

Federal Legislation and Regulations for Multilingual Learners With Identified Disabilities

Civil Rights Act of 1964

This law prohibits discrimination on the basis of race, color, religion, sex, and national origin in programs and activities receiving federal financial assistance.

Section 504 of the Rehabilitation Act of 1973

This law requires that public schools must make reasonable accommodations and provide the necessary supports to those with disabilities to fully participate in programs.

Equal Educational Opportunities Act of 1974

This law requires state educational agencies and school districts to take action to overcome language barriers that impede English language learner (ELL) students from participating equally in state and district educational programs.

Lau v. Nichols (1974)

This decision required that all multilingual learners are to be given meaningful opportunities to develop their English language skills as a civil right.

Castañeda v. Pickard (1981)

This decision established a three-part assessment for determining how bilingual education programs would be held responsible for meeting the requirements of English learners.

Plyler v. Doe (1982)

This decision holds that states cannot constructionally deny undocumented students a free public education.

Individuals With Disabilities Education Improvement Act of 2004

This law ensures that children receive an appropriate evaluation to determine eligibility for services that takes into account factors (like multilingualism) that may impact a student's performance at school.

Dear Colleague Letter (2015)

A joint guidance document that outlines the legal responsibilities of state and local education agencies for English learner students and parents and specifies that both language assistance and disability-related services be provided by qualified staff.

Every Student Succeeds Act (2015)

Among the provisions of the current law is the requirement, for the first time, "that all students be taught to high academic standards that will prepare them to succeed in college and careers."

USDE Fact Sheet: Equal Access for English Learners With Disabilities (2024)

This document outlines the requirements of the civil rights laws as they relate to English learners with disabilities.

Key:  English Learners  Special Education  English Learners and Special Education