

LAWS TO BE FAMILIAR WITH WHICH IMPACT EDUCATIONAL EQUITY

The Individuals With Disabilities Act - Directs that all students identified as disabled to a “free and appropriate public education” and guarantees services to preschool children who are disabled and to their families.

Section 504 of the Rehabilitation Act of 1973 – Public schools must address the educational needs of children who have physical or mental impairments that substantially limit a major life activity (i.e. caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, etc.)

Civil Rights Act of 1990 – Identification of special populations of children such as ‘crack babies’, homeless children, and etc.

Stewart B. McKinney Homeless Assistance Act of 1987 – (Amended in 1990-P.L. 101-45) – Directs that any “laws”, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youth must be reviewed and revised.

1989 Amendment to the Federal Medicaid Law – Requires all states to test poor children’s blood for lead.

Florida Education Equity Act – Discrimination on the basis of race, national origin, sex, handicap, or marital status against a student or employee in the state public education system is prohibited. No person in this state shall, on the basis of race, national origin, sex, handicap, or marital status, be excluded from participation in or be denied the benefits of or be subjected to discipline.

Blueprint 2000 – Every school shall elect a council to write and monitor the progress of the School Improvement Plan.

Elementary and Secondary Education Act of 1965 (ESEA) Part A of Chapter I of Title I P.L. 100-297 – Provides financial assistance through state educational agencies to meet the special education needs of deprived children in school attendance areas and schools with high concentrations of children from low-income families and local institutions for neglected or delinquent children.

DOE-META Consent Decree ESOL Agreement – The META Consent Decree specified the methods of identification and services for the Limited English Proficient Student who qualifies as LEP.

P.L. 100-297 Migrant/Chapter I – Local agencies will identify the special educational needs of migratory children in the district with sufficient specificity to maintain or enhance educational performances including supporting service which may be necessary to enable eligible children to participate effectively in instructional services.

Multicultural Educational Act – Using criteria developed by the Commissioner and the report of the Multicultural Education Review Task Force, the Commissioner shall review and measure the extent to which districts are providing multicultural education for students and providing multicultural education in-service training programs for school personnel within the school improvement process. The Commission shall also review and analyze the performance of students in various culture groups utilizing existing national, state, and district information.

Title VI, Civil Rights Act (1964) – Provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity receiving federal assistance from the Department of Education.

Title VII, Civil Rights Act (1964) – Prohibits discrimination against any employee or applicant for employment by an employee or applicant for employment by an employer, employment agency, training agency or member of a labor organization with fifteen (15) or more employees, in all areas of the employer-employee relationship from recruitment through termination or retirement on the basis of race, color, sex, religion or national origin.

It also prohibits such entities from discriminating against any individual who has opposed, filed a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this title.

Title IX – Education Amendments of 1972 – Title IX prohibits discrimination on the basis of sex in any educational program or activity receiving federal financial assistance.

Vocational Guidelines – The Vocational Education Program Guidelines prohibit discrimination by recipients of any federal financial assistance from the Department of Health, and Human Services, in vocational education programs on the basis of race, color, national origin, sex, and handicap. (Derived from and supplementary to Title VI, Title IX and Section 504).

Americans with Disabilities Act of 1990 (Public Law 101-336) – Under ADA, no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of any public or private entity or be subject to discrimination by any such entity. Public entity is any local or state government. Private entity means any entity other than a public entity.

Age Discrimination Act of Implementation Final rule (34 CFR Part 110) – No person in the United States shall on the basis of age, be excluded from participation in, or be subjected to discrimination under any program or activity receiving federal financial assistance.