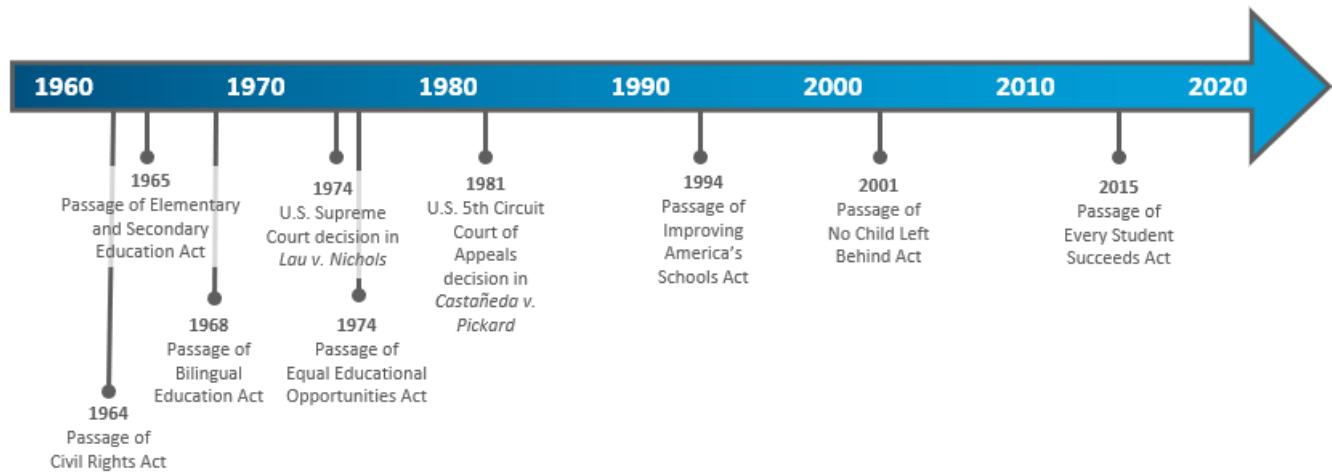


Federal Policy for English Learners: Key Milestones From 1964 to 2024

Federal laws and judicial rulings over the past 60 years have expanded educational access and protections for students who are English learners. This brief provides an overview of key milestones in the federal landscape as policies have developed.

English learners are students whose native language is not English and who are developing their English language skills. See [the definition](#) on page 43 of current federal guidance.

Timeline of Key Federal Rulings and Legislation Related to English Learners



1964 The Civil Rights Act was enacted to prohibit discrimination based on race, color, religion, sex, or national origin. It expressly prohibited such discrimination in programs and activities receiving federal funding, including education.

1965 The Elementary and Secondary Education Act (ESEA) was first signed into law in 1965 and established the Title I program to provide funding to districts and schools serving students from low-income backgrounds. Initially, it did not directly address English learners.

1968 ESEA was amended to include Title VII, or the Bilingual Education Act, marking the first federal policy to address English learners specifically. It provided funding for educational programs to meet English learners' needs, including bilingual programs.

1974 The U.S. Supreme Court issued its ruling about English learners in *Lau v. Nichols*, and Congress passed the Equal Educational Opportunities Act (EEOA). *Lau* ruled that the Civil Rights Act required districts and schools to provide language supports that would ensure English learners' meaningful access to and participation in education. Later that year, the passage of EEOA reinforced that decree.

1981 The U.S. Fifth Circuit Court of Appeals, in *Castañeda v. Pickard*, clarified school systems' responsibilities for serving English learners, establishing three-part criteria to ensure appropriate educational approaches: sound educational theory, well-supported implementation, and evaluation of student learning.

1994 The Improving America's Schools Act (IASA) required states to establish "adequate yearly progress" targets for student performance and to hold districts and schools that received Title I funds accountable for meeting those targets. It also required public reporting on the performance of specific student groups, including English learners, although this was not connected to accountability provisions.

2001 The No Child Left Behind (NCLB) Act built on IASA by holding states, districts, and schools accountable for whether "adequate yearly progress" targets were being met for English learners specifically, with consequences if those targets were not met. In addition, it required states to implement statewide English language proficiency (ELP) standards and aligned ELP assessments for guiding and measuring English learners' English language development.

NCLB also established the federal Title III program to provide supplemental funds for serving English learners. Districts receiving Title III funding were accountable for meeting state-established targets for expected progress in English language proficiency development.

2015 In the most recent federal policy shift for English learner education, the Every Student Succeeds Act (ESSA) consolidated the two accountability mechanisms for English learners together under Title I requirements, including student progress for English language proficiency development. Further, ESSA requires states to implement standardized, statewide criteria for determining which students are English learners.

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