

Goal 4. Equity:

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

Goal Leader:

Catherine Lhamon, Assistant Secretary for Office of Civil Rights (OCR)

Public Benefit

Equity of opportunity is the foundation of the American dream, and equity in education is a cornerstone to building a strong, globally competitive workforce. From birth through adulthood, in institutions of early learning, P–12 schools, career and technical education, postsecondary education, adult education, workforce development, and independent living programs, the Department’s goal is to ensure that all of our nation’s students have access to the educators, resources, and opportunities to succeed. Accordingly, the Department is committed to improving outcomes for all students—regardless of income, home language, zip code, age, sex, sexual orientation, gender identity, race, or disability—through its major education initiatives. Moreover, the Department also recognizes the need to increase educational opportunities systemically for underserved populations, including by exploring ways to increase equitable access to resources and effective teachers within states and districts.

To foster equitable access to early learning education, through the Preschool Development Grants program, the Department, together with the Administration for Children and Families at HHS, is providing access to high-quality preschool for thousands of children from low- and moderate-income families in hundreds of communities across the nation. With the inclusion of this program in the ESSA, which reauthorized the ESEA, the Department will continue to foster increased access to high-quality preschool for the neediest children.

In P–12 education, through the SIG program, ESEA, and other federal programs, the Department is providing significant resources to dramatically improve the nation’s lowest-achieving schools by using turnaround interventions and strategies and identifying the low-achieving schools that are showing strong evidence of successfully turning around. The Department is focused on supporting innovation, not just compliance monitoring, and is focused on spurring growth in achievement, not just absolute achievement measures as done in the past. In FY 2015, Department launched programs and initiatives designed to study and address chronic absenteeism and high school dropouts as well as to promote best practices in improving the rates of high school completion and graduation. The Department also started interagency planning to encourage greater socioeconomic diversity in schools and to provide greater educational opportunity for disconnected youth.

The Department worked to increase the number of low-income high school students who are prepared to enter and succeed in postsecondary education. Building on partnerships with the Department of Labor and other federal agencies, the Department continued to expand career pathways for youth and adults by increasing access to high-quality secondary and postsecondary CTE programs, registered apprenticeship programs, and other forms of advanced technical training.

In higher education, the Department developed the President's America's College Promise proposal to make two years of community college free for eligible students. Through the First in the World program, the Department also awarded grants to IHEs to promote evidence-based strategies and practices for college access and completion, focusing on low-income students. Through SIP, the Department is supporting IHEs to help them become self-sufficient and expand their capacity to serve low-income students through improvements in academic quality, institutional management, and fiscal stability.

Civil rights data collection, policy development and enforcement are the tools for ensuring that recipients of federal funding provide educational opportunities absent discriminatory barriers. The Department's OCR continues to address issues of equity in educational opportunity through both its policy and enforcement work by issuing detailed policy guidance; conducting vigorous complaint investigations; procuring strong systemic remedies; pursuing aggressive monitoring of resolution agreements; launching targeted and proactive compliance reviews and technical assistance activities; collecting and publicizing school-level data on important civil rights compliance indicators; and participating in intra- and interagency work groups to share expertise and best practices.

Analysis and Next Steps

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.

Objective Leader:

Bob Kim, Deputy Assistant Secretary for Strategic Operations and Outreach, Office of Civil Rights (OCR)

Explanation and Analysis of Progress:

The Department, in consultation with OMB, has determined that performance toward this objective is making noteworthy progress. OCR has dramatically increased the efficiency and accuracy of the CRDC by launching a newly developed and improved data collection tool. Many new features of the data collection tool contributed to the increased efficiency and data accuracy, including the ability of LEAs and schools to (1) preview future CRDC questions that will be mandatory for the 2015–16 CRDC and to submit data voluntarily (optional) for these questions early, as part of the 2013–14 collection; (2) receive automated, customized edit checks of data entries prior to final data submission/ certification; (3) obtain individualized district feedback reports that summarize the 2013–14 data submitted; and (4) benefit from the prepopulation of some survey data items from 8 SEAs to reduce approximately 2,000 LEAs' reporting burden. As a result, 17,000 LEAs can receive real-time summary reports of their 2013–14 CRDC data up to 8 months earlier and at least 2,000 LEAs' burden to comply with data violation to launching an investigation by as much as one year, thus bringing speedier relief to complainants. Data for the 2013–14 CRDC will be available in the spring of 2016.

In FY 2015, OCR, in collaboration with OELA, supported major investments in the quality of the CRDC data, including the disaggregated data for ELs in all public schools. This new feature of the [CRDC website](#) allows access to individual district or school level EL profiles that include information about the demographics of EL students and their participation in early childhood, gifted and talented, AP, SAT, college and career readiness, math and science courses, and discipline. OCR worked with OELA to develop and publish the EL Toolkit to support the implementation of EL Guidance. The toolkit was launched nationally at the end of April and all

ten chapters are now available online. OCR continues to promote the EL guidance and toolkit through speaking engagements and technical assistance.

In the policy arena, in FY 2015, OCR released nine guidance documents of critical importance to the Department, schools, civil rights stakeholders and the public—the most issued in one fiscal year in OCR history—concerning: (1) the Title VI requirements around resource equity and resource comparability; (2) obligations of elementary and secondary schools to respond to the bullying of SWDs; (3) schools' obligations surrounding effective communication for SWDs; (4) questions and answers on Title IX and single-sex elementary and secondary classes and extracurricular activities; (5) applicability of federal civil rights laws to juvenile justice residential facilities; (6) implementing the Centers for Disease Control and Prevention's Ebola guidance for schools; (7) schools' obligations to ensure that EL students can participate meaningfully and equally in school and to communicate information to limited English proficient parents in a language they can understand; (8) addressing the risk of measles in schools and school obligations to SWDs medically unable to obtain vaccinations; and (9) the importance and role of Title IX coordinators.

In order to further disseminate and deliver the message of these policy guidance documents to communities nationwide, OCR provided more than 220 technical assistance sessions to recipients and other stakeholders. These sessions were conducted by employees from all of OCR's twelve regional and enforcement offices throughout the nation, and from headquarters, including Program Legal Group staff.

In FY 2015, OCR received a new record-high number of complaints (10,394, vs. 9,983 in FY 2014) and resolved 9,232 complaints (compared to 9,864 in FY 2014)—including a higher number of complex and systemic case resolutions than in FY 2014—despite experiencing the lowest staffing levels in OCR history (average of 539).

Additionally, OCR increased the transparency of its work to the public by making available a list of colleges and universities currently being investigated under Title IX related to sexual violence; posting hundreds of resolution agreements with educational institutions on its website; and overhauling the website to make more easily accessible information about OCR's civil rights enforcement work (including resolution letters and agreements from FY 2014 forward); policy guidance documents; frequently asked questions about the laws OCR enforces; and a robust reading room with publications, pamphlets, and other materials. In total, there are now more than 800 cases available on the website. OCR's customer service team responded to 7,430 hotline calls, answered 3,397 public inquiries, and fulfilled 8,775 publication requests for OCR documents to ensure the public has accurate information about civil rights laws and policy to promote equity in education.

Challenges and Next Steps:

In FY 2015, OCR again received a new record-high number of complaints despite experiencing the lowest staffing levels in OCR history—continuing a trend that has existed for decades and has accelerated during this administration.

To create greater efficiency in our work, OCR overhauled its case processing guidelines, increased use of technology, eliminated peripheral practices such as reviewing appeals of dismissals or retaining cases over which other agencies have joint jurisdiction, and successfully used its internal audit program to foster greater consistency, quality and systemic relief in its enforcement efforts.

The complaint volume and lack of resources continue to have an impact on OCR’s ability to conduct and resolve proactive investigations and to conduct proactive technical assistance. OCR’s ability to conduct proactive activities is also impacted by limited staffing and resources.

U.S. Department of Education Indicators of Success	Baseline	2013 Actuals	2014 Actuals	2015 Actuals	2015 Current Year Target	Current Year Results	2016 Out-Year Targets	2017 Out-Year Targets
4.2.A. Percentage of proactive civil rights investigations launched annually that address areas of concentration in civil rights enforcement	FY: 2013 7%	7%	21%	16%	10%	MET	12%	15%
4.2.B. Percentage of proactive civil rights investigations resolved annually that address areas of concentration in civil rights enforcement	FY: 2013 8%	8%	15%	20%	10%	MET	12%	16%

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:

4.2.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