

STUDENTS' CIVIL RIGHTS ENFORCEMENT INITIATIVE

# The Students' Civil Rights Act

**ADVOCATE'S TOOLKIT**

**PART 5: PROTECTIONS FOR ENGLISH  
LEARNERS & LIMITED-ENGLISH  
PROFICIENT FAMILIES**

# Part 5: Protections for English Learners & Limited-English Proficient Families

## About the Section

The section on *Protections for English Learners & Limited-English Proficient Families* provides civil rights protections for students who may not have grown up with English as their primary language as well as their parents or guardians. It ensures that English Learners have access to language instruction educational programs, appropriate assessments for language proficiency, and other services that allow English Learners equal educational opportunities. The section also outlines protections for parents or guardians with limited English proficiency to ensure they can meaningfully communicate with their children's schools and receive timely and accurate school information.

## Drafting Considerations

Subsection (k) ties the enforcement of the rights of English Learners (ELs) and Limited-English Proficient parents (LEP parents) back to the core bill of the Students' Civil Rights Act. This means that anyone who experiences a violation of this Section at their school or their child's school can file a complaint with the state civil rights agency, and the state civil rights agency must take action.

The language in subsection (k) assumes that this section is being added to the core bill and that your state will adopt both. If you are trying to pass this section for ELs and LEP parents without the core bill, you will want to consider replacing the current language in subsection (k) with language about your state's existing nondiscrimination statutes and enforcement procedures that apply to education.