

Request To Appeal Parent or Caregiver Exclusion from School

Caregiver's Name

Address

Phone Number

Email

Principal's Name

School Name

School Address

Date

Dear Principal _____,

My name is _____, and I am the _____ parent _____ guardian _____ caregiver of _____, whose date of birth is _____.

My child is currently in the _____ grade at _____ (school).

I am writing to appeal my exclusion from _____ (school).

I _____ did _____ did not receive a written notice of exclusion on _____ (date). I am requesting that the exclusion be rescinded for reasons discussed in more detail below and that a meeting be held to discuss the incident and present my appeal.

[If applicable: My child's language is _____. My language is _____.]

Accordingly, I request that this review be conducted in my preferred language and/or I receive interpretation and translation services for this review.]

I believe that my exclusion is in error because (check all that apply):

- ☐ My First Amendment rights were violated.¹
- ☐ I was not provided with any written explanation for the exclusion.²
- ☐ I was not provided with an opportunity to challenge the exclusion³⁴
- ☐ I am being discriminated against based on my race, color, national origin, disability, religion, sex (including gender identity and sexual orientation).

- ☐ I am being retaliated against because I filed a complaint against the school, school district, or charter school.
- ☐ There is no end date for the exclusion, or the ban is for a prolonged period of time.
- Other (provide additional explanation):

As you know, the exclusion of a parent/guardian/caregiver from school and school grounds is a serious civil rights infringement, and it impacts my ability to make informed educational decisions for my child, participate in decision making, and support my child in school as a core member of their education team.⁵

I am writing to request that the exclusion be immediately rescinded. At a minimum, I should be afforded the opportunity to explain what happened during the incident.⁶ As a result, in addition to making the request for the exclusion to be rescinded in writing, I am also requesting a meeting to present my appeal and discuss this exclusion within a reasonable time frame.

Thank you for your time and consideration. I can be reached at _____ or _____ and look forward to addressing this matter.

Sincerely,

CC: _____, Superintendent, _____ School District

¹ See, e.g., *Smith v. Allegheny Valley Sch. Dist.*, 2017 WL 6279345, *5, *8 (W.D. Pa. Dec. 8, 2017) (First Amendment and retaliation claim validly asserted where father was excluded from school property after his strong advocacy and multiple demands that school address and remedy bullying of his son and a school employee's inappropriate behavior); *Pierce v. Chene*, 2017 WL 3600458, *9 (D.N.M. Feb. 1, 2017) (school ban in retaliation for parents' complaints would violate their First Amendment rights to seek redress of their grievances regarding the way the individual defendants were handling their bullying claims.).

² See, e.g., *Flores v. Victory Preparatory Acad.*, 411 F.Supp.3d 1149, 1162 (D. Colo. 2019) (parent's interests in not being excluded from school events and in being able to exercise their First Amendment rights without facing retaliation entitled them to some level of process).

⁴ *Id.*

⁵ Thalia Gonzalez & Paige Joki, *Discipline Outside the Schoolhouse Doors: Anti-Black Racism and Exclusion of Black Caregivers*, 70 UCLA L. Rev. Disc. 40 (2022), <https://www.uclalawreview.org/discipline-outside-the-schoolhouse-doors-anti-black-racism-and-the-exclusion-of-black-caregivers/>.

⁶ See *Goss v. Lopez*, 419 U.S. 565, 582–83, 95 S.Ct. 729, 42 L.Ed.2d 725 (1975) (“We do not believe that school authorities must be totally free from notice and hearing requirements if their schools are to operate with acceptable efficiency.”).