

Office Hour FAQ

Culturally and Linguistically Diverse Education



COLORADO
Department of Education

November 14, 2024 Office Hour Topics:

Office for Civil Rights

On January 7, 2015, the Department of Education's Office of Civil Rights (OCR) and the Department of Justice (DOJ) released the [Dear Colleague Letter](#), this joint guidance to spell out the legal obligations of state and local education agencies to English Learners (ELs):

The Office for Civil Rights (OCR) at the U.S. Department of Education (ED) and the Civil Rights Division at the U.S. Department of Justice (DOJ) share authority for enforcing Title VI in the education context. DOJ is also responsible for enforcing the EEOA (Title VI and the EEOA are referred to as "the civil rights laws."). In addition, ED administers the English Language Acquisition, Language Enhancement, and Academic Achievement Act, also known as Title III, Part A of the Elementary and Secondary Education Act of 1965, as amended (ESEA) (Title III). Under Title III, ED awards grants to State Educational Agencies (SEAs), which, in turn, award Federal funds through subgrants to school districts in order to improve the education of EL students so that they learn English and meet challenging State academic content and achievement standards.

To assist SEAs, school districts, and all public schools in meeting their legal obligations to ensure that EL students can participate meaningfully and equally in educational programs and services, this guidance provides an outline of the legal obligations of SEAs and school districts to EL students under the civil rights laws. Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under Title VI and the EEOA and offers approaches that SEAs and school districts may use to meet their Federal obligations to EL students. The guidance also includes discussion of how SEAs and school districts can implement their Title III grants and subgrants in a manner consistent with these civil rights obligations. Finally, the guidance discusses the Federal obligation to ensure that Limited English Proficient (LEP) parents and guardians have meaningful and equal access to district- and school-related information.

Find more information about civil rights laws and regulations and/or how to file a complaint or appeal a decision on the [Office for Civil Rights \(OCR\) Website](#).

Federal law requires equal access to public elementary and secondary schools for all students, including students who are not U.S. citizens. It also requires school districts to identify English learners and offer them language services so that they can meaningfully participate in educational programs and activities. More information regarding these requirements can be found in the factsheets listed below:

- [Confronting Discrimination Based on National Origin and Immigration Status](#)
- [Information for Limited English Proficient \(LEP\) Parents and Guardians and for Schools and School Districts that Communicate with Them](#)
- [Information on the Rights of All Children to Enroll in School](#)
- [Equal Access to Elementary and Secondary Education for Students Who Are English Learners with Disabilities](#)
- [Protecting Access to Education for Unaccompanied Children](#)
- [Protecting Access to Education for Migratory Children](#)