



RECOMMENDATIONS FOR STATE LEADERS TO ADVANCE EQUITY USING FUNDS FROM THE AMERICAN RESCUE PLAN ACT

The COVID-19 crisis has disrupted education for all students, but has hit students from vulnerable and systemically neglected populations — students living in poverty, students with disabilities, students learning English, students experiencing homelessness, students in the foster care system, students who are incarcerated, undocumented students, Black and Brown students, Native students, and students who identify as LGBTQ — hardest. Beyond interruptions to instruction, many of these students face food insecurity, unreliable access to remote learning technology, reduced access to student supports and education services, and housing uncertainty. Racial inequities caused by long-standing racial violence and exacerbated by the COVID-19 pandemic cause further stress and anxiety for students of color and expose some of the additional daily challenges they face.

In response to these crises, the federal government is providing an additional \$125 billion to states and school districts through the [American Recovery Plan Act \(ARP\)](#). ARP requires states and school districts to use at least 5% and 20% of the funding they receive, respectively, to implement evidence-based interventions to address unfinished learning and to address students' academic, social, and emotional needs. This package includes \$3 billion for the Individuals with Disabilities Education Act and \$800 million for [supporting students experiencing homelessness](#), which state leaders must use to support these student groups (along with other federal and state funding which can — and should — be used for this purpose as well). The U.S. Department of Education (ED) [has already begun sending](#) these resources out. In April, ED released a [state application](#) for the remaining funds.

This unprecedented investment in education provides states and school districts with a chance to close opportunity gaps that existed prior to COVID-19. For perspective, the total investment in K-12 schools through ARP, the [Coronavirus Aid, Relief and Economic](#)



[Security \(CARES\) Act](#) in April 2020, and the [Coronavirus Response and Relief Supplemental Appropriations Act](#) in December 2020, is nearly twice the \$100 billion that was invested in schools through the [2009 American Reinvestment and Recovery Act](#) to address the impacts of the Great Recession. ARP provides thousands of dollars of additional support per student across many states.

State leaders must target these new resources to the students who need it most, and leverage this federal investment to drive significant change in our education system. Stakeholders, including students, families, community members, educators, and advocates, should remain vigilant to ensure these funds are not just used to do more of the same that would lead back to a world of “pre-COVID” inequity.

To ensure federal funding is used to close opportunity gaps, state leaders must:

We provide these state recommendations as a collaboration of nine organizations seeking to advance educational equity. Specifically, we are focused on policy that transforms systems to better serve and support improved outcomes for our most vulnerable students.

1. Ensure equity in fiscal policies.

Equitable and adequate funding plays a key role in helping schools serve, support, and educate students from vulnerable and systematically neglected populations — students living in poverty, students with disabilities, students learning English, students experiencing homelessness, students in the foster care system, students who are incarcerated, students who are undocumented, Black and Brown students, Native students, and students who identify as LGBTQ. Yet public schools in the United States are among the most inequitably funded of any in the industrialized world. The funding disparities that separate high- and low-wealth districts are reflected in differential access to the opportunities and resources students need to thrive — strong, diverse, and supported educators; curricular resources that are affirming of individual identities; culturally responsive and relevant pedagogy; social, emotional, mental, and physical health services; enrichment opportunities; up-to-date technology, materials, and supplies; and adequate facilities, including sufficient broadband access. Funding cuts, particularly to the low-wealth districts that disproportionately serve students of color, students from low-income backgrounds, and vulnerable populations, would only further exacerbate these opportunity and resource gaps.

To advance equity, state leaders should:

- ❑ **Protect education budgets** by maintaining or increasing all state spending on K-12 education, either in total, or as a share of total spending on all sectors (e.g., transportation or law enforcement).
- ❑ Ensure that there are adequate resources to fund education and other services, by addressing loopholes in funding formulas, **not cutting taxes or offering tax abatements to businesses not focused on**

Protecting High-Need Districts and Schools Through Maintenance of Effort and Equity

The American Recovery Plan Act (ARP) includes Maintenance of Equity provisions that require states and school districts to ensure that high-need districts and schools do not shoulder a disproportionate share of any education budget cuts or layoffs. Together with a strong Maintenance of Effort requirement, these two requirements ensure that not only are states minimizing cuts to education broadly, but that any cuts do not disproportionately harm Black and Latino students, students from low-income backgrounds, and educators of color.

Specifically, ARP requires states to shield their highest-need districts from any cuts, compared to FY2019, ensure that cuts in high-poverty districts are lower than average, and to ensure that any cuts in funding or staffing in the highest-poverty schools in each district are lower than average.

servicing the needs of lower income communities, or where possible, **raising additional revenue** through fair and progressive [fiscal policies](#).

- ❑ If cuts are unavoidable, **protect high-poverty, low-wealth districts** from cuts in state funding, and ensure those districts will not be more vulnerable to fiscal cliffs when federal stabilization funds run out.
- ❑ **Enable and require transparent and easily accessible public reporting on state and local uses of funds.** States should build systems and public-facing websites to report how they and their school districts spend federal stabilization funds, including data on which groups of students are served by programs supported by these funds.
- ❑ **Ensure districts equitably distribute additional federal funds to schools.** Per-pupil allocations of federal stabilization funds should be greater in schools serving high concentrations of students from low-income backgrounds, students with disabilities, English learners, students experiencing homelessness, and students in foster care.
- ❑ **Ensure that districts meaningfully shield the highest-need schools** from cuts in resources, including funding and staff, as required under ARP, and offer guidance for how district leaders can approach cuts in ways that shield the most vulnerable students.
- ❑ **Ensure federal funding is used to support vulnerable and systematically neglected populations.** While ARP provides some specific funding to support the needs of [students experiencing homelessness](#) and [students with disabilities](#), much of the funding is flexible. That means state leaders have an opportunity and responsibility to direct funding toward uses that will specifically meet the needs of underserved students. It is also important to ensure ARP funds are used for maximum, equitable impact by strategically coordinating the use of these funds with other federal programs, including Title I, Title III, IDEA, McKinney-Vento, etc.

Example: Maryland makes multi-billion-dollar investment in education

The Maryland legislature recently passed a [bill](#) to make a multi-billion-dollar investment in education, acknowledging the need to improve and more equitably fund the state's public schools in the short and long term.

2. Meaningfully engage stakeholders in decisions about how additional federal funding will be used to support students and redesign public education to work for all students.

State leaders should listen to those who have a deep understanding of and are most impacted by decisions made about the states' education system — including students, families, educators, district leaders, service providers, community members, and advocates. These stakeholders' needs, assets, perspectives and experiences of students and stakeholders are critical if states are going to apply a racial equity lens to the allocation of ARP funds and ensure that these new dollars are used to build more inclusive and equitable systems than those that existed before COVID-19.

ED's [ARP application](#) explicitly requires states and districts to develop coherent and public plans — based on broad stakeholder engagement and input — about how they will use these funds. Stakeholder engagement [must include](#) students; families; Tribal Nations; civil rights organizations, including disability rights organizations; teachers, principals, school leaders, other educators, school staff and their unions, school and district administrators; superintendents; charter school leaders; and other stakeholders representing the interests of children with disabilities, English learners, children experiencing homelessness, children and youth in foster care, migratory students, children who are incarcerated, and other underserved students.

To advance equity, state leaders should:

- ❑ **Create and sustain a regular feedback loop** with students, families, educators, and community members, including advocates at the local level, to ensure that their priorities are reflected in state decisions about the use of ARP funds. These efforts can be institutionalized by creating commissions, working groups, and/or convenings and giving a diverse set of stakeholders, who reflect the full student population, power in allocating the state’s portion of ARP funds.
- ❑ **Provide timely, accessible, and transparent student achievement and opportunity-to-learn data** (e.g., disaggregated data on discipline, access to strong teachers, and access to rigorous coursework), as well as training and financial support to create meaningful students, family, and community engagement.
- ❑ **Provide districts and schools with resources and tools to effectively engage with and document input and support from a diverse and representative set of stakeholders in developing local plans to use additional federal and state funding**, including to implement strategies to accelerate student learning that are evidence-based, culturally affirming, and designed to meet the needs of all learners, including English learners and students with disabilities.
- ❑ **Conduct outreach to community-based organizations and learning hubs** serving high-need communities to draw on their expertise, share needed resources, and educate and inform families and advocates about new resources available, including opportunities to accelerate student learning and meet students’ needs.

3. Target additional resources, including federal stimulus funding, to create safe and equitable learning environments and provide whole child supports, particularly for vulnerable and systematically neglected students.

All students deserve to learn in an environment where they feel they belong, where they have their [identity affirmed](#), where they are engaged and have agency in their learning, and where they receive the social, emotional, mental, and physical supports they need to learn, develop, and thrive. But, too often, students face many barriers inside and outside of school that make it challenging to learn. Stressful or traumatic experiences (which might include abuse, neglect, homelessness, interaction with police, discriminatory discipline policies, food insecurity, and more) affect learning and development and require healing-centered approaches to support student learning. Students of color in particular have been long exposed to the stress and trauma of historical and present-day racism, including disproportionality in discipline. Immigrant children and families face targeted actions intended to make them feel unwelcome and unsafe in schools, communities, and in accessing supports and services, and recently, members of the Asian American and Pacific Islander community have experienced increased harassment and violence during the pandemic.

In fact, the COVID-19 pandemic has exacerbated many of the existing stressors and challenges facing students and families and has disrupted the learning environment for all students. Students from vulnerable and systematically neglected populations — students living in poverty, students with disabilities, students learning English, students experiencing homelessness and in the foster care system, students impacted by the justice system, undocumented students, Black and Brown students, Native students, and students who identify as LGBTQ — have faced and will continue to experience additional challenges that impede their learning during the pandemic. Students who have intersectional identities are navigating these challenges on multiple fronts.

To advance equity, state leaders should:

- ❑ **Collect data to monitor how districts are spending ARP dollars.** This could be done by adding fields to state longitudinal data systems (SLDS) to facilitate monitoring of ARP funds at the school and state level.
- ❑ **Prepare schools to provide safe, in-person instruction**, including through adequate testing and contact tracing, building upgrades to replace ventilation systems, supplies and support needed to implement basic public health protocols such as

masking, distancing, and hand washing, and by prioritizing underserved communities for COVID-19 vaccination. ARP funds can be used for these purposes, and ED's [application](#) requires states to describe how they will support districts to safely return to in-person learning.

- ❑ **Protect — and where possible, expand — state funding for whole child supports**, including social, emotional, mental, and physical health and development. This must include additional funding for school counselors, psychologists, social workers, and other mental health providers, especially in high-need districts and schools. It must also include training and ongoing support to teachers, leaders, and other school-based personnel regarding culturally responsive, anti-bias instructional practices.
- ❑ Use state ARP funds to **develop or provide a tool for districts to conduct equity audits** to identify how students living in poverty, students with disabilities, students learning English, students experiencing homelessness, students in the foster care system, students impacted by the justice system, undocumented students, Black and Brown students, Native students, and students who identify as LGBTQ were impacted during the pandemic and [where resources should be allocated](#) to meet students' needs and expand opportunity for all students.
- ❑ **Provide guidance and support to districts and schools** to support students' academic, social, and emotional recovery from the pandemic. For example, equity-focused state leaders could provide guidance to district leaders on providing professional development to educators and school leaders on fostering the strengths and assets students have built over the past year, while also providing the supports students need given the challenges they face (e.g., with wraparound services, culturally sustaining and justice-focused curricula, and positive discipline practices).
- ❑ **Invest in a coordinated statewide effort to identify and proactively re-engage** students who were not connected during interrupted learning, such as Colorado's [initiative](#) to recruit, train, and place AmeriCorps members in school districts to reach out to students who have not been engaged in school this past year.
- ❑ **Prohibit the use of suspensions and expulsions for minor offenses**, use ARP funding to move away from policing in schools and to support restorative practices, and, in the [19 states](#) where it is still allowed, ban the use of corporal punishment. Prohibit the use of exclusionary discipline practices in virtual learning settings, such as blocking students from virtual learning platforms or suspending their school email accounts, for minor offenses (e.g., dress code violations).
- ❑ **Promote and provide targeted digital literacy training** for [parents and families](#) of vulnerable students, including families who do not speak English, families with disabilities who may need adaptive technology, and families who are housing-insecure.

4. Prioritize federal stimulus funds and additional state funding to evidence-based programs that address unfinished instruction and accelerate learning (e.g., targeted intensive tutoring, high-quality expanded learning time) and respond to students' academic, social, and emotional needs in high-need districts and schools.

The COVID-19 pandemic has resulted in unfinished instruction that will affect most students, but will have a [disproportionate impact](#) on students from historically marginalized populations. The lack of adequate time for districts to prepare for sudden shutdowns, as well as the lack of resources for many districts, especially those that are chronically underfunded, to adjust to virtual learning has led to [inconsistent instruction](#) and has exacerbated inequities for Black, Latino, and Native students and students for low-income families. Families, especially in communities with more students from low-income backgrounds, more English learners, and more students of color, continue to have many barriers to participating in distance learning opportunities, for reasons including [inadequate access to technology](#) and competing responsibilities such as jobs or child care that limit the time available to focus on learning. This has affected students of all ages, including high school students who are enrolling in postsecondary education at [much lower rates](#). In addition, most students with disabilities missed out on many of the services that they would have received in school, per their federally mandated individualized education program.

In recognition of these challenges, ARP requires states to set-aside: 1) at least 5% of the state’s funding for evidence-based strategies to address unfinished instruction; 2) at least 1% for evidence-based summer enrichment programs; and 3) at least 1% for evidence-based comprehensive after-school programs. In addition, school districts must set-aside at least 20% of the funding they receive to support evidence-based strategies to address unfinished instruction. Importantly, states and districts must put in place interventions that respond to students’ academic, social, and emotional needs.

Districts and schools will be responsible for accelerating students’ learning to meet rigorous and challenging standards for months and likely years to come. This will require targeted actions to accelerate student learning through [evidence-based and rigorously implemented strategies](#), including [targeted intensive tutoring](#) (i.e., high-dosage tutoring) and high-quality [extended learning time](#) (e.g., in-school programs to increase the amount of instruction, summer programs, after-school programs) and through strategies that provide all students with enriching opportunities, supports, and strong and supportive relationships. These programs must be informed by evidence (e.g., providing training and ongoing support to tutors, supporting students individually or in very small groups, etc.) so that billions of federal and state dollars have their intended impact.

To advance equity, state leaders should:

- ❑ **Use federal stimulus funds, as well as additional state funding, to create or expand existing statewide efforts to accelerate student learning**, including through targeted, intensive tutoring and extended learning time in small groups with trained educators or tutors that prioritizes students who have been most affected by school closures and remote instruction.
- ❑ **Create detailed guidance for districts and schools that identifies evidence-based strategies to accelerate student learning and shares considerations for effective and equitable implementation.** This should include: 1) high-quality assessments to determine where learning must be accelerated; 2) high-quality professional learning opportunities for educators on [learning acceleration](#), [culturally affirming pedagogy](#), and [technology-enabled instruction](#) to ensure students have the opportunity to reach high standards; 3) strategies for leveraging [school-based teacher leadership](#), [distributed leadership](#), and innovative staffing models to provide supervision and support to tutors and teachers; and 4) investing in high-quality, culturally responsive instructional materials.
- ❑ **Partner with, or encourage districts to partner with, community-based organizations** who work with students to ensure all students, particularly students of color, students living in poverty, students with disabilities, English learners, students experiencing homelessness, students in the foster care system, students who are incarcerated, undocumented students, and students who identify as LGBTQ, have access to high-quality opportunities to learn and grow after school and over the summer.
- ❑ **Support districts in re-engaging high school students who have fallen off track to graduate and who need additional support to navigate the transition to college and career.** This could include using federal and state funds to expand existing statewide efforts, issuing guidance, and/or requiring districts to have an equity-centered plan to invest in dual enrollment programs and CTE programs that are tailored to local needs and careers of the future and expand college and career counseling and financial aid support.

A note about evidence

State leaders should invest, and encourage district leaders to invest, in [evidence-based approaches](#) where the [evidence](#) is robust (e.g., intensive tutoring) and is applicable and appropriate for local context. State leaders should also draw on successes and innovations from communities and invest in and help scale promising approaches with a track record of positive impact and success, especially where there isn’t evidence that meets the highest levels of research standards.

5. Strategically allocate federal stimulus funding to address immediate student needs and lay the groundwork for systemic changes that can be sustained in the long term.

As public schools continue to brace for increased expenses and a loss of revenue due to the coronavirus pandemic, the federal government has provided funding through three stabilization packages to help states and districts weather the current and near-term crisis. Additional federal funding will be critical to addressing long-term needs and protecting the most vulnerable and systematically underserved students, but states and school districts must carefully plan how to use the federal funding they have already received to address student needs while also avoiding funding cliffs when those dollars are no longer available.

To advance equity, state leaders should:

- ❑ **Invest in robust P-16 data systems that collect and connect data on measures of resource equity** (e.g., access to strong and diverse educators, access to advanced coursework, rates of exclusionary discipline, etc.) and student outcomes. Ensure this data can be disaggregated for all [racial and ethnic categories](#), gender, English learner status, disability status, and status as an economically disadvantaged student, student experiencing homelessness, or student in foster care.
- ❑ **Invest in early warning systems** that allow educators and school and district leaders to readily identify students who are struggling and provide them with the appropriate support and interventions that research shows can help them get and stay on track.
- ❑ **Identify appropriate short-term investments** (e.g., testing and contact tracing, personal protective equipment, additional cleaning) and longer-term investments (e.g., replacement of school facilities found to be in disrepair, upgraded ventilation systems, reducing carbon footprint) to ensure student safety and well-being.
- ❑ **Use federal stimulus funds, as well as state funds, to invest in proven strategies for recruiting and retaining a well-prepared, diverse workforce**, given the research that teachers of color make a difference for all students, especially [students of color](#). These strategies could include, for example, building systems to make educator diversity data visible and actionable to stakeholders, adopting rigorous program approval standards to compel teacher preparation programs to recruit and graduate candidates of color, and providing funding and guidance for districts and/or educator preparation programs to set goals and invest in strategies to increase the racial, ethnic, and linguistic diversity of their educators.
- ❑ **Identify sources of funding that can sustain evidence-based policies and practices implemented with ARP funds.** For example, intensive targeted tutoring should become a routine part of educational practice and could be supported with Title I funds, and other local, state, and federal funding.

The importance of summer opportunities

Students will have significant unfinished learning as a result of school closures and distance learning. This is especially true for our most vulnerable students and exacerbates long standing inequities for Black, Latino, and Native students and students from low-income backgrounds. Some studies [estimate](#) that students, on average, could experience five to nine months of unfinished learning by the end of June 2021. Due to existing systemic inequities (e.g., chronic underfunding and inadequate access to technology), students of color are disproportionately affected — they could experience up to 12 months of unfinished learning. That is why it is critical that states and districts begin planning immediately for how to use the summer to re-engage students, accelerate students' learning, and address immediate social and emotional needs. For example, [Tennessee](#) has passed legislation to provide all students in grades K-4, as well as those who need additional learning time in grade 5, with access to a six-week summer school in 2021 and 2022. This includes a full day of instruction, time for physical activity and play, and wraparound supports, including transportation and meals.