. It also may result in a less supportive working environment for educators, thereby exacerbating existing equity gaps.

E-2. May an SEA target its strategies to a subset of its LEAs or schools?

Yes. As discussed in question E-1, in developing its strategies, it is important for an SEA to prioritize the classrooms, schools, and LEAs that need the most additional support in attracting, developing, and retaining excellent educators, which may mean that, at first, an SEA focuses its strategies on a select number of LEAs or schools with the greatest need. In its State Plan, an SEA should include a discussion of the LEAs or schools on which it will focus its initial energy and commitment, and provide its rationale for prioritizing those LEAs and schools. Such a targeted strategy at the State level, however, does not relieve each Title I LEA from meeting its obligation under ESEA section 1112(c)(1)(L) to ensure that students from low-income families and students of color are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers. See question E-4.

E-3. What should be included in an SEA’s timeline for implementing its strategies?

An SEA’s timeline should be ambitious, but realistic, and it should prioritize those activities that are designed to have the most significant impact for students with the greatest need. The timeline should include:

- Essential activities to be accomplished;
- Dates on which key activities will begin and be completed;
- SEA staff (*e.g.*, position, title, or office) and, as appropriate, others who will be responsible for ensuring that each key activity is accomplished; and

- Resources necessary to complete the key activities, including staff time and additional funding.

E-4. How should an SEA work with its LEAs to address inequitable access to excellent educators?

An LEA that receives Title I, Part A funds must ensure that students from low-income families and students of color are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers (ESEA section 1112(c)(1)(L)). Accordingly, an SEA must ensure that all such LEAs are taking steps to carry out that assurance, and must include a description of how it will monitor these activities in its State Plan.

An SEA is in a unique position to highlight and share with its LEAs promising practices, relevant data, and data analyses, and to encourage cross-district collaboration to address regional inequities in access to excellent educators. Additionally, it may consider convening groups of educators who are committed to resolving this issue and to building the knowledge base of educators across the State on this important work.

Further, consistent with ESEA section 1903, an SEA might issue a State rule, regulation, or policy to require an LEA that has any of the State’s highest-poverty or highest-minority schools to monitor and publish data on access to excellent educators in those schools, and to develop plans that are aligned with the needs of the schools to ensure access to excellent educators in those schools. In accordance with section 1903, the SEA would have to submit any such proposed rule, regulation, or policy to its “committee of practitioners” (as described in ESEA section 1903(b)) for review and comment, and identify any such rule, regulation, or policy as a State-imposed requirement.

E-5. What Federal funds are available to support implementation of strategies that are designed to eliminate gaps in access to excellent educators?

The Department encourages SEAs to provide additional State funds to LEAs with the highest-poverty and highest-minority schools to support their work in eliminating gaps in access to excellent educators. The Department understands, however, that many SEAs and LEAs will also want to use Federal funds to support this work. Depending on the particular strategy being implemented and the school or LEA in which it is being implemented, Federal funds could be key sources of support for this work. For example:

Improving Basic Programs Operated by LEAs (ESEA Title I, Part A):

- LEAs: Consistent with the requirements of Title I, an LEA might use Title I, Part A funds to promote equitable access to excellent educators in Title I schools, particularly if those schools operate schoolwide programs, including by funding: (1) incentives to attract and retain effective teachers and principals; (2) structured induction programs to support and retain teachers; (3) high-quality professional development for teachers and principals; and (4) activities designed to improve school climate.

- SEAs: An SEA might use Title I, Part A State-level funds to develop its State Plan and to provide guidance and technical assistance to LEAs on implementation of strategies designed to improve equitable access to excellent educators, including guidance on how LEAs can use their Title I funds to further this work.

Improving Teacher Quality State Grants (ESEA Title II, Part A):

- LEAs: Starting from a high-quality needs assessment that identifies local needs, including improvements in hiring, developing, and retaining effective teachers, an LEA might use Title II, Part A funds to support a variety of recruitment and retention strategies (such as developing career advancement systems or offering financial incentives for certain teachers who are rated as effective) and other strategies that are aimed at improving school leadership to improve working conditions for teachers. Additionally, an LEA might use Title II, Part A funds to provide meaningful professional development that is aligned to educator evaluation systems so that educators in high-need schools have targeted support to help them become more effective.
- SEAs: An SEA might use Title II, Part A State-level funds to support equitable access to excellent educators in many ways. For instance, an SEA might use those funds to create a central clearinghouse to help high-need LEAs or schools locate and recruit effective teachers and principals, support the development of performance-based compensation systems, or create and provide specialized professional development and other supports to make working in high-need schools more appealing. Similarly, an SEA might provide guidance and technical assistance to LEAs to encourage them to use Title II, Part A funds for activities that are designed help close equity gaps.

English Language Acquisition, Language Enhancement, and Academic Achievement Act (ESEA Title III, Part A):

- LEAs: An LEA might use Title III, Part A funds to promote educator equity in schools with English Learners, including through high-quality professional development for classroom teachers (including general education teachers who have English Learners in their classrooms) and principals that is: (1) designed to improve the instruction and assessment of English Learners; (2) designed to enhance the ability of those teachers to understand and use curricula, assessment measures, and instructional strategies for English Learners; (3) based on scientifically based research demonstrating the effectiveness of professional development in increasing children’s English proficiency or substantially increasing the subject-matter knowledge, teaching knowledge, and teaching skills of those teachers; and (4) of sufficient intensity and duration to have a positive and lasting impact on the teachers’ performance in the classroom.
- SEAs: An SEA might use Title III, Part A State-level funds to provide guidance and technical assistance to LEAs on implementation of educator equity strategies that are designed to improve the instruction of English Learners, including guidance on how LEAs may use their Title III funds to further this work.

School Improvement Grants (SIG) (ESEA, Title I):

- LEAs: An LEA may use SIG funds to support any of the strategies described in question E-1 as part of implementing a SIG intervention model, consistent with the SIG final requirements and an LEA's approved SIG application.
- SEAs: An SEA might promote equitable access to excellent educators through the SIG program by creating a priority in its SIG competition for LEAs that incorporate activities designed to improve equitable access to excellent educators into their school intervention models. An SEA might also use its SIG State-level funds to evaluate the effectiveness of the strategies that are incorporated into SIG intervention models and to provide technical assistance to LEAs that receive SIG funding on this work.

Individuals with Disabilities Education Act (IDEA, Part B):

- LEAs: An LEA may use IDEA, Part B funds in numerous ways that promote equitable access to excellent educators for children with disabilities. For example, an LEA may use IDEA, Part B funds to provide high-quality professional development and classroom coaching for special education personnel and general education teachers who teach children with disabilities.

An LEA may also use up to 15% of its IDEA, Part B subgrant to develop and implement coordinated early intervening services (CEIS) for students who need additional academic and behavioral support to succeed in a general education environment, but who have not yet been identified as having a disability. CEIS funds may be used to carry out activities that include professional development for teachers and other school staff to enable them to deliver scientifically based academic and behavioral interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software.

- SEAs: An SEA may use IDEA Part B funds reserved for State-level activities to ensure equitable access to excellent educators. An SEA may use these State-level funds for personnel preparation and professional development and training and to assist LEAs in meeting personnel shortages. An SEA may also use these funds to provide technical assistance to schools identified for improvement under section 1116 of the ESEA or identified as a focus school under ESEA flexibility on the sole basis of the assessment results of the disaggregated subgroup of children with disabilities, including providing professional development to special and regular education teachers who teach children with disabilities in order to improve their academic achievement.

Competitive programs:

- Teacher Incentive Fund (TIF): TIF provides competitive grants to eligible entities (LEAs, States, or partnerships consisting of one or more non-profit organizations and a State, one or more LEAs, or both) to develop and implement performance-based compensation systems for teachers, principals, and other personnel in high-need schools. A grantee might use TIF funds to promote equitable access to excellent educators in high-need schools, including by providing incentives to effective educators who choose to transfer to or stay in these schools, establishing career-ladder positions for effective educators, providing additional compensation for effective teachers and principals who take on additional duties and leadership roles, and providing targeted professional development to all educators in high-need schools. TIF funds might also support extra compensation for effective educators who agree to continue working in high-need schools.

- Teacher Quality Partnerships (TQP): The TQP program provides competitive grants to partnerships of IHEs, high-need LEAs, and their high-need schools to implement teacher preparation or teacher residency programs, or both, that will improve the quality of prospective teachers by enhancing their preparation, improve the quality of current teachers through professional development, and help improve recruiting into the teaching profession. TQP funds might be used to help promote greater equity by supporting high-quality pathways into the profession and by placing teachers with strong preparation in high-need LEAs.

- Transition to Teaching (TTT): The TTT program provides grants to SEAs and LEAs, or for-profit organizations, non-profit organizations, or institutions of higher education (IHEs) collaborating with SEAs or LEAs. The grants can be used to support equitable access to excellent educators by, in high-need schools, recruiting and retaining highly qualified midcareer professionals (including highly qualified paraprofessionals) and recent graduates of IHEs as teachers in high-need schools, including recruiting teachers through alternative routes to teacher certification, and encouraging the development and expansion of alternative routes to teacher certification.

- School Leadership Program: The School Leadership Program assists high-need LEAs in recruiting, training, and supporting principals (including assistant principals) by providing financial incentives to new principals (including teachers or individuals from other fields who want to become principals); stipends to principals who mentor new principals; professional development programs that focus on instructional leadership and management; and other incentives that are appropriate and effective in retaining new principals. An LEA might use assistance provided under the School Leadership Program to develop new, effective principals and assistant principals for high-need schools or to train current principals in implementing college- and career-ready standards.

- State Personnel Development Grants (IDEA, Part D): In order to improve results for children with disabilities, grant funds are awarded to SEAs on a competitive basis to

assist in reforming and improving their systems for personnel preparation and professional development, and may be used to provide high-quality professional development based on identified State needs, which may include improving the knowledge and skills of teachers in high-poverty, high-minority schools.

- Indian Education Professional Development Grants: This program makes grants to increase the number of Indian individuals qualified in teaching, school administration, and other education professions, and to improve the skills of those individuals. Awards focus on pre-service teacher and pre-service administrator training.

Generally, recipients of competitive grants must implement projects as described in their approved grant applications. If a grantee wants to use funds under these programs to promote equitable access to excellent educators in a way that is not consistent with its currently approved application for program funds, it may need to request that the Department approve an amendment to its application. Prospective grantees may wish to include specific strategies designed to ensure equitable access to excellent educators in any upcoming grant competitions. A grantee must ensure that any use of Federal funds is consistent with the requirements for the program.

Please note that the list above is not exhaustive and that an SEA or LEA may have other sources of Federal funds that it can use to support its work to ensure equitable access to excellent educators.

F. MEASURING AND REPORTING PROGRESS AND CONTINUOUSLY IMPROVING STATE PLANS

F-1. How should an SEA measure its progress toward equitable access to excellent educators?

An SEA must include in its State Plan a description of the method and timeline the SEA will use to measure progress in eliminating equity gaps for both: (1) students from low-income families; and (2) students of color. The Department encourages each SEA to set a long-term goal to eliminate equity gaps and annual targets for progress toward that goal. For example, an SEA might set a long-term goal of eliminating equity gaps by a specific date, and annual targets toward meeting that goal. Alternatively, an SEA might set annual targets that reflect a reduction in equity gaps by a minimum percentage each year. These goals and targets, like all other elements of an SEA's State Plan, should be informed by meaningful consultation with stakeholders (see questions A-1 and B-1).

In order to effectively evaluate and track progress toward equitable access, an SEA should also evaluate and track the State's progress on addressing root causes. For example, if a lack of effective leadership in high-poverty schools is identified as a root cause of a particular equity gap, an SEA should evaluate if, in fact, leadership in high-poverty schools has improved in order to meaningfully evaluate progress in eliminating that equity gap.

F-2. How might an SEA meet the requirement to publicly report on its progress?

An SEA should ensure that stakeholders have a meaningful opportunity to review information on the State’s progress by using multiple methods to disseminate the information. For example, an SEA might meet the requirement to publicly report on its progress by including information on equity gaps and progress on eliminating those gaps on its State report card. To ensure that stakeholders have a meaningful opportunity to review the information, the SEA might also make it available through the SEA’s Web site, a public report at a State Board of Education meeting, reports at State education organizations’ meetings, social media, traditional media, and dissemination by public agencies or community-based organizations that serve students and their families. (See question B-3 for additional information on the steps an SEA should take to ensure that stakeholders can understand information.)

F-3. How frequently should an SEA update its State Plan?

Under ESEA section 1111(f)(1)(B), an SEA must “periodically” review and revise its State Plan “as necessary ... to reflect changes in the State’s strategies and programs” under Title I. Consistent with this requirement, the Department intends to update each State Educator Equity Profile every two years (see question C-4 for a discussion of the State Educator Equity Profile), and encourages each SEA to review and revise its State Plan accordingly. When an SEA revises its State Plan, it should do so based on its analysis of the information it collects on its progress toward eliminating equity gaps, and should continue to seek input from stakeholders on possible revisions.

F-4. How might an SEA continuously improve its State Plan?

The development and submission of a State Plan is only the beginning of the work to eliminate equity gaps; implementation is critical and will lead to new and better information that an SEA should use to continuously improve its State Plan. An SEA should analyze trends in its progress data (see question F-1) in order to identify strengths and weaknesses in its State Plan and implementation of the State Plan, and should refine the State Plan to address any weaknesses.

As described in question D-5, an SEA should also consider adding new ways of collecting information to help improve the root-cause analysis in future years.

Finally, an SEA should continue to reach out to stakeholders (see Section B: Consultation and Input) for input on how well the strategies in the State Plan are being implemented, whether they are achieving the desired results, and whether changes are warranted.

G. PROCESS FOR REVIEW AND APPROVAL OF STATE PLANS

G-1. How will the Department review State Plans?

The Department will review each SEA's State Plan to verify that it meets the statutory requirements (see question A-1). The Department encourages each SEA to take advantage of technical assistance opportunities prior to submitting its plan for review. See question G-3 for more information.

G-2. If the Department determines that an SEA's initial submission of its State Plan does not meet all requirements of ESEA section 1111(b)(8)(C), will the SEA have an opportunity to amend its plan?

Yes. If, after a careful review, the Department determines that an SEA's originally submitted State Plan does not meet all statutory requirements, the Department will work with the SEA to help it revise its plan. The SEA will have an opportunity to work with the Department to make necessary changes.

G-3. What resources are available to help an SEA in creating and implementing its State Plan?

In addition to the Federal funding discussed in question E-5, numerous technical assistance and guidance resources regarding equitable access to excellent educators are available to an SEA. The Department has provided funding to two organizations to support SEAs in their efforts to improve the quality and availability of excellent educators: the Center on Great Teachers and Leaders and the Equitable Access Support Network. Over the coming year, these organizations will engage with SEAs to provide individualized technical assistance and to create communities of practice that bring together SEAs and experts in the field to foster shared understanding and learning about how to implement and continuously improve equitable access to excellent educators. For individualized assistance in creating plans, feedback on draft plans, or implementation assistance, an SEA is invited to contact either of these entities.

In particular, the Department encourages an SEA to take advantage of the pre-submission review that will be provided by the Equitable Access Support Network, through which the SEA will be able to receive State-specific feedback on a draft plan before the SEA submits it to the Department.

To request information or assistance developing and implementing a State Plan, please contact:

- Center on Great Teachers and Leaders: gtlcenter@air.org, or
- Equitable Access Support Network: EASN@ed.gov.

In addition, an SEA may wish to consult the following materials:⁶

⁶ This information is provided for the reader's convenience; it is not an exhaustive list of materials to which an SEA may refer when developing and implementing its State Plan. The Department does not control or guarantee the

- **Equitable Access Toolkit:** resources including a stakeholder engagement guide, data analysis tool, root cause workbook, and model plan to ensure equitable access to excellent educators. (Center for Great Teachers & Leaders, available at: <http://gtlcenter.org/learning-hub/equitable-access-toolkit>)
- **Moving Toward Equity** (Center on Great Teachers & Leaders, available at: <http://www.gtlcenter.org/learning-hub/moving-toward-equity>)
- **Attaining Equitable Distribution of Effective Teachers in Public Schools** (Center for American Progress, available at: <http://cdn.americanprogress.org/wp-content/uploads/2014/04/TeacherDistro.pdf>)
- **Transfer Incentives for High-Performing Teachers: Final Results from a Multisite Randomized Experiment** (Institute of Education Sciences, available at: <http://ies.ed.gov/ncee/pubs/20144003/index.asp>)
- **Right-Sizing the Classroom: Making the Most of Great Teachers** (National Center for Analysis of Longitudinal Data in Education Research (CALDER), available at: <http://www.caldercenter.org/publications/right-sizing-classroom-making-most-great-teachers>)
- **Portability of Teacher Effectiveness Across Schools** (CALDER, available at: <http://www.caldercenter.org/publications/portability-teacher-effectiveness-across-schools>)
- **Value Added of Teachers in High-Poverty Schools and Lower-Poverty Schools** (CALDER, available at: <http://www.caldercenter.org/publications/value-added-teachers-high-poverty-schools-and-lower-poverty-schools>)
- **Teacher Mobility, School Segregation, and Pay-Based Policies to Level the Playing Field** (CALDER, available at: <http://www.urban.org/uploadedpdf/1001429-teacher-mobility.pdf>)

G-4. How might an SEA develop its State Plan in conjunction with its request for renewal of ESEA flexibility? May it submit both documents to the Department for review and approval simultaneously?

accuracy, relevance, timeliness, or completeness of outside information. Reliance on these materials does not guarantee that an SEA is meeting its statutory requirements. Further, the inclusion of information, such as addresses or Web sites for particular items, does not reflect their importance, nor is it intended to endorse any views expressed, or products or services offered by these organizations. Note that, although some of these resources were designed specifically for Race to the Top grantees, the Department believes that the information they contain may be useful to all SEAs and LEAs.

Access to excellent educators is an integral part of helping to ensure that students are college and career ready, particularly for students in the lowest-achieving schools (i.e., those identified as priority schools under ESEA flexibility) and in schools with the largest achievement gaps (i.e., those identified as focus schools under ESEA flexibility). Because equity gaps could be contributing to achievement gaps, the identification and analysis of equity gaps can support an SEA and its LEAs in targeting appropriate interventions and supports that are designed both to close equity gaps and improve achievement in priority, focus, and other Title I schools. For example, if students in low-achieving, high-poverty or high-minority schools lack equitable access to excellent educators, strategies to recruit and retain excellent educators into these schools might be effective in helping to close both equity and achievement gaps, thereby addressing the ultimate goals of both a State Plan and a State's ESEA flexibility system of differentiated recognition, accountability, and support.

Given the relationship between State Plans and ESEA flexibility requests, an SEA may want to develop key portions of its State Plan at the same time it develops related portions of its ESEA flexibility renewal request. For example, the SEA may want to obtain stakeholder input on the State Plan and the ESEA flexibility renewal request through a single process that simultaneously addresses both documents. Similarly, an SEA may want to develop strategies that will most effectively address both equity gaps and achievement gaps in high-minority or high-poverty priority, focus, or other Title I schools and, therefore, can be incorporated into both the State Plan and the ESEA flexibility renewal request.

An SEA that chooses to develop these documents together is welcome to submit them to the Department simultaneously, as long as an SEA's request for renewal of ESEA flexibility is submitted by the deadline (see ESEA Flexibility Renewal Guidance), which is prior to the deadline for submitting State Plans. Please note, however, that because this guidance is being released in draft form while it is open for comment on the estimated burden to respond to the information collection under the Paperwork Reduction Act, the Department will not review any State Plans until this guidance has been released in its final form in spring 2015. In addition, if the Department modifies this guidance based on comments received on the estimated burden to respond to the information collection, an SEA that submits its State Plan before the guidance is final may have to amend its State Plan to reflect the final guidance.

G-5. What is the relationship between an SEA's State Plan and the obligation of the SEA and its LEAs to comply with Title VI of the Civil Rights Act of 1964 by ensuring resource comparability?

On October 1, 2014, the Department's Office for Civil Rights (OCR) released a Dear Colleague Letter (<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-resourcecomp-201410.pdf>) that discusses the obligation of recipients of Federal funds, under Title VI of the Civil Rights Act of 1964 (Title VI of the Civil Rights Act), to ensure that they neither intentionally discriminate on the basis of race, color, or national origin nor implement facially neutral policies that have the unjustified effect of discriminating against students on the basis of race, color, or national origin (OCR Letter). The OCR Letter further explains that discrimination in the allocation of educational resources – including strong teachers and principals – can constitute unlawful discrimination under Title VI. The OCR Letter makes clear that data revealing racial disparities

in access to strong teachers and leaders would rarely, if ever, suffice on its own as proof of a violation of the civil rights obligations under Title VI. In investigating an allegation of discrimination, OCR would necessarily inquire into the justifications behind policies and practices that may have led to those disparities.

Certain goals of Title I of the ESEA and Title VI of the Civil Rights Act are similar: to ensure that all students have equal access to educators who are best able to support students in getting and remaining on track to graduate from high school ready for college or careers. However, there are important differences between these laws. As one example, Title I of the ESEA requires SEAs to focus on ensuring equitable access for both students from low-income families and students of color. On the other hand, Title VI of the Civil Rights Act prohibits discrimination, including discrimination in access to strong teachers and leaders, based on race, color, or national origin, without regard to income levels.

Because of differences between the two laws, the fact that the Department approves an SEA's State Plan under ESEA, section 1111(b)(8)(C) does not mean that the SEA or an LEA within the State is complying with Title VI of the Civil Rights Act. Nor does a decision under Title VI of the Civil Rights Act not to investigate an SEA or one or more of its LEAs (or a closure or dismissal of such an investigation without finding a violation) mean that the SEA has met its obligations under Title I of the ESEA.

Yet an SEA's work in developing a high-quality State Plan under Title I of the ESEA may be helpful to the State and its LEAs in ensuring compliance with Title VI of the Civil Rights Act. For example, the Department strongly encourages an SEA, in developing its State Plan, to begin proactively using data on access to excellent educators, including developing robust effectiveness data to identify equity gaps. As discussed in the OCR Letter, that analysis, undertaken by an SEA in connection with the development of a State Plan, may also inform an SEA's or LEA's self-assessment of resource comparability under Title VI of the Civil Rights Act. In addition, that analysis, when coupled with the implementation of effective strategies to address the root causes of those equity gaps as reflected in the SEA's State Plan under Title I of the ESEA, may help both the SEA and its LEAs avoid a Title VI violation or give the SEA or LEA an opportunity to remedy a Title VI violation on its own. Further, such proactive, concrete, and effective efforts would inform any remedies that OCR requires, as a result of an investigation, so that the SEA or LEA can build on its efforts.