Student, Parent, and Caregiver’s Bill of Rights

All children have the right to a free public education that meets their needs:
- Undocumented children have the right to a free public education.
- Students who speak a language other than English cannot be denied schooling or age-appropriate school activities.
- Schools must provide English learners with English language instruction.
- Pregnant students or students with children cannot be denied schooling. Schools must make allowances so those students can complete classwork, and permit them to participate in extracurricular activities.

Right to be safe in school:
- You and your child have the right to be treated equally. Schools may not discriminate against students on the basis of race, skin color, national origin, sex, or religion.
- Generally, schools cannot discriminate on the basis of sexual orientation, or gender identity.
- Students have the right to form clubs expressing their identities or philosophies in schools, such as Gay-Straight Alliances.
- School staff must make necessary academic and medical accommodations for each child. They must offer equal access to school opportunities, including the formation of clubs, and protect students from harassment and bullying.

Freedom of expression and religion:
- Students, Parents, and caregivers have the right to express their opinions through spoken or written word, so long as their expression does not disrupt the school environment.
  - If a student’s speech is through a school sponsored activity, however, such as a school newspaper, the school has the authority to limit the speech.
- As long as their behavior doesn’t distract other students, children may:
  - express themselves, including their gender identity, through their choice of clothing, hairstyle or other means, unless prohibited by school dress code;
  - pray individually at school;
  - bring religious books to school;
  - wear clothes that are part of their religious belief (hijab, yarmulke, or crucifix, for example);
  - talk about their faith at school and in student assignments;
  - form religious-based clubs or organizations that meet before or after school;
  - and miss school in observance of religious holidays.
- Any classroom study or discussion of religion in public schools must be neutral. Schools may not promote one particular religion above another.
- Organized school prayer or other religious expression led by teachers, administrators or coaches is not allowed.

The right to opt out:
- Parents have the right to choose that their child NOT participate in:
  - Sexual health education and HIV prevention education;
  - Standardized testing (for all grades, although this may affect graduation);
  - Some immunization, for religious or medical reasons
o Public schooling. (Parents can choose to home-school children, but all children must receive some form of education.)

Rights of children with special needs and disabilities:

- Public schools may not discriminate against students with disabilities. Students with disabilities must have equal access to academic classes, field trips, extracurricular activities, school technology, and health services.
- Schools must offer instruction in the least restrictive environment possible.

Placement, IEP (Individualized Education Plan) and Section 504 Meetings

- Parents have the right to:
  o Have their child evaluated for disabilities.
  o See their child’s school records.
  o Ask the school to provide a language interpreter, if they need one.
  o Bring another family member or advocate to attend meetings with them.
  o Expect to receive the appropriate services and accommodations identified in their child’s 504 plans and Individualized Education Programs.
- If a parent or student disagrees with the decision of a school administrator or committee, they have the right to appeal.
  o Concerns about special education services should always be in writing to the school. Keep a copy of everything you send to the school.
  o If you disagree with the decision of an IEP team, you have the right to file a complaint with the Virginia Department of Education (VDOE).
  o For more information, visit https://www.doe.virginia.gov/special_ed/resolving_disputes/

Disciplinary hearings:

- If a student is expelled or suspended for more than ten days, school administrators must notify their parent or guardian.
- Students with IEPs who are suspended or expelled must be given an alternate form of education.

Rights of English language learners

- Students cannot be inappropriately assigned to special education classes because they lack English skills.
- Schools cannot ask parents or students about their immigration status;
- Schools may not require student or parents to provide a social security number;
- Parents with limited English must get school notices in a language they can understand.

To view a detailed version online, click this link: tinyurl.com/Rights20

Contact Virginia Organizing at: School.Rights@virginia-organizing.org