



# OFFICE OF THE INSPECTOR GENERAL MONTGOMERY COUNTY MARYLAND

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INSPECTOR GENERAL

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## Implementation of the Racial Equity and Social Justice Act

Office of Racial Equity and Social Justice

OIG Publication #26-04

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September 8, 2025

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## EXECUTIVE SUMMARY

The County's Office of Legislative Oversight reported in 2018 that "[r]ecognizing the role government has played in creating racial disparities and the moral and economic benefits of reducing disparities, many states and local jurisdictions are working to investigate how their systems, unintentionally or not, continue to maintain racial inequities and have committed to changing those systems." Acknowledging that inequitable outcomes linked to race and social justice issues would persist without intentional intervention, in 2019 the County Council enacted the Racial Equity and Social Justice Act. The Act created the Office of Racial Equity and Social Justice as a principal office in the executive branch charged with implementing the Act.

We initiated this review to assess the status of the implementation of the Act and subsequent Regulation. While we acknowledge that much work has been accomplished by ORESJ, we determined that some requirements of the Act have not been completed by ORESJ or County departments, and that ORESJ's oversight of departments and offices' compliance needs improvement in order to fully advance the County's racial equity goals.

### **OBJECTIVE**

Through this review we sought to assess the County's implementation of the Racial Equity and Social Justice Act and Regulation.

### **SCOPE AND STANDARDS**

Our review was conducted between January and June 2025, in accordance with the Association of Inspectors General, Principles and Standards for Offices of Inspector General, Quality Standards for Inspections, Evaluations, and Reviews (July 2024).

### **RESULTS**

- ORESJ is not fully compliant with the RESJ Act.
- ORESJ is not ensuring that departments comply with the RESJ Act and Regulation.
- Equity core teams face challenges that may hinder progress in meeting RESJ goals.

### **RECOMMENDATIONS**

- Perform an equity assessment of County policies and practices.
- Develop short-term and long-term goals for success in redressing disparate outcomes.
- Establish and implement formal procedures to monitor and ensure departments' compliance with the RESJ Act and Regulation requirements.
- Reevaluate the equity core team framework and provide formal guidance to departments clarifying the role of equity core teams and imparting best practices for engaging and supporting them in achieving RESJ goals.

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## BACKGROUND

While Montgomery County is one of the most diverse communities in the country,<sup>1</sup> racial disparities persist in outcomes for residents in education, employment, housing, health, and other measures of well-being.<sup>2</sup> The County's Office of Legislative Oversight reported in 2018 that "[r]ecognizing the role government has played in creating racial disparities and the moral and economic benefits of reducing disparities, many states and local jurisdictions are working to investigate how their systems, unintentionally or not, continue to maintain racial inequities and have committed to changing those systems."<sup>3</sup>

Acknowledging that inequitable outcomes linked to race and social justice issues would persist without intentional intervention, in 2019 the County Council (Council) enacted the Racial Equity and Social Justice Act (Act). The goal of the Act is to ensure that government decision-makers routinely consider whether laws, budgets, programs, policies and practices continue to maintain racial inequities.

The Act created the Office of Racial Equity and Social Justice (ORESJ) as a principal office in the executive branch,<sup>4</sup> and assigns certain responsibilities to ORESJ, the County Executive, the Council and all executive and legislative branch offices. The Act mandates that the County Executive adopt by regulation, a racial equity and social justice action plan. The County's Racial Equity and Social Justice Plan Regulation (Regulation) became effective in July 2022 and details "the nature of the work required for the County and its departments to meaningfully develop the capacities and processes necessary for applying a racial equity and social justice lens to the development and implementation of its policies, practices, and procedures."<sup>5</sup>

Under the Act, ORESJ's responsibilities include: 1) performing a racial equity assessment of all County policies and practices; 2) developing metrics to measure progress in redressing disparities; 3) working with executive and legislative departments and offices to develop equity action plans; 4) providing racial equity and social justice training to employees; and 5) developing and measuring the progress of long and short-term goals. As the "county-wide office focused on advancing racial equity and dismantling structural racism within County government,"<sup>6</sup> ORESJ is designated as the County's subject matter expert on RESJ issues and provides departments with budget equity tools, guidance materials, training and technical assistance.

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<sup>1</sup> <https://visitmontgomery.com/about-the-county/>

<sup>2</sup> Jupiter Independent Research Group, *Montgomery County Racial Equity Profile Update*, April 2023.

<sup>3</sup> Office of Legislative Oversight, *Racial Equity in Government Decision-Making: Lessons from the Field*, Report No. 2018-8, September 2018.

<sup>4</sup> The Act also created and assigns responsibilities to a RESJ Advisory Committee. ORESJ is required to provide staff support to the Committee. The Committee's work, however, was not examined in this review.

<sup>5</sup> Executive Regulation No. 15-21, Racial Equity and Social Justice Action Plan.

<sup>6</sup> <https://www.montgomerycountymd.gov/ore/>

The Act also requires that each department “designate an employee to serve as the racial equity and social justice lead for the department or office to coordinate work with the office”.

Except for requiring ORESJ to submit a report to Council by September 30, 2020, and thereafter annually, the Act does not provide dates for completion of other articulated mandates for ORESJ and departments. However, the Regulation lists the following three mandates which were to have been completed by 2023:

1. The County must include RESJ performance competencies in all performance evaluations.<sup>7</sup>
2. Departments must establish racial equity and social justice values.
3. Departments must include RESJ values in the guidance documents related to their operations, service delivery and programs.

### Objectives, Scope, and Methodology

Through this review we sought to assess the County’s implementation of the Racial Equity and Social Justice Act and Regulation.

We interviewed ORESJ staff and reviewed their guidance materials, budget equity tool resources, annual reports, and supplemental appropriation impact assessments. We also reviewed training records to assess whether employees had completed the mandatory RESJ training requirements in FY24.

We sent a survey to the equity leads for the departments<sup>8</sup> for which ORESJ had an identified equity lead and to the directors for those departments for which an equity lead was not assigned. The survey asked questions designed to ascertain whether the departments had complied with mandates for which a completion deadline had passed. Of the 42 departments that we surveyed, we received responses from 39 departments.

Additionally, we used judgmental sampling to choose five departments or offices that provide services or work directly with County residents and/or businesses. We interviewed the equity leads from these five departments to discuss their equity core teams’ activities.

Our review was conducted between January and June 2025, in accordance with the Association of Inspectors General, *Principles and Standards for Offices of Inspector General, Quality Standards for Inspections, Evaluations, and Reviews* (July 2024).

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<sup>7</sup> ORESJ and the Office of Human Resources determined that a performance competency for inclusion in all performance plans would address both 7.12 (job descriptions) and 7.13 (performance evaluations).

<sup>8</sup> Executive and legislative branch offices identified on the County’s website as of March 24, 2025, at <https://www2.montgomerycountymd.gov/mcgportalapps/departments.aspx>. In this report, executive and legislative branch offices will be referred to interchangeably as offices or departments.

## FINDINGS AND RECOMMENDATIONS

Since ORESJ is charged with implementing the Act, our approach in evaluating the progress made primarily focused on ORESJ's efforts. In the five years since its inception, ORESJ has engaged in wide-ranging activities including providing equity training to employees, conducting community engagement, creating budget equity tools, analyzing departments' equity budget tool responses, producing racial equity impact assessments for supplemental appropriation requests, and providing subject matter expertise to departments. ORESJ is also working with a newly formed task force to create a community engagement process tool for departments as well as developing a performance metrics dashboard and creating guidance materials to assist departments in the development of their RESJ action plans.

While ORESJ's accomplishments thus far are significant, we found that they have not fully complied with some key requirements from the Act. Specifically, they have not conducted an equity assessment of existing County's policies and practices nor developed short-term and long-term goals required by the Act. Failure to execute these requirements hinders ORESJ's ability to fully understand and address the policies, procedures, and practices influencing the disparate outcomes experienced in the County.

We also determined that ORESJ is not providing adequate oversight to ensure departments are complying with mandates from the Act and Regulation. Specifically, we noted that they are not ensuring that all departments have: designated an equity lead; included RESJ performance indicators in employee performance evaluations; adopted RESJ values and included those values in guidance documents. Additionally, we found that ORESJ is not effectively monitoring employee compliance with the RESJ Regulation that requires they attain eight hours of RESJ related training every fiscal year.

Lastly, we found equity core teams are experiencing challenges that may impede department progress in meeting RESJ goals. Not the least of these issues are time constraints, lack of management support, authority, and specific knowledge about department programs and operations.

### **Finding 1: ORESJ is not fully compliant with the RESJ Act.**

ORESJ's mission is "to reduce and eliminate racial disparities and inequities in Montgomery County."<sup>9</sup> ORESJ notes on its website that this effort will "take transformational shifts within government to truly address disparities experienced by communities of color and low-income communities."<sup>10</sup> Through our discussions with ORESJ leadership, we learned that they do not have a strategic plan to guide them in carrying out this mission. We also determined that they

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<sup>9</sup> <https://www.montgomerycountymd.gov/ore/>

<sup>10</sup> Id.

have not completed an equity assessment of existing County policies and practices or developed short-term and long-term goals as mandated by the Act.

The Act requires that ORESJ complete “an equity assessment to identify County policies and practices that must be modified to redress disparate outcomes based on race or social justice.” This step is essential to understanding the extent to which policies, procedures, and practices influence the disparate outcomes experienced in the County. The knowledge gained could be used to develop short-term and long-term goals, and a strategic plan to target offending policies and implement actions to elevate employee competencies. A strategic plan can also help ORESJ map out priorities, timelines, tools to measure progress, and ensure resources are used efficiently. The plan can serve as a framework to assist ORESJ to evaluate compliance with the Act and Regulation and assess whether the activities are having the desired impact. By not completing all of the required actions and not planning beyond the mandates provided in the Act, ORESJ is missing an opportunity to design and implement a roadmap to help guide County departments to analyze programs, budgets, policies and practices in order to remove barriers, foster equitable outcomes, and advance social justice.

#### **Recommendation 1**

**We recommend ORESJ:**

- a) Perform an equity assessment of County policies and practices as required by the RESJ Act.**
- b) Develop short-term and long-term goals for success in redressing disparate outcomes as required by the Act.**

<b>Finding 2: ORESJ is not ensuring departments comply with the RESJ Act and Regulation.</b>
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In designating ORESJ as a principal office in County government, assigning them the responsibility of implementing the Act and accompanying Regulation and based on the tasks assigned to them by the Act and Regulation, it is reasonable to expect that ORESJ would take a proactive role in ensuring that departments and employees are complying with mandates. We found that not all departments have designated an equity lead; included RESJ performance indicators in employee performance evaluations; adopted RESJ values and included those values in guidance documents as required; and most employees have not completed the required eight hours of RESJ related training. We also found that ORESJ is not effectively monitoring department progress in these areas or taking proactive steps to drive compliance.

#### *RESJ Equity Leads*

The Act requires that departments identify an equity lead to coordinate the RESJ related work of the office. ORESJ relies on them as the primary means of communicating with departments. In obtaining a list of department equity leads from ORESJ, we found the list to be incomplete as six of the 42 departments were not included. We later found that five of these six departments did not have a designated equity lead. As the Act and ORESJ places such value on having an equity

lead, it is notable that some departments had not designated equity leads. The absence of a designated equity lead or the equity lead not being included on ORESJ's contact list impedes those departments in reaching the goals of the Act.

### *RESJ Training*

The Regulation explains that RESJ training should give employees the ability to understand concepts of structural inequity and real-life implications; recognize their individually-held beliefs about race, gender, age, socio-economic status, ethnicity, nationality and religious background; access how the policies, procedures and practices of their department impact the lives of County residents; and assess their department's cultures as well as strategies for making their department/office and team cultures more inclusive and equitable.<sup>11</sup> According to ORESJ, "trainings are key to building the knowledge and skills necessary to insert racial equity analysis into everyday decision making."<sup>12</sup> The importance of RESJ training is underscored by the County's requirement that all employees participate in at least eight hours annually, a requirement that's unmatched by any other County-wide initiative.

ORESJ's *FY23-24 Annual Report*<sup>13</sup> presents information on ORESJ's progress during the period. Additionally, it presents data on the number of employees who took specific training classes, but not the number that met the eight-hour training requirement. We analyzed training data from the Oracle Learning Management System (OLM)<sup>14</sup> and found that only 3.8% of employees completed the mandatory eight hours of training in FY24. We also learned through our survey that 17 departments developed some of their own RESJ training. Understanding that the OLM may not capture training that was undertaken at the department level or not registered in the system, we still anticipate the training compliance rate to be extremely low. ORESJ staff recently developed a training dashboard that they expect will help them and departments keep better track of training participation.<sup>15</sup> We note, however, that tracking alone will not increase participation rates. ORESJ and departments need to also take purposeful action to hold employees accountable.

Through our discussions with ORESJ we learned that they expect departments to monitor training compliance rates and do not see it as their responsibility. Given the roles assigned to ORESJ in the Act and Regulation it is inconceivable that ORESJ would not have a hand in monitoring compliance with training requirements. Relatedly, we also did not see that ORESJ took proactive steps to address low training participation rates. Again, we would have expected more direct involvement by ORESJ in this area. As training is a fundamental part of improving equity in the County, low training participation undermines the County's ability to educate employees and further improve equity in the programs and services offered to County residents.

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<sup>11</sup> COMCOR 02.64A.01.03

<sup>12</sup> ORESJ 2020-2021 Annual Report

<sup>13</sup> ORESJ has not yet published its FY25 Annual Report.

<sup>14</sup> Oracle Learning Management (OLM) is an Oracle module that enables administrators to manage and track all enrollments in classes listed in the catalog.

<sup>15</sup> The training dashboard was released on July 1, 2025, and was not examined as part of this review.



*RESJ Performance Evaluations and Values*

The RESJ Regulation requires that by 2023, departments would have included RESJ indicators in performance evaluations, adopted RESJ values, and included their RESJ values in their guidance documents. In evaluating department and ORESJ efforts with regard to these mandates, 7 of the 39 equity leads who responded to our survey reported that their departments had not established RESJ values, and 14 had not included their RESJ values in their guidance documents as required by the Regulation. We also found that although a mandatory RESJ performance indicator is included in the County's Performance Workforce Management System (WPM), it is possible to process performance evaluations without rating employees against the indicator.

ORESJ told us that they do not monitor whether employees are being evaluated on mandatory RESJ performance indicators. They also reported that they learn information about department activities relative to RESJ during the budget planning process. However, we note that this process is not designed to determine whether departments are complying with these mandates and the budget tools do not explicitly cover these mandated activities. We again found that ORESJ's efforts do not go far enough to ensure that departments are complying with the Act and Regulation. Without such intervention from ORESJ, the County may not achieve desired outcomes.

It is apparent from the information we gathered that not all departments are fully complying with mandates. Failure to designate equity leads, establish values, and hold employees accountable to mandatory performance standards are all missed opportunities to leverage employees and resources to advance the County's equity goals. ORESJ's unique role on this issue necessitates that it take greater responsibility for monitoring and promoting compliance.

**Recommendation 2**

**We recommend ORESJ establish and implement formal procedures to monitor and ensure department compliance with requirements to designate an equity lead, complete RESJ training, evaluate employees on RESJ competencies, and establish RESJ values and include them in department guidance documents.**

**Finding 3: RESJ equity core teams face challenges that may hinder progress in meeting RESJ goals.**

ORESJ envisioned that equity core teams would be "responsible for analyzing and assessing departmental policies, procedures, and practices with a racial equity lens, . . . [be] instrumental in developing racial equity action plans" and "[be] the drivers of the equitable systems change we seek."<sup>16</sup> In our discussions with equity leads we learned that time constraints and the lack of management support, authority to effectuate change, and specific knowledge about department programs and operations affect their ability to accomplish ORESJ's vision.

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<sup>16</sup> Equity Core Team One-Pager

In an ORESJ document defining core team expectations, ORESJ recommends that core teams meet monthly for at least 2-4 hours. Some equity leads reported that since participation in equity teams was an ancillary duty, their primary role took precedence. One advised that their workload was not adjusted to account for time needed for RESJ work. They noted that due to the nature of their position, there are periods of time for which primary duties prevent them from working on RESJ activities. One suggested that the equity lead be a permanent position.

Other equity leads reported that their teams' efforts were not supported by management, or that they did not feel they had the authority to institute changes. In general, there was recognition that management buy-in was needed to effectuate change. One equity lead stated that while they personally felt supported by their manager, other team members shared that they did not which impacted the team's effectiveness. Another equity lead told us that management's perceived hostility towards RESJ has led them to no longer meet.

ORESJ advises that a department's core team members should represent the many different facets of the department. During interviews, one equity lead told us that despite efforts to include staff from other divisions, they had not been successful in recruiting a cross section of staff to join the equity team. The equity lead is currently the only team member for their department.

The issues presented by equity leads may hinder the success of ORESJ's initiatives and implementation of the Act and Regulation. If the core teams continue to serve as a key component to accomplishing ORESJ's goals, they should reevaluate expectations of the equity core teams and work with department leadership to ensure that the core teams are given the resources and support necessary to succeed.

### **Recommendation 3**

**We recommend ORESJ reevaluate the equity core team framework and provide formal guidance to departments clarifying the role of equity core teams and imparting best practices for engaging and supporting them in achieving RESJ goals.**

## OIG COMMENTS TO CHIEF ADMINISTRATIVE OFFICER'S RESPONSE

The County Chief Administrative Officer's response to our report is included in its entirety in Appendix A. The response indicates concurrence with the OIG's recommendations. Appendix B summarizes the CAO's response to our recommendation and the OIG's assessment of the County's progress towards fully implementing the stated actions.

# APPENDIX A: CHIEF ADMINISTRATIVE OFFICER (CAO) RESPONSE

The Chief Administrative Officer provided the following response to our report:




## OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich  
*County Executive*

Richard S. Madaleno  
*Chief Administrative Officer*

September 4, 2025

TO: Megan Davey Limarzi, Inspector General

FROM: Richard S. Madaleno, Chief Administrative Officer 

SUBJECT: Inspector General Confidential Draft Report: Racial Equity and Social Justice Act – Office of Racial Equity and Social Justice (OIG Publication #OIG-26-02)

Thank you for your review of the Office of Racial Equity and Social Justice (ORESJ) and assessment of the County's implementation of the Racial Equity and Social Justice Act and Regulation. The County is committed to effective implementation of this law, and your review and recommendations will be useful as we continue to advance the goals of the law across County government.

Since February of 2020, the Office of Racial Equity and Social Justice (ORESJ) has worked to help the County implement this law by doing the following actions.

- The Office has created an expansive list of Racial Equity training courses, including Advancing Racial Equity and Social Justice, the Role of Government, Understanding Structural Racism, Bias and Empathy Training, Inclusive Language, and Heart Leadership.
- The Office has provided training and guidance to Core teams to assist department leadership in identifying policies, procedures, and processes that need to be viewed through a racial equity lens.
- The Office has applied a racial equity lens to every budget decision as required by the law through the preparation of Racial Equity Impact Assessments (REIA) for all Supplemental Appropriations. ORESJ completed 69 REIAs in FY23, 66 REIAs in FY24, and 59 REIAs in FY25.
- The Office, in close coordination with the Office of Management and Budget, has created and analyzed equity tools for both capital and operating budgets and has created guidance to assist departments in completing their racial equity action plans.

We acknowledge that there are opportunities to build on these actions and improve the County's implementation of the law. As noted below, we are committed to taking appropriate steps to address the report's findings and recommendations.

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Inspector General Confidential Draft Report: Racial Equity and Social Justice Act – Office of Racial Equity and Social Justice (OIG Publication #OIG-26-02)

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**Recommendation 1:**

- a) Perform an equity assessment of County policies and practices as required by the RESJ Act.
- b) Develop short-term and long-term goals for success in redressing disparate outcomes as required by the Act.

**Recommendation response:** As stated above, we are committed to compliance with the law, and concur that, after almost five years of experience implementing this new law and many lessons learned, we should conduct a comprehensive analysis to determine the gaps and possible changes to the current processes and requirements to ensure maximum effectiveness and impact. ORESJ's mandate is large (in breadth and scope) and based on the lessons learned over the last five years, this will give the Office the opportunity to evaluate the current legal requirements and regulations, and the possibility of some modifications and updates. The ORESJ will embark on an evaluation of all of its previous years' work and begin the process of forging the next path. This task is expected to be completed by Spring of 2027.

**Recommendation 2:** Establish and implement formal procedures to monitor and ensure department compliance with requirements to designate an equity lead, complete RESJ training, evaluate employees on RESJ competencies, and establish RESJ values and include them in department guidance documents.

**Recommendation response:** We concur. After completing the assessment discussed under Recommendation #1, ORESJ, in partnership with other County departments/offices, will establish and implement a more comprehensive set of performance measures and procedures to monitor and ensure departments' compliance with racial equity law and regulations. This task is expected to be completed by the Spring of 2027.

**Recommendation 3:** Reevaluate the equity Core Team framework and provide formal guidance to departments, clarifying the role of equity Core Teams and imparting best practices for engaging and supporting in achieving RESJ goals.

**Recommendation response:** We concur. The ORESJ will reevaluate the equity Core Team existing framework and seek new and innovative ways by researching the best practices from other successful jurisdictions and organizations like the Othering and Belonging Institute to find fresh ideas to move us forward and improve the effectiveness and impact of the equity Core Teams. This task is expected to be completed by Spring of 2027.

Your report's findings and recommendations will be useful as we continue to improve implementation of the law in the future. Thank you for bringing these matters to our attention.

cc: Fariba Kassiri, Deputy Chief Administrative Officer, Office of the County Executive  
Tiffany Ward, Director, Office of Racial Equity and Social Justice  
Bill Broglie, Internal Audit Manager, Office of the County Executive

## APPENDIX B: RECOMMENDATION STATUS AND FOLLOW UP

This Appendix provides a summary of the findings and recommendations presented in this report along with the OIG's assessment of the county's progress towards addressing the recommendations. The OIG categorizes progress towards implementation into the following 4 status groups:

- Open Unresolved: No management response, inadequate response, or no agreement on corrective action plan.
- Open In Progress: Agreed on planned action, auditee is in the process of implementing stated actions, but no evidence of implementation has yet been provided to the OIG.
- Open Resolved: Auditee provided support to OIG indicating implementation was complete, OIG testing to ensure implementation.
- Closed: Recommendation has been implemented.

Finding #	Finding	Recommendation	CAO Response	Status
1	ORESJ is not fully compliant with the RESJ Act.	Perform an equity assessment of County policies and practices as required by the RSJ Act.	Concur: ... after almost five years of experience implementing this new law and many lessons learned, we should conduct a comprehensive analysis to determine the gaps and possible changes to the current processes and requirements to ensure maximum effectiveness and impact. The ORESJ will embark on an evaluation of all of its previous years' work and begin the process of forging the next path. This task is expected to be completed by Spring of 2027.	Open – In Progress

Finding #	Finding	Recommendation	CAO Response	Status
		Develop short-term and long-term goals for success in redressing disparate outcomes as required by the Act.	Concur: after almost five years of experience implementing this new law and many lessons learned, we should conduct a comprehensive analysis to determine the gaps and possible changes to the current processes and requirements to ensure maximum effectiveness and impact. The ORESJ will embark on an evaluation of all of its previous years' work and begin the process of forging the next path. This task is expected to be completed by Spring of 2027.	Open – In Progress

Finding #	Finding	Recommendation	CAO Response	Status
2	ORESJ is not ensuring departments comply with the RESJ Act and Regulation.	Establish and implement formal procedures to monitor and ensure department compliance with requirements to designate an equity lead, complete RESJ training, evaluate employees on RESJ competencies, and establish RESJ values and include them in department guidance documents.	Concur: After completing the assessment discussed under Recommendation #1, ORESJ, in partnership with other County departments/offices, will establish and implement a more comprehensive set of performance measures and procedures to monitor and ensure departments' compliance with racial equity law and regulations. This task is expected to be completed by the Spring of 2027.	Open – In Progress
3	RESJ equity core teams face challenges that may hinder progress in meeting RESJ goals.	Reevaluate the equity core team framework and provide formal guidance to departments clarifying the role of equity core teams and imparting best practices for engaging and supporting them in achieving RESJ goals.	Concur. The ORESJ will reevaluate the equity Core Team existing framework and seek new and innovative ways by researching the best practices from other successful jurisdictions and organizations like the Othering and Belonging Institute to find fresh ideas to move us forward and improve the effectiveness and impact of the equity Core Teams. This task is expected to be completed by Spring of 2027.	Open – In Progress