

Driving Towards Equity

American Rescue Plan State Plan Analysis

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INTRODUCTION

In early January, the U.S. Department of Education (ED) approved the final set of state applications for funds under the American Rescue Plan (ARP). This means that every state has received its final tranche of funding and it is now up to states to execute their plans. **We believe there is an important leadership role for states to play in ensuring that funding is directed efficiently, effectively, and equitably.**

ERN has reviewed ED-approved plans from every state and Washington, D.C. Our analysis¹ is based on [guidance](#) co-released by Education Reform Now and

¹ This analysis is based on our reading of extensive, complex state plans that may or may not fully capture how states are using or planning to use ARP funds. In many cases, we made subjective calls about whether states met our specific analytic criteria. Given that these are living documents and that others may interpret state plans differently, we welcome—and in fact are encouraging it through our recommendations—continued discussions about how states are using ARP funds to equitably address the needs of students.

nine other education and civil rights organizations and focuses on key sections of the application that have important implications for educational equity:

- using data to understand the impact of the pandemic, especially for students from historically disadvantaged groups,
- stakeholder and community engagement,
- investing in evidence-based academic interventions,
- supporting local education agencies (LEAs) in the creation and implementation of local plans,
- distributing funds equitably among and within LEAs, and
- publicly reporting uses of funds.

While there are some encouraging signs from some states, the overall picture, especially when it comes to equity, is decidedly mixed.

We are publishing this analysis of state plans to help guide stakeholders and advocates so that they can:

- Work with state department of education officials to make revisions to their ARP plans.
- Advocate for changes to aspects of state plans that undermine educational equity, while highlighting and promoting exemplars.
- Engage community networks to influence the continued development and implementation of local ARP plans.
- Pursue increased transparency and stakeholder engagement around state and local spending plans and resulting outcomes; and,
- Encourage continued and improved data collection, reporting, and data-driven decision making.

In the spirit of “driving towards equity” we’ve assigned each state a series of traffic light equity ratings in each of five categories as well as a composite rating.² Overall, just seven states—**Colorado, Connecticut, Massachusetts, Minnesota, New Hampshire, Pennsylvania, and Utah**—earned our top “green light” rating, while 25 and 19 states were rated “yellow and red lights”, respectively.

² See “Methodology” for more detail on how these ratings were determined.

Overall Equity Rating



GREEN LIGHT

= 7 states



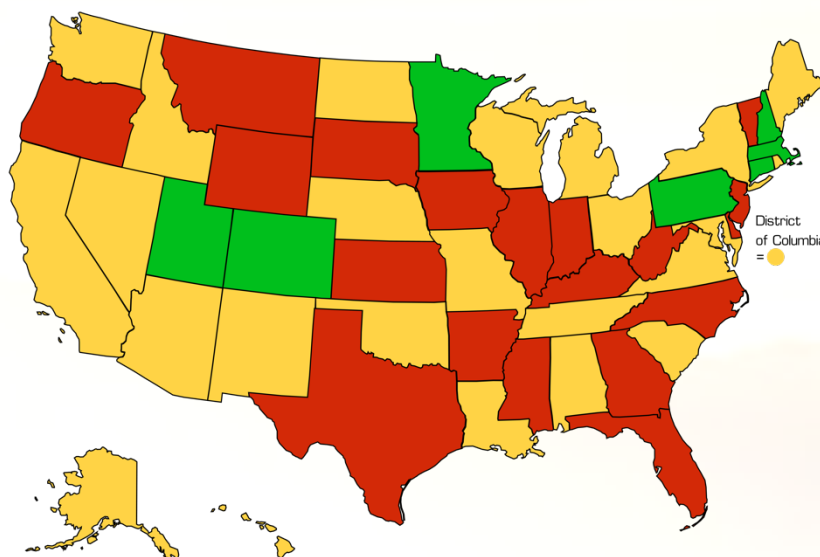
YELLOW LIGHT

= 25 states



RED LIGHT

= 19 states



Though many states' plans earned a "red light" in one or more categories, just like real traffic signals, these lights could, and should, change. State ARP plans are living documents and states and districts still have through 2024 to spend their relief funds. Therefore, advocates should engage with families, communities, school and district leaders, and state policymakers to improve state and district spending plans to ensure funds are targeted to students and schools most in need and monitor outcomes to inform adjustments to implementation.



PREVAILING CONCERNS: Most states, with some notable exceptions, are failing to ensure funds are targeted to the highest need schools and students once those funds are transmitted to districts. Despite stakeholder and community engagement requirements in ED's application template, just over half of states have undertaken robust outreach. And just 15 states describe how their planned intervention strategies are aligned with research-based best practices.

Additionally, we're concerned that state education agencies (SEAs) are **essentially abdicating their role** in ensuring equity and evidence-driven effectiveness in the learning recovery process. Twelve states—**Alabama, California, Florida, Illinois, Louisiana, Maryland, Minnesota, New York, Pennsylvania, Virginia, West Virginia, and Wyoming**—plan to simply pass

through most or all of their state set-aside funds to LEAs and few states have outlined any process for ensuring the quality of LEA recovery plans, tracking their implementation, or ensuring that they help the students most disproportionately impacted by the pandemic

As a result, it's likely that **large swaths of federal relief dollars will go to status quo spending** on additional staff (that will face elimination when Elementary and Secondary School Emergency Relief funds run out) or lackluster professional development, rather than toward new, potentially transformational investments. These decisions will limit the impact on student wellbeing and academic growth and—in the long run—potentially sour taxpayers and policymakers on making future investments in education.



BRIGHT SPOTS: At least 20 states note some plans to invest in high-impact tutoring (HIT) programs, which studies show are the most effective way to boost student achievement. **Arkansas, Colorado, Oklahoma, Tennessee, and Texas** are focused on building statewide tutoring programs and at least two other states, **Louisiana and Washington, DC**, have approved statewide tutoring programs that are not highlighted in their ARP applications. Additionally, **Rhode Island** is using a portion of its ARP funds to provide matching grants for the state's lowest performing districts as a way to target additional funds to historically under-resourced communities and to incentivize investments in evidence-based interventions.

Also encouraging, the vast majority of states make at least a rhetorical commitment to using data to understand student needs and guide resources and support. What's not so clear is whether any state can or will use state and local data to mount a systematic, statewide response.

While our analysis isn't an exhaustive look at these plans, we hope this analysis will:

- provide stakeholders with overviews of trends across states that have submitted plans,
- highlight best practices that can be emulated in other states, and
- flag areas of concern in the spirit of growth

so advocates can strategically apply pressure to policymakers in order to improve state and local plans and their implementation going forward. Our findings are detailed in the following report.



OVERVIEW

ARP provided an unprecedented \$125 billion in K-12 funding to states to aid in COVID recovery efforts. Two-thirds of each state's allocation was made immediately available. ED then required SEAs to submit an application detailing their plans for the use of funds from ARP in order to receive the remaining one-third of funds withheld by the Department. As of early January 2022, all state plans have been submitted, approved, and posted on ED's [website](#).

Our analysis focuses on key sections of the [application](#) that have important implications for educational equity:

- using data to understand the impact of the pandemic, especially for students from historically disadvantaged groups (A-3-4),
- stakeholder and community engagement (C-1),
- investing in evidence-based academic interventions (D-1-3),
- supporting LEAs in the creation and implementation of local plans (E-1-3),
- distributing funds equitably among and within LEAs (E-4), and
- publicly reporting uses of funds (G-1).

To ground our analysis, we adapted recommendations from [guidance](#) co-released by ERN and nine other education and civil rights organizations in May 2021 on the use of ARP funds by aligning recommendations contained in the guidance to the sections of the plan noted above.

KEY FINDINGS

Funding Equity Protections



GREEN LIGHT

= 0 states



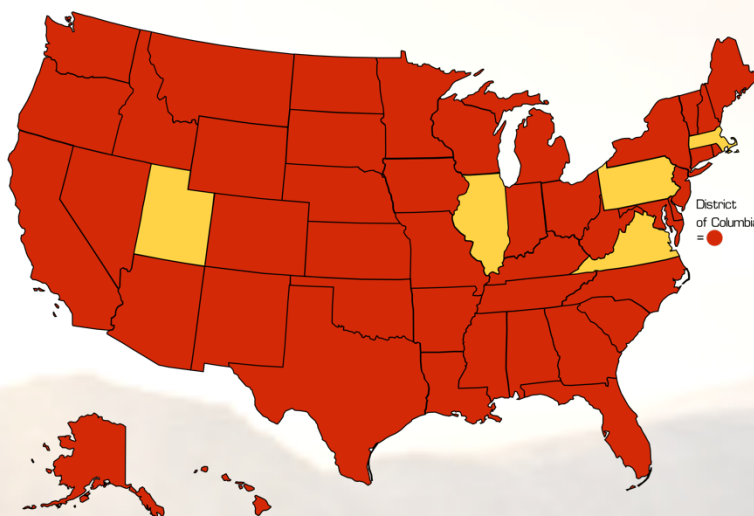
YELLOW LIGHT

= 5 states



RED LIGHT

= 46 states



#1 STATES TURN A BLIND EYE TO FUNDING EQUITY

State applications are largely silent on the equitable distribution of funds, particularly within LEAs: In fact, nearly all states (45 plus DC) earned a “red light” for funding equity protections.

In describing their LEA applications, *just five states*—**Idaho, Illinois, Massachusetts, Mississippi, and Missouri**—specified that LEAs would be required to detail how they are equitably allocating resources to schools based on student need. This could mean that states ultimately have very little insight into how and why LEAs allocated their ARP funds, limiting their ability to hold LEAs accountable for addressing the disproportionate impacts of the pandemic on students from historically



Only five states are requiring districts to specify how they are equitably allocating resources based on student need.



disadvantaged groups, including low-income students, students of color, English Learners, and students with disabilities.

Equally concerning, only eight states—**Hawaii, Maine, Massachusetts, Nebraska, New Hampshire, Pennsylvania, Utah and Virginia**—describe supports or guardrails to ensure LEAs equitably distribute funds to schools. This is particularly concerning given the large sum of funds available to LEAs through ARP and the wide discretion they have in how these funds are allocated and used.

On a slightly more positive note, 22 states provide guidance and/or requirements for districts to conduct needs assessments with a focus on ensuring equity. For instance, in **Washington** state, LEAs are required to use a state-developed equity analysis tool in the development of their recovery plans.

Providing LEAs with, at the very least, tools and resources to support the equitable allocation of funds will be critical to ensuring ARP dollars are targeted toward the students and schools most in need. For instance, **Nebraska** is providing LEAs with a budget roadmap focused on equitable investments, with an emphasis on using disaggregated data to determine how to target funds. Similarly, **Virginia** has provided districts with guidance—Virginia LEARNS—that contains checkpoints and resources to help districts and schools equitably distribute resources and interventions.

Most alarmingly, the **Wisconsin** legislature has prohibited learning loss funds from going to LEAs that offered less than 50% of instructional hours in-person, a move that excludes many of the state's most vulnerable/underserved students from getting the additional resources they need.

Also concerning: ten states—**Colorado, Connecticut, Idaho, Illinois, Michigan, New Jersey, Oregon, Washington, Wisconsin, and Wyoming**—are planning to use a portion of their state ARP funds to provide non-Title I LEAs (i.e., those serving low percentages or numbers of students

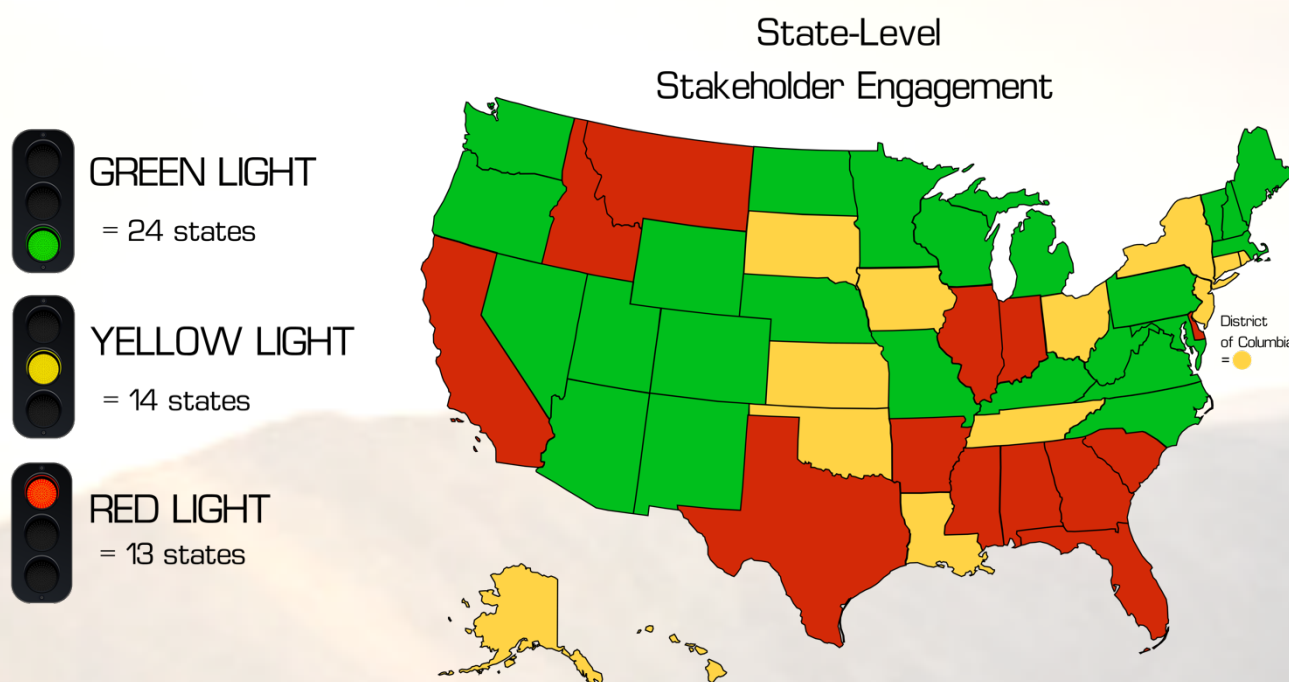


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from low-income families) with additional funding, a move that could undermine the equitable, targeted allocation of funds.

While some of these investments could be warranted to address gaps in the existing formula, such as small rural districts, the onus is on states to be transparent about these investments. **Colorado**, for instance, specifically mentions these investments are focused on entities with “high proportions of at-risk students.”



#2 INCONSISTENT STAKEHOLDER ENGAGEMENT

States were about evenly distributed in their efforts to engage stakeholders for the development of their plans. Just under half of states (24) earned a green light here, while 14 earned yellow and 13 were red.

Over half of states (30) recorded engaging in sustained feedback loops with stakeholders both during the course of the pandemic and in the creation of their ARP plans. However, given that this was a required item in state applications, this number should be considerably higher.



Colorado contracted with Keystone Policy Group to conduct specific stakeholder engagement & West Virginia established the Superintendent's Education Advisory Team (SEAT).



In contrast, nearly all states (43) said that they consulted with all required groups—including parents, students, and advocacy and civil rights organizations—who are key for ensuring state plans are student-centered and equitable. We saw considerable revisions in this area as a result of the approval process with ED. However, it remains unclear whether these revisions were the result of increased outreach to required groups or were merely an exercise in administrative box checking. (Given [recent reports](#) from groups like the National Parents Union, we have reason to suspect the latter.)

Among best practices we've seen, **Colorado** contracted with Keystone Policy Group to conduct specific stakeholder engagement that included focus groups and stakeholder surveys, and **West Virginia** established the Superintendent's Education Advisory Team (SEAT) which completed a survey and a series of small group discussions, which resulted in a report that informed the state's plans, in addition to conducting 55 school visits with focus groups.

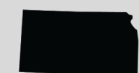
In its plan, **Michigan** makes a clear case that it already has a robust stakeholder engagement process consisting of frequent meetings with a large variety of stakeholder groups that it engaged with for this process.

In contrast, **Illinois** presented no evidence that its ARP plan was created with any stakeholder engagement. Instead its narrative described consultation of stakeholders for a 2019 strategic plan—before the pandemic. Similarly, **Wisconsin** provided minimal opportunity for feedback: Its initial plan was created without the input of stakeholders and then a revised plan was presented in just 10 invite-only meetings.

Moreover, **Kansas'** application includes almost no mention of stakeholder engagement around the creation of its ARP plan. Instead, the Kansas State Department of Education outlines task forces, mostly consisting of teachers and administrators, around distance learning and reopening schools earlier in the pandemic.



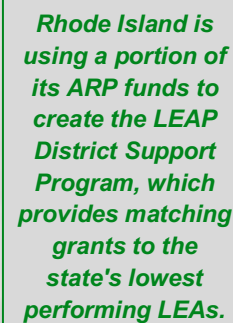
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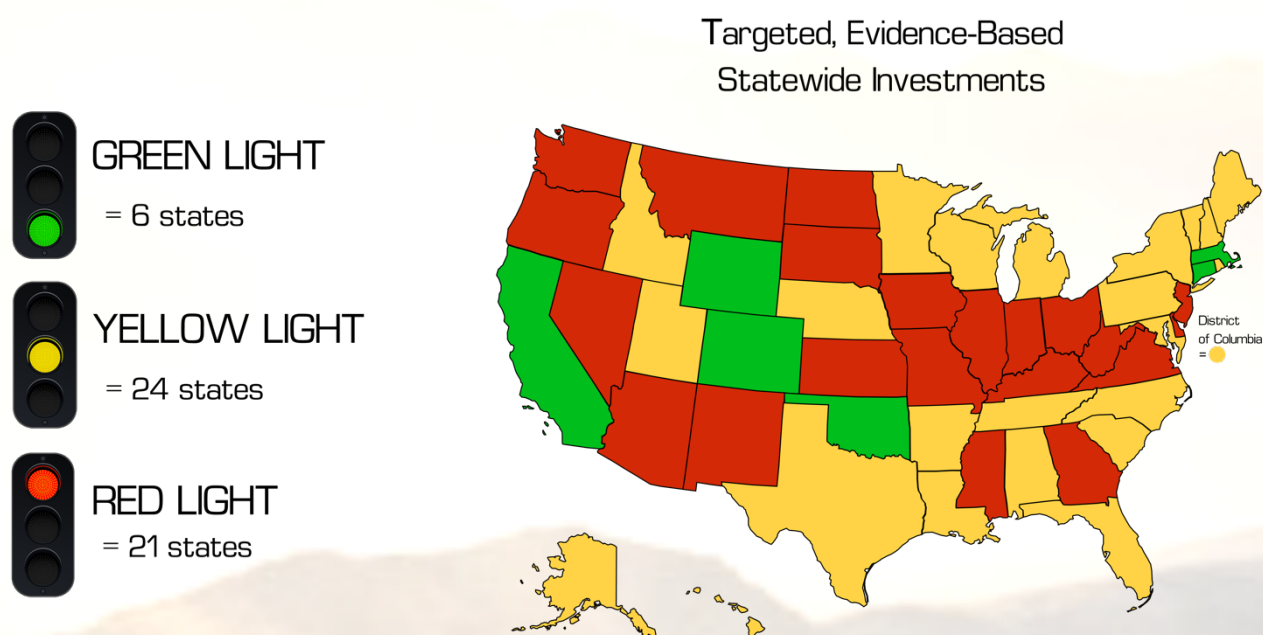


States fared slightly better in terms of providing strong guardrails and supports for ensuring strong district plans, with 26 states earning a “green light” in this area, and 14 and 11 states getting yellow and red lights, respectively.

However, as we note below, many states have opted for a hands-off approach that essentially abdicates a strong state role in the recovery process. Only **New York** and **West Virginia** detail plans to review district plans, and no state outlined a comprehensive strategy to monitor the



faithful implementation of district plans. As a result, while many states have some seemingly strong guardrails and supports in place, we're concerned low-quality district plans or poorly-implemented interventions will easily slip through the cracks due to lack of monitoring and enforcement.



Targeting Interventions

Just 27 states are requiring LEAs to explain how they plan target interventions in a way that will address the disproportionate impact of the pandemic on student subgroups, even though addressing disproportionate impact is a statutory requirement of the ARP. And just a handful more (32) demonstrate plans to similarly target statewide interventions.

On the positive side, **Rhode Island** is using a portion of its ARP funds to create the LEAP District Support Program, which provides matching grants for the state's lowest performing LEAs as a way to provide additional funds to historically under-resourced communities, while incentivizing LEAs to invest in the state's preferred interventions.

Oklahoma plans to use assessment results to target math tutoring, and is targeting math professional development to teachers from districts with the highest percentage of vulnerable student populations.

Conversely, **Delaware** fails to mention student subgroups, the disaggregation of data, or disproportionate impact anywhere in their narrative about addressing lost instructional time. **Iowa**'s narrative says that since gaps in achievement don't appear to be widening, according to Fall 2020 early literacy screeners, it currently doesn't have plans to target interventions toward traditionally underserved populations. **North Dakota** admits that most of its planned interventions don't target disproportionate impact at all.

Use of Evidence-Based Practices

State plans are even weaker when it comes to using evidence-based interventions to address unfinished student learning. Less than a third of states (15) provide strong evidence to support their planned investments and interventions, while only about half (27) do more than copy and paste ED's requirements for district plans around evidence-based interventions.

A notable exception is **Wisconsin**, which highlights a clear research base for its competitive grant making to LEAs for both summer and after school programming. Three other states—**Connecticut**, **District of Columbia**, and **Oklahoma**—also cite specific evidence to support their investment strategies.

In terms of evidence in district plans, **Pennsylvania** has provided LEAs with an Evidence Resource Center, which gives LEAs evidence-based resources searchable by grade level and student groups. LEA subgrantees must use interventions in the ERC or other sources like What Works Clearinghouse. Similarly, **Louisiana**, **Massachusetts**, **Nevada**, and **New York** are requiring districts to invest in specific interventions or provide a strong evidence-base to support alternative investments.



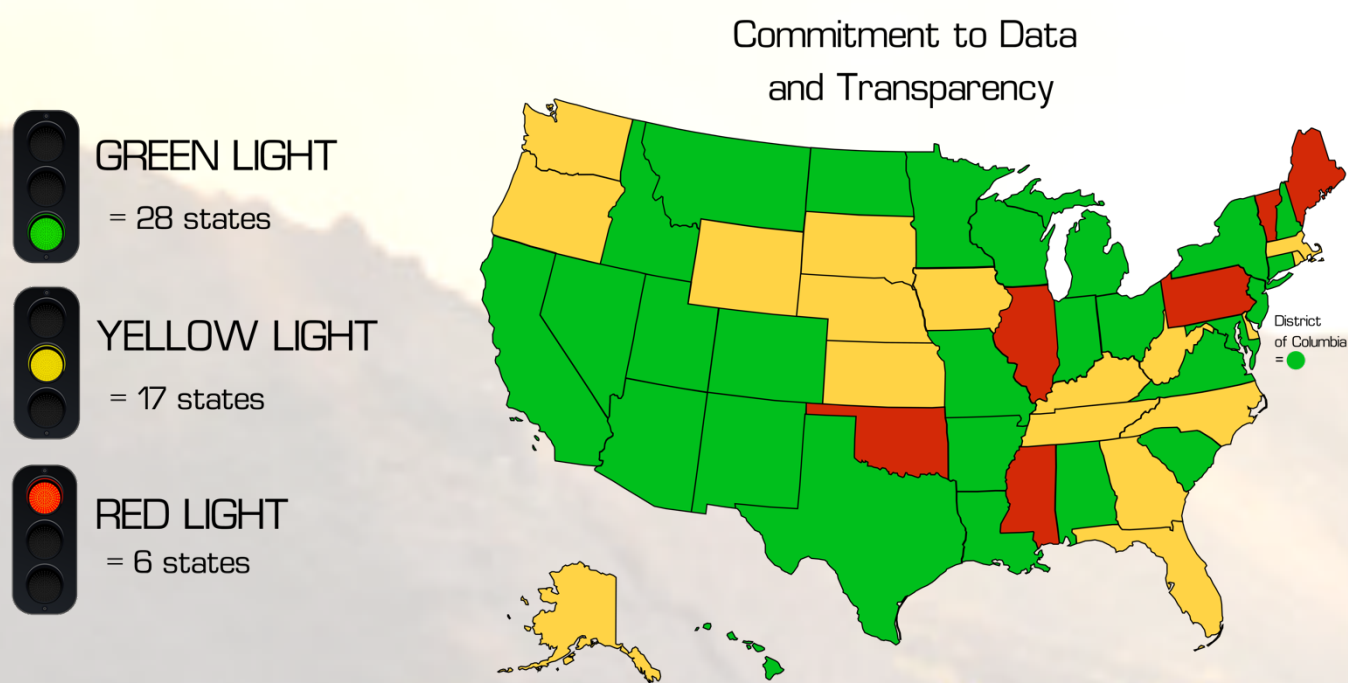
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Pennsylvania has provided LEAs with an Evidence Resource Center, and Louisiana, Massachusetts, Nevada, and New York are requiring districts to invest in specific interventions or provide a strong evidence-base to support alternative investments.



While most states at least pay lip service to evidence, ten states—**Florida, Georgia, Idaho, Indiana, Minnesota, Mississippi, Missouri, New Jersey, New Mexico, and Virginia**—fail to mention or cite any evidence to support their learning loss intervention strategies. **Kansas** includes a couple of citations, but evidence is weak and clearly supplied by professional development companies, indicating a lack of commitment to genuine evidence-based practices.



#4 STRONG RHETORICAL COMMITMENTS TO DATA, DESPITE A LACK OF SUMMATIVE ASSESSMENTS

The majority of states showed a strong commitment to using achievement and other data to understand the impact of the pandemic and ensuring public transparency, with 28 states earning a “green light,” and 17 and 6 states earning “yellow” and “red lights”, respectively.

Forty states clearly articulated the types of data they have used or plan to use as they assess the impact of the pandemic on students. These data included academic assessment data as well as “opportunity to learn” (OTL) data i.e. key input data that measure student access to learning, particularly in the absence of reliable assessment data, such as attendance, enrollment, access to technology and internet connectivity, student learning mode (in-person, hybrid, or remote), or school climate surveys.

Similarly, three-quarters of states (38) outlined specific supports they are providing or are planning to provide LEAs around using state/local data to understand the local impact of the pandemic on various student groups. For example, 11 states—**Connecticut, Delaware, Idaho, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Hampshire, North Carolina, and Wisconsin**—are conducting statewide analyses of academic and OTL data, disseminating localized results, and working with LEA leaders to gain an understanding of their local needs.

State department staff in both **Pennsylvania** and **New York** are working directly with leaders of schools identified for improvement under ESSA on developing data-informed recovery plans. And **South Carolina** developed the RALLY data tool, which all LEAs used to analyze their academic data and to set SMART goals for academic recovery.

Both of these trends are encouraging, given the importance of ensuring ARP funds are targeted to those student groups who have been disproportionately impacted by the pandemic, and address the specific data-identified needs of students.

At the same time, though, it’s not so clear whether states will have enough data or whether they will use state and local data to mount a **systematic, statewide response**. The lack of available *statewide, summative* assessment data was a common theme in many state applications.



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22 states have not outlined a clear plan for evaluating their ARP investments.

For instance, five states—**Arizona, Ohio, Oregon, South Dakota, and Utah**—have declined to enumerate their plans for state ARP funds at least in part because of limited academic data.

Many other states noted the lack of statewide data, while using local assessments to temporarily fill in gaps: five of these states—**District of Columbia, New Mexico, Oklahoma, Tennessee, and Texas**—note that they have made interim and/or diagnostic assessments available to LEAs throughout the pandemic, although it's not clear whether and how those states will use the data or require LEAs to do so. **North Carolina** and **Wyoming** also plan to provide LEAs with access to diagnostic assessments starting this past fall but, again, plans for actually deploying these data are vague.

Also problematic: 22 states have not outlined a clear plan for evaluating their ARP investments. Without an understanding of the extent to which interventions are being effectively implemented—including outcome data on student achievement, engagement, and social emotional learning—local educators cannot make needed programmatic adjustments and state and federal policymakers cannot provide needed support and/or accountability over the course of ARP funding and beyond.

#5 ABDICATION OF THE STATE ROLE IN DEVELOPING A STRATEGIC, STATEWIDE RECOVERY

Professional development was the most popular discretionary intervention mentioned in state ARP plans: 61% of states (31) have plans to invest in some form of professional development with their state-set aside funds. Given the new challenges that educators are facing due to the pandemic, more professional development seems warranted and some of these efforts described in state plans sound promising: for instance, **Michigan, New Hampshire, and North Dakota** are providing equity-focused training for school and district leaders.



7 states have currently outlined no specific plans for their non-summer/ afterschool funds, mostly citing a lack of recent data.



However, it is nonetheless disappointing to see this as the most popular use of discretionary funds given that other strategies—such as HIT and extended learning time—have been shown to be much more impactful for students.

Also disappointing, seven states—**Arizona, Mississippi, Nebraska, Nevada, Oregon, South Dakota, and Utah**—have currently outlined **no specific plans** for their non-summer/afterschool funds, mostly citing a lack of recent data.

Six other states—**Delaware, District of Columbia, Georgia, Missouri, Ohio, and South Carolina**—enumerate a laundry list of potential investments, but indicate no clear priorities or strategy for approaching them.

And an additional twelve states—**Alabama, California, Florida, Illinois, Louisiana, Maryland, Minnesota, New York, Pennsylvania, Virginia, West Virginia, and Wyoming**—plan to simply allocate most or all of their state set-aside funds to LEAs, **essentially abdicating the state role** in ensuring equity and evidence-driven effectiveness in the learning recovery process.

While the quick turnaround on the application is likely partially to blame, we'd like to see states be more proactive about planning their state-level interventions given the urgent needs of students and educators.

On a more positive note, 20 states note intentions to invest, to some extent, in HIT programs, with **Arkansas, Colorado, Oklahoma, Tennessee, and Texas** focused on building widespread, statewide adoption of tutoring. At least two other states, **Louisiana and Washington, DC**, have approved statewide tutoring programs that are not highlighted in their ARP applications.

Additionally, 29 states have indicated that they plan to use ARP funds to provide supports to LEAs or invest in specific interventions dedicated to addressing student social, emotional, and mental health needs. Both **California** and **Vermont** plan to focus on the development of community



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schools, with wraparound services for students. And **Pennsylvania** is requiring districts to use 40% of funds from SEA subgrants to address SEL and mental health, with 75% of that going to hiring additional support staff.

And two states—**Utah** and **Wyoming**—are trying an innovative approach to their summer and afterschool set asides: combining them into a single grant program in order to provide year-round, out-of-school programs. Both states plan to provide grants to LEAs and CBOs and work to facilitate LEA/CBO collaboration.

RECOMMENDATIONS



FIVE RECOMMENDATIONS FOR STATE ADVOCATES, POLICYMAKERS, AND FAMILIES

As previously stated, we view state ARP plans as living documents that can and should be revised and amended as conditions dictate and as greater transparency facilitates input from a wider array of sources. Here are our top recommendations for state advocates, policymakers, and families.

#1 **Work with state department of education officials to make revisions to their ARP state plans.** While state plans are already approved by ED, these plans are intended to be—and given the limited information they contain, must be—living documents. Advocates should come armed with recommended changes to the plan based on the best practices highlighted in our analysis and suggestions for evidence-based interventions, such as those suggested [here](#).

#2 **Advocate for changes to aspects of state plans that undermine educational equity, while highlighting and promoting exemplars.** As we highlight throughout our analysis, many states have provisions (or, in some cases, a lack of provisions) that could limit the impact of ARP funds on

students disproportionately impacted by the pandemic. We encourage advocates to voice their concerns for these aspects of state plans—both through direct communication with state officials and via the media to put pressure on state departments of education to center equity in their plans. Advocates should also put pressure on state officials to carefully review district plans and hold LEAs accountable for faithfully implementing evidence-based interventions—something they’ve shown little appetite for in their plans.

#3 Engage community networks to influence the continued development and implementation of local ARP plans. Though our review only covers state plans, every LEA receiving ARP funds was also required to create their own plan for spending the latest round of federal relief funds. Given that at least 90% of spending decisions will be made at the district level, advocates who effectively engage and mobilize community members and organizations in support of evidence-based interventions for students could have an outsized influence on which policies and programs ultimately get enacted and provide services for students. While most district plans have already been submitted to state departments of education, like state plans, these plans are living documents and many investment decisions have yet to be made or finalized.

#4 Pursue increased transparency and stakeholder engagement around state and local spending plans and resulting outcomes. The public, advocates, and policymakers cannot push for needed changes to state and district ARP plans and interventions if data on plans, implementation, and outcomes are not regularly publicly reported. Therefore, as a part of all advocacy efforts, stakeholders should continually push for additional transparency around both plans and processes for enacting those plans.

#5 Encourage continued and improved data collection, reporting, and data-driven decision making. Most states have made a rhetorical commitment to the use of academic and opportunity-to-learn data to inform policy and practice, but few, if any, have a coherent, systemic plan to use data statewide in service of educational equity. Improvement in state data systems could contribute to better decision making both in the short and (post-pandemic) long term.

METHODOLOGY

As noted in the introduction, our analysis adopted selected recommendations from equity-focused [guidance](#) co-released by Education Reform Now and nine other education and civil rights organizations that aligned with selected sections of the USED state plan application template. The result was 23 criteria that were used to determine the extent to which state ARP plans centered equity.

ERN staff read the introduction to each state plan, as well as sections A, C, D, E, and G of the application, each of which had a subset of our 23 criteria assigned to them. Based on our reading of these sections, we gave each state a binary score for each criteria. While each criteria was tied to specific sections of the state plan, relevant information that was included in a different section of a state's plan was also factored into that state's score. (For instance, if a state mentioned data source it was using to identify impact of the pandemic in Section G, it would still count towards our Section A criteria.)

While reading the plans, ERN staff also noted the types of investments planned for state ARP set-aside funds, keeping track of these in broad categories, such as professional development and high-impact tutoring. For both the equity-based criteria and state investments, ERN staff also made qualitative notes, which were used to highlight best practices and areas of concern throughout this report.

Given that the various sections of state plans didn't cleanly align with the various themes that emerged, in order to create our equity traffic-light ratings, we reorganized our 23 criteria into five categories: funding equity protections; state-level stakeholder engagement; targeted, evidence-based statewide investments; commitment to data and transparency; and guardrails and supports for strong district plans. States' overall rating is based on their performance in all 23 criteria. States were assigned red, yellow, or green based on the following percentage of metrics met in each category and overall: less than 50% met, red; between 50% and 70% met, yellow; 70% or more met, green.

Finally, it should be noted that this analysis is based on our reading of extensive, complex state plans that may or may not fully capture how states are using or planning to use ARP funds. In many cases, we made subjective calls about whether states met our specific analytic criteria. Given that these are living documents and that others may interpret state plans differently, we welcome—and in fact are encouraging it through our recommendations—continued discussions about how states are using ARP funds to equitably address the needs of students.

