



THE SECRETARY OF EDUCATION  
WASHINGTON, DC 20202

November 16, 2023

Dear Educators, School Leaders, and Families:

As we continue to move through the new school year, I thank you for your commitment to ensuring that all students have equal access to educational opportunities. In January of this year, I shared the U.S. Department of Education’s (Department) “Raise the Bar: Lead the World” call to action to transform education and unite around what works—based on decades of experience and research—to advance educational equity and excellence. As part of our [Raise the Bar](#) efforts to create pathways for global engagement, the Department is working to provide every student with a pathway to multilingualism while ensuring equitable access to a high-quality education for students who are English Learners (ELs), who historically have been underserved. I write to share a number of resources from the Department on how to support students who are ELs. As you know, schools have ongoing legal obligations to: make sure students who are ELs can meaningfully participate in education programs and services; provide meaningful communication for parents and guardians who have limited English proficiency (LEP); and ensure that school enrollment practices do not discourage or exclude students based on their or their parents’ or guardians’ actual or perceived citizenship or immigration status, among other requirements.

The Department’s Office of Elementary and Secondary Education (OESE) 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 (ESEA), as amended.<sup>1</sup> Under Title III, the Department awards grants to state educational agencies, which, in turn, award subgrants to local educational agencies to improve the education of students who are ELs. These subgrants are intended to help local educational agencies ensure that students who are ELs learn English and meet challenging state academic standards. The program also provides enhanced instructional opportunities for immigrant children and youth. Guidance on how to implement key Title III provisions can be found within the [ESEA Title III Guidance – English Learners \(updated January 2019\)](#). For more information, please visit OESE’s [Resources for Parents and Families](#) and the [Title III program](#) websites.

The Department’s Office of English Language Acquisition (OELA) develops and disseminates information about educational research, practices, and policies to support students who are ELs. In June 2023, OELA released a resource on [Practices to Increase Access to Advanced Coursework and Specialized Programs for Students Who Are English Learners](#). This resource highlights practices that local educational agencies and schools may use to increase access to programs such as gifted and talented education, Advanced Placement, and International Baccalaureate programs, to name a few, for students who are ELs. Additional information and critical resources pertaining to students who are ELs can be found on at the [National Clearinghouse for English Language Acquisition](#) (NCELA) website. These resources include:

- (1) the [English Learner Toolkit](#), which is updated to align with the Every Student Succeeds Act (ESSA) and assists state and local educational agencies with fulfilling their legal obligations under Federal civil rights laws and supporting ELs. The English Learner Toolkit offers helpful strategies on topics such as: staffing and supporting an EL program, providing ELs with a high-quality language assistance program, creating an inclusive environment for ELs; and addressing the needs of ELs with disabilities.
- (2) the [Family Toolkit](#), which assists families with choosing education services that meet their child’s needs;
- (3) the [Newcomer Toolkit](#), which is designed to help educators; elementary and secondary teachers; principals; and other school staff who work directly with immigrant students, including asylees and refugees and their families, for example, to create an inclusive and thriving school environment, to support immigrant students social, emotional, and mental health needs, among other topics; and

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<sup>1</sup> 20 U.S.C. §§ 6801-6861.

- (4) OELA’s first ever webinar in Spanish; Elevando las Expectativas: Proporcionándole a cada estudiante un camino hacia el multilingüismo (Raise the Bar: A Pathway to Multilingualism for all)—hosted on October, 11, 2023, the recording of the webinar is available on the NCELA [website](#).

Additionally, the Department’s Office for Civil Rights (OCR) released three fact sheets in June. OCR’s [Ensuring Meaningful Participation in Advanced Coursework and Specialized Programs for Students Who Are English Learners](#) fact sheet explains schools’ legal obligation, under Title VI of the Civil Rights Act of 1964, to take affirmative steps to ensure that students who are ELs can meaningfully participate in educational programs and services. Please note that local and state educational agencies also have an obligation to ensure meaningful communication with parents and guardians who have LEP, including providing information about the local educational agency’s programs, services, and activities in a language that parents and guardians can understand.

OCR and the U.S. Department of Justice’s Civil Rights Division jointly released two fact sheets: [Protecting Access to Education for Migratory Children](#) and [Protecting Access to Education for Unaccompanied Children](#). These fact sheets highlight specific challenges some migratory children and unaccompanied children may face while accessing public education, remind public schools of their responsibilities to migratory and unaccompanied children under federal civil rights laws, and explain where families can seek help. For more information about schools’ legal obligations to students who are ELs and parents and guardians who have LEP, please visit OCR’s [Equal Educational Opportunities for English Learners webpage](#), which includes resources in multiple languages.

The Department also funds regional [Equity Assistance Centers \(EACs\)](#), which provide technical assistance and training at the request of school boards and other related governmental agencies that are preparing or carrying out plans for the desegregation of public schools.<sup>2</sup> Typical activities of these centers include disseminating information on successful education practices and legal requirements related to nondiscrimination and providing technical assistance on the identification and selection of appropriate educational programs to meet the needs of students who are ELs.

Below is a directory of resources relating to the education of students who are ELs. To request technical assistance—including webinars, trainings, or presentations at conferences or other local events—concerning school districts’ legal obligations under federal civil rights laws, you may contact OCR at 800-421-3481 (TDD: 800-877-8339), at [OCR@ed.gov](mailto:OCR@ed.gov), or through the contact information for OCR’s regional enforcement offices available on the [OCR Addresses Webpage](#). School boards and other related governmental agencies may also contact the regional Equity Assistance Centers, using the contact information available at the [Equity Assistance Centers Contacts](#) website. OESE can be contacted at [OESE.Titleiii-a@ed.gov](mailto:OESE.Titleiii-a@ed.gov). OELA can be contacted through contact information provided on OELA’s [Office Contacts](#) website.

Thank you for all you do to support students who are ELs in receiving a high-quality education and achieving their full academic potential in your school community.

Sincerely,



Miguel A. Cardona, Ed.D.  
U.S. Secretary of Education

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<sup>2</sup> See 34 CFR part 270; <https://oese.ed.gov/offices/office-of-formula-grants/program-and-grantee-support-services/training-and-advisory-services-equity-assistance-centers/>.

## Directory of Resources

Many of the below resources can also be found at [National Clearinghouse for English Language Acquisition](#) (NCELA) website, which can be accessed using the QR code shown here:



### **Tool Kits:**

- [Newcomer Tool Kit](#) (Office of English Language Acquisition)
- [English Learner Family Tool Kit](#) (Office of English Language Acquisition)
- [English Learner Tool Kit](#) (Office of English Language Acquisition)

### **Dear Colleague Letters:**

- [Serving Immigrant Students Dear Colleague Letter](#) (Office of Elementary and Secondary Education) (September 2023)
- [English Learner Students and Limited English Proficient Parents](#) (Office for Civil Rights and U.S. Department of Justice Civil Rights Division) (January 2015)
- [School Enrollment Procedures](#) (Office for Civil Rights and U.S. Department of Justice Civil Rights Division) (May 2014)

### **Fact Sheets:**

- [Protecting Access to Education for Migratory Children](#) (Office for Civil Rights and U.S. Department of Justice Civil Rights Division) (June 2023)
- [Protecting Access to Education for Unaccompanied Immigrant Children](#) (Office for Civil Rights and U.S. Department of Justice Civil Rights Division) (June 2023)
- [Ensuring Meaningful Participation in Advanced Coursework and Specialized Programs for Students who are English Learners](#) (Office for Civil Rights) (June 2023)
- [High School Graduation Rates for English Learners](#) (Office of English Language Acquisition) (June 2023)
- [The Top Languages Spoken by English Learners in the United States](#) (Office of English Language Acquisition) (February 2023)
- [English Learners in College Credit-Bearing Courses](#) (Office of English Language Acquisition) (September 2022)
- [Confronting Discrimination Based on National Origin and Immigration Status](#) (Office for Civil Rights and U.S. Department of Justice Civil Rights Division) (August 2021)
- [Information for Limited English Proficient \(LEP\) Parents and Guardians and for Schools and School Districts that Communicate with Them](#) (Office for Civil Rights and U.S. Department of Justice Civil Rights Division) (January 2015)
- [Ensuring English Learner Students Can Participate Meaningfully and Equally in Educational Programs](#) (Office for Civil Rights and U.S. Department of Justice Civil Rights Division) (January 2015)
- [Fact Sheets, synthesizing key data on students who are English learners](#) (Office of English Language Acquisition)

### **Other U.S. Department of Education Resources:**

- [Practices to Increase Access to Advanced Coursework and Specialized Programs for Students Who Are English Learners](#) (Office of English Language Acquisition) (June 2023)
- [Video: Addressing National Origin and Immigration Discrimination in Schools](#) (Office for Civil Rights and U.S. Department of Justice Civil Rights Division) (June 2023)
- [Non-Regulatory Guidance: English Learners and Title III of the Elementary and Secondary Education Act \(ESEA\)](#) (Office of Elementary and Secondary Education) (September 2016; revised January 2019)
- [Our Nation's English Learners](#), data on characteristics and locations of students who are ELs
- [Civil Rights Data Collection English Learner Report](#) (Office for Civil Rights)
- [State Report Card Websites](#) (Office of Elementary and Secondary Education)
- [Office of English Language Acquisition Home Page](#)
- [Office of Elementary & Secondary Education, Resources for Parents and Families](#)
- [English Language Acquisition State Grants – Title III, Part A](#) (Office of Elementary and Secondary Education)
- [Office for Civil Rights, Equal Educational Opportunities for English Learners](#)
- [Raise the Bar: Lead the World Booklet](#)