

## **FEA Best and Brightest Settlement FAQs**

### ***How was the settlement amount of \$15.5 million determined?***

When weighting the option to settle, FEA reviewed the pros and cons of the case and chances of prevailing. FEA had a strong case showing evidence of bias and DOE had viable arguments as well. The settlement amount was brought before the Federal Court to rule on the fairness of the settlement and it was approved.

### ***Why didn't the qualifying teachers receive the full amount?***

Under the law there is no basis for each Black and Hispanic highly effective teacher/class member to recover the full amount of the award because not all White highly effective teachers got the award. Instead, the total amount of money all the class members could have shared is limited to the total number of awards that highly effective Black and Hispanic teachers would have gotten if they had received the award at the same rate as White highly effective teachers. Roughly 8.5 % of White highly effective teachers got the award as compared to only about 2% of Black and Hispanic teachers. Had Blacks and Hispanics been treated the same as Whites, only an additional 6% of highly effective Black and Hispanic teachers would have gotten the award. This shows that the number of awards that could have been available for class members to share is a small fraction of the amount of funds that would represent every Black and Hispanic person getting an award.

### ***How was the settlement amount for each teacher determined?***

The total settlement amount, less attorney fees and administration costs, was divided among the eligible teachers that filed claims. There were potentially 33,000 claimants and approximately 16,000 class members submitted a claim.

### ***Is it too late to file a claim?***

Yes, eligible teachers were sent a notification and opportunity to file a claim in December 2019. Claims were due in February 2020. If a claim was filed and the member is eligible, the member should have received a check or will receive one soon.

### ***Is there a list of eligible teachers that should expect a check?***

FEA does not have a list. The management of eligible teachers who filed claims was maintained by the claim's administrator. FEA does not have access to review or search the list.