FEDERAL ACTS AND CASES PERTAINING TO ENGLISH LEARNERS

This section discusses key legislation and landmark cases that have shaped bilingual education at both the federal and state level.

Title VI, Civil Rights Act of 1964

- Prohibits denial of equal access to education to PK-12 public school students who are not yet proficient in English.

Equal Educational Opportunity Act of 1974

- A school district must provide services that will enable English learners to “overcome barriers that impede equal participation by these students in the district’s instructional programs” (see 20 USC 1703).


Public school districts must:

- Identify and evaluate national-origin-minority students' English language skills;
- Determine appropriate instructional treatments;
- Decide when English learners are ready to transition to general education classes;
- Determine the professional standards to be met by teachers of English learners.


Programs for language-minority students must be:

- Based on a sound educational theory;
- Implemented effectively with sufficient resources and personnel; and,
- Evaluated to determine whether they are effective in helping students overcome language barriers.

Elementary and Secondary Education Act – Title III - 'English Language Acquisition, Language Enhancement, and Academic Achievement Act'

- Ensure that English learners and immigrant students attain English proficiency and develop high levels of academic attainment (Sec. 3102 (1)).