

# Your Right to be Free from Discrimination & Harassment Based on Race, Color, and National Origin

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## Your Right To Be Free from Discrimination and to Equal Educational Opportunities

- You cannot be discriminated against or denied equal educational opportunities provided to others in your school district based on your race, color, the place you were born, or your immigration or citizenship status.<sup>1</sup>
- No employee of your school or the school district can legally use any of these characteristics against you to deny you opportunities or to punish you.
- Your right to be free from discrimination based on race, color, or national origin applies to many issues including:
  - Admission to charter schools and local neighborhood schools;
  - School transfers;
  - Classroom assignments;
  - The opportunity to take upper level, AP, honors or elective classes;
  - Athletic teams and extracurricular activities;
  - Grades; and
  - School discipline! This means your school cannot consider your race, skin color, or the country where your family is from when deciding whether (or how harshly) to discipline you!

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→ **Is your school using race to make any of these decisions?**

→ **If two students break the same school rule, does your school punish the minority student more harshly than the non-minority student?**

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## Your Right To Be Free from Bullying and Harassment

- You have the right to be free from bullying based on your race, skin color, or national origin.

### What is bullying or harassment?

Bullying and harassment can come in many forms and range from name-calling or making fun of you because of your accent or skin color to physical assault. The conduct can be verbal but may also come in the form of texts or messages sent through social media.

### How can I tell if someone is a bully?

Bullies can be younger or older than you. Boys and girls can be bullies and so can teachers.

## BULLYING CHECKLIST

### Keep Detailed Records

- Describe the bullying (who, what, where, and when).
- Write down how the bullying has impacted you.
- Write down the names of school employees that you or your child have talked to about the bullying. Don't forget to also write down the date and time you spoke to them!

### Ask the School to Take Action

- Get your school district's bullying and/or harassment policy.
- Write a letter to the school principal describing the bullying and how it is impacting you or your child. You can send it by email or deliver it in person.
- Call your school district's bullying hotline.
- Write a letter to your school board and/or speak at a board meeting.

## What Should You Do If Your Rights Are Violated

- Talk to your teacher, administrator or school principal about your concerns.
- If the issue concerns enrollment, contact:
  - School Services Unit, Pennsylvania Department of Education  
333 Market Street  
Harrisburg, PA 19126-0333  
mwashington@pa.gov  
717-783-6746
- If the issue concerns curriculum, services or lack of equal access to educational opportunities, contact your Intermediate Unit or
  - Pennsylvania Department of Education  
Bureau of Curriculum, Assessment and Instruction, Division of Instructional Quality  
333 Market Street 3rd Floor  
Harrisburg, PA 17126  
(717)787-5482
- You may also file a formal complaint/letter with the U.S. Department of Education's Office for Civil Rights or U.S. Department of Justice's Civil Rights Division explaining how you were discriminated against based on your status as an immigrant or ELL.
- Contact the Education Law Center for more information at 215-238-6970, [www.elc-pa.org](http://www.elc-pa.org).

*The information presented is not legal advice and should not be relied on as such. Every situation is different. To learn about how these laws may apply in your particular situation, please contact an attorney of your choice or contact the Education Law Center for a referral.*

## ENDNOTES

1 See Title VI of the Civil Rights Act of 1964. Title VI protects people from discrimination based on race, color or national origin in programs or activities that receive federal financial assistance. Title VI states that: *No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.* Virtually all public schools, including charter schools, are covered by Title VI because they receive some federal financial assistance.