



# KNOW YOUR RIGHTS

***A Resource  
for Students,  
Parents and  
Guardians***

*Under U.S. law every child has the right to attend public school from kindergarten through 12th grade, regardless of race, gender, religion or immigration status.*

*School officials are responsible for providing a safe learning environment, free from discrimination, harassment or violence. They are not allowed to make policies or act in a manner that would deny a child access to education.*



## What are my rights as a student?

Every student is entitled to equal public school educational opportunities and to feel safe while on school grounds. It is important for students to understand their rights so that they may protect themselves.

Here are a few general rights for students:

- Title VI of the Civil Rights Act of 1964 protects you from being discriminated against based on your race, color, religion or national origin. In 1982, the Supreme Court affirmed that protection extends to students who are foreign-born (*Plyler v. Doe*). Public schools cannot refuse to admit students who do not have Social Security numbers or a U.S. birth certificate.
- The First Amendment also provides public school students the right to freely express your religious beliefs, which includes wearing a headscarf, crucifix or yarmulke.
- You have the right to feel safe from bullying, harassment or violence from other students, teachers and school staff. For example, students or teachers cannot physically harm you, destroy your property, or make fun of you because you wear religious dress or are from another country.
- If English is not your primary language, you have the right to get help from teachers through English as a Second Language programs and services provided by your school to make learning less difficult.
- If you have a disability, the Individuals with Disabilities Education Act provides you the right to receive special education or related services from the school district.



## What are my rights as a parent/guardian?

Under federal law, parents and guardians also have certain civil rights regarding their children's education. These rights apply regardless of race, gender, religious views or immigration status.

Here are basic rights parents have:

- The Family Education Rights and Privacy Act gives parents the right to review their children's school records. This means that the school must allow you to see your child's class schedule, grades or any information in your child's school file.
- Unless you give written permission or a court requires it, schools may not share your child's records with anyone. That includes grades, medical reports or immigration status.
- You have the right to receive communication from your child's school in your primary language. For example, if your primary language is Spanish, the school should send you a letter in Spanish about parent-teacher conferences or a school trip.



## What if I don't feel safe at school?

You have the right to feel safe at school. If you do not feel safe, consider trying the following:

- Always tell your parent or guardian about anything that happens at school that makes you feel unsafe.
- If you are being harassed or bullied by another student, report it to a teacher.
- If harassment or discrimination is coming from a teacher or other staff member, tell the principal.
- If you are afraid to report to a teacher or principal consider asking your clergy or faith leader for assistance.



## What should I do if my rights are violated?

If you believe you or your child's rights have been violated, please consider the following options.

- Read the school's handbook and follow the complaint process. Most schools make their handbook available online.
- Become your own advocate. Write down everything that occurred and keep track of any witnesses. Ask school administrators to take proper action. Do not be afraid to speak up for yourself or your child. If you fear that you will be targeted for speaking up, ask a trusted ally to assist you in filing a complaint. If you are an immigrant who needs low-cost legal services, consider finding a CLINIC affiliate at [cliniclegal.org/directory](http://cliniclegal.org/directory).
- Report violations. Consider reporting violations to your state's department of education, which oversees school districts. The federal Departments of Education and Justice also enforce civil rights laws against discrimination and harassment in schools, regardless of immigration status. Consider asking those agencies to investigate your complaint.
- Contact an attorney. An attorney can also assist you with filing your complaint and explore other legal actions you might take.

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### Additional resources and where to file a complaint

*U.S. Department of Education Office of Civil Rights*

[www.ed.gov/ocr](http://www.ed.gov/ocr) | 800-421-3481

File a complaint: [www2.ed.gov/about/offices/list/ocr/complaintprocess.html](http://www2.ed.gov/about/offices/list/ocr/complaintprocess.html)

*U.S. Department of Justice Civil Rights Division*

[www.justice.gov/crt/about/edu](http://www.justice.gov/crt/about/edu) | 877 292 3804

File a complaint: [www.justice.gov/crt/how-file-complaint](http://www.justice.gov/crt/how-file-complaint)

*U.S. Department of Education Office of Civil Rights Dear Colleague Letter on Harassment and Bullying*

[www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf](http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf)

*Individuals with Disabilities Education Act*

[www.disability.gov/individuals-disabilities-education-act-idea](http://www.disability.gov/individuals-disabilities-education-act-idea)

*Family Education Rights and Privacy Act*

[familypolicy.ed.gov/content/ferpa-general-guidance-parents](http://familypolicy.ed.gov/content/ferpa-general-guidance-parents)