

## Federal Acts and Court Cases Involving the Federal Role in Education

Date	Event	Explanation
1785/1787	Land Ordinance & Northwest Ordinance	Required a system of public education to be established in each township formed under a specified formula. Regulated monies raised via selling or renting land, or taxes.
1841/1848	Land Grants	Congress granted 77+ million acres of land in the public domain as endowments for support of schools. Federal government also granted surplus money to states for public education.
1790-1820	Early philosophy – first six presidents	Discussed a national university and urged federal involvement in public education. Seen as critical to preparation for citizenship in a republican form of government.
1862	First Morrill Act otherwise known as the Land Grant Act	Donated public lands to states to be used for the endowment to support and maintain at least one college with specific purpose of teaching agriculture, mechanic arts and industrial education.
1867	The original Department (Office) of Education established	Began to collect data – information on schools and teaching that would help states establish effective school systems.
1890	Second Morrill Act	Gave the Office of Education responsibility for administering support for the original system of land-grant colleges.
1917	Smith-Hughes Act	Promoted vocational schools. Repealed 1997.
1941	Lanham Act	Eased the burden on communities affected by presence of military and federal installations through payments to school districts.
1950	Impact Aid laws	
1944	GI Bill	Provided post secondary education assistance to GIs returning from WW II.
1946	George-Barden Act	Provided funding for agricultural, industrial and home economics training for high school students.
1958	National Defense Education Act	In response to Soviet Sputnik. NDEA included support for loans to college students in science, mathematics and foreign languages.
1965	Elementary and Secondary Education Act	Established comprehensive set of programs, including Title I of federal aid to disadvantaged.
1972	Title IX	Prohibited discrimination in education based on gender.
1973	Section 504 of the Rehabilitation Act	Prohibited discrimination based on disability.
1980	Department of Education made a cabinet level agency	Recognized the important role of public education.
1983	Educational Testing Service (ETS)	Federal government transferred responsibility for administering the National Assessment of Educational Progress (NAEP) to ETS.
1983	<i>Nation at Risk</i>	Published report indicating that the United States was falling behind in education achievement.
1989-1992	President G.H. Bush	“Indian Education Bill of Rights” K-12 Drug awareness model. Advisory committee on Hispanic education. America 2000 education reform program. Work began on national standards.
1993-1999	President W. Clinton	Academics 2000 offered grants to states and local school districts for innovative programs.
2001-2008	President G.W. Bush	Reauthorization of ESEA –No Child Left Behind.
2009 -	President Barack Obama	President Obama’s Blueprint for Reform – Reauthorization of ESEA. Race to the Top: Grants awarded to states with innovative ideas that accepted the Common Core Standards.

## Government Actions and Court Cases

Date	Event
1791	<u>Bill of Rights</u> of the Constitution was passed. No mention is made of education in any of the amendments. However the <u>10th Amendment</u> states, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” Thus, education became a function of the state rather than the federal government.
1868	<u>The 14<sup>th</sup> Amendment</u> guarantees rights to all citizens. “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law that shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the law.”
1896	<u>Plessy v. Ferguson</u> ruled that “separate but equal” policies would be legal.
1925	<u>Tennessee v. John Scopes</u> (“the Monkey Trial”) captured national attention as John Scopes, a high school biology teacher, was charged with teaching evolution. The trial ended with Scopes’s conviction.
1931	<u>Alvarez v. the Board of Trustees of the Lemon Grove (California) School District</u> became the first successful desegregation court case in the United States and referred to placing Mexican American children in separate schools.
1946	<u>Mendez v. Westminster and the California Board of Education</u> ruling by the Supreme Court that educating Mexican-American children in separate facilities was unconstitutional.
1947	<u>Everson v. Board of Education</u> ruled that the New Jersey law allowing reimbursements of transportation for children to get to school (even religious schools) did not violate the Establishment clause of the First Amendment.
1948	<u>McCollum v. Board of Education</u> ruled that schools couldn’t allow religious education (called “released time”) during the school day in public school classrooms.
1950	<u>Public Law-740</u> granted a federal charter to Future Farmers of America and recognized it as an integral part of public vocational education. Revised in 1998 as Public Law 105-225.
1954	<u>Brown v. Board of Education of Topeka</u> ruled that “separate but equal” as ruled under <u>Plessy v. Ferguson</u> was not legal. It was the historic first step for equality in public education.
1965	<u>Elementary and Secondary Education Act (ESEA)</u> provided federal funds to help low-income students and included such segments as Title 1 support for children in math and reading who fell behind and included bilingual education.
1968	<u>The Bilingual Education Act</u> also known as Title VII. The law was repealed in 2002, but bilingual education was placed under No Child Left Behind.  <u>Epperson v. Arkansas</u> ruling by the Supreme Court that the state of Arkansas’s law prohibiting the teaching of evolution in public schools or universities was unconstitutional.
1970	<u>Diana v. California State Board</u> required that children referred for special education placement be tested in their primary language if possible.
1971	<u>Pennsylvania Association for Retarded Children (PARC) v. Pennsylvania</u> determined that students with mental retardation are entitled to free public education.
1972	<u>The Indian Education Act</u> became law and established a “comprehensive approach” to meeting the unique needs of American-Indian and Alaskan-Native students.  <u>Mills v. The Board of Education of Washington DC</u> extended <u>PARC v. Pennsylvania</u> ruling for students with disabilities, requiring provisions of “adequate alternative educational services suited to the needs of the child.”
1973	<u>The Rehabilitation Act</u> became law with Section 504 guaranteeing civil rights for people with disabilities and required accommodations in schools including participation in programs and activities as well as access to buildings. Today “504 plans” are used to provide accommodations for students with disabilities, who do not qualify for special education under Individual Education Plans.
1975	<u>The Education of all Handicapped Children Act (PL94-142)</u> required that a free, appropriate public education, suited to the student’s individual needs and offered in the least restrictive environment, be provided for all “handicapped” children. States were given until 1978 to comply; this was later extended to 1981.
1982	<u>Edwards v. Aguillard</u> ruling by the Supreme Court invalidated Louisiana’s “Creationism Act” that required the teaching of creationism whenever evolution was taught.

	<i>The Board of Education v. Pico</i> ruling by the Supreme Court that books could not be removed from a school library because school administrators deemed their content to be offensive.
1984	Public Law 105-332, the <u>Carl D. Perkins Vocational and Technical Education Act</u> was passed with the goal of increasing the quality of vocational-technical education in the United States. It was reauthorized in 1998 and, again, in 2006 as the Carl D. Perkins Vocational and Technical Education Act (PL 109-270).  <u>The Emergency Immigration Education Act</u> was enacted to provide services and offset the costs for school districts that had unexpectedly large numbers of immigrant students.
1985	<i>Wallace v. Jaffree</i> ruling by the Supreme Court that Alabama’s statutes authorizing silent prayer and teacher-led voluntary prayer in public schools violated the First Amendment.
1990	Public Law (101-476), <u>The Individual with Disabilities Education Act (IDEA)</u> renames and amends Public Law 94-142. It changed the terminology from “handicapped” to “disability.” It mandated transition services and added autism and traumatic brain injury to the eligibility list. <u>Elementary and Secondary Education Act</u>
1998	<u>The Higher Education Act</u> was amended and reauthorized, requiring institutions and states to produce “report cards” about teacher education.
2000	<i>Santa Fe School District v. Doe</i> ruled that the district’s policy of allowing student-led prayer prior to football games violated the Establishment clause of the First Amendment.
2001	<u>No Child Left Behind Act</u> approved, reauthorizing ESEA of 1965 and holding schools accountable for student achievement levels by providing penalties for schools not meeting adequate yearly progress toward those goals.
2002	<i>Zelman v. Simmons-Harris</i> ruling by the Supreme Court that certain school voucher programs were constitutional and did not violate the Establishment clause of the First Amendment
2004	Alignment of IDEA with NCLB. IDEA became the Individuals with Disabilities Education Improvement Act (IDEIA)
2005	<i>Kitzmiller v. Dover Area School District</i> ruled that teaching “intelligent design” as an alternative to evolution is a violation of the First Amendment.
2009	American Reinvestment and Recovery Act provided more than 90 billion dollars for education, nearly half of which goes to local school districts to prevent layoffs and for school modernization and repair. It included the “Race to the Top” competitive grant  <u>Common Standards initiative</u> developed possible national standards by a coordinated effort of Chief State School officers and Governors Association Center for Best Practices.

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### Special Education Legislation Milestones

Prior to 1960	<i>Brown v. Board of Education</i> (1954): civil rights case resulted in equal protection ruling. This ruling would become central to special education advocates. Parents with disabled children brought before courts with little progress. Children were denied an education on the basis of their disability
1960s	Bureau of Education for the Handicapped created. No funding for handicapped under federal or state law. <b>1965:</b> ESEA. <b>1966</b> an amendment to the original ESEA was added: Title VI - <b>Aid to Handicapped Children.</b>
1970s	<b>1972:</b> Supreme Court decisions: equal protection applied to disabled students. Supreme Court position: children with disabilities have an equal right as nondisabled peers to an education in <i>PARC v. Pennsylvania</i> and <i>Mills v. Board of Education</i> . <b>1973:</b> <i>Section 504 of the Rehabilitation Act of 1973</i> became law. It protects disabled individuals from discrimination due to disability. <b>1974</b> <i>Family Educational Rights and Privacy Act (FERPA)</i> became law. Parents have access to all information maintained by a school district on their child. <b>1975:</b> <i>Education for All Handicapped Children Act</i> became law (EAHCA, P.L. 94-142). This law mandated a Free Appropriate Public Education (FAPE) for all handicapped students.
1980s	<b>1986:</b> Addition of <i>Handicapped Children’s Protection Act</i> to EAHCA. Mandated that all school students and parents have rights under both Section 504 and EAHCA.
1990s	EAHCA amended and called <i>Individuals with Education Disabilities Act (IDEA)</i> ADA adopted Section 504.

	Changes in the law include transition services for students with disabilities. <b>1997:</b> IDEA reauthorized. Additions include students to be included in state and national assessments, inclusion (Least Restrictive Environment, LRE). Regular classroom teachers now required to be part of an Individual Education Plan (IEP) team
2001	<i>No Child Left Behind</i> is the new name for ESEA, and became law. All students, including disabled ones, must be proficient in math and language arts. More outcome data are required by 2014.
2004	Reauthorization of IDEA (P.L. 101-476). Accountability at state and local levels required. School districts are required to provide more instruction and interventions to help prevent enrollment in special education. Response to Intervention (RTI) gains momentum as a screening tool. Students are expected to take responsibility for their behavior and are subject to the same rules as the rest of the students.
2007	Beginning of the reauthorization of NCLB.
2010	<i>ESEA Reauthorization: A Blueprint for Reform</i> (U.S. Department of Education, March, 2010) is published.

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### Major Federal Programs for Early Childhood up to 2010

Year	Title	Purpose
1965	Head Start	Funded by U.S. Dept. of Health and Human Services to provide children from low-income families free access to early education. It also includes children who are at risk and with disabilities.
1988	Even Start Title I, Part B	Integrates early childhood education to low-income parents for children, birth through age 7, and integrates adult education and early childhood learning with family literacy programs.
1995	Early Head Start	Funds programs for low-income families supporting 2 generations, usually mothers and infants and toddlers.
Many revisions since 1965	Title I of ESEA	Local education agencies apply to state agencies for approval of the program that is subsequently funded by the federal government. This grant is formula funded.
2001	No Child Left Behind	Promotes the use of Title I, Part A, to fund pre-school programs, recognizing the importance of preparing children for entering school with language, cognitive and early reading skills.
2002	Early Reading First	Extends the goals of NCLB under Reading First to preschoolers.
2002	Special Education preschool grants and state grants programs 3-4	Part of IDEA funding for preschool students ages 3 to 5.
2007	Special Education Grants for Infants and Families	Part C of IDEA (birth to 2 for children with disabilities)
Many revisions since 1990	Child Care Development Fund (CCDF)	The Child Care and Development Fund (assists low-income families, families receiving temporary public assistance, and those transitioning from public assistance in obtaining child care so they can work or attend training/education.

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