

The United States Constitution and federal and state law protects your rights in public school. Your school administrators, principal, and/or teachers may not always know what the law says, so **it is up to you to learn your rights and stand up for them.** To find out about your rights as a Texas public school student, download a copy of the ACLU of Texas *Youth Rights Manual*.¹

If you think your public school has violated your rights, take action by filing a grievance. Every public school district in Texas has its own policy on how to file a grievance against the school, usually called **Board Policy FNG**.² The guidelines below are based on some common policies, but you should **check your own school's policies** on the district website and follow them closely. You should also check your school's student handbook or student code of conduct. If you can't find the policies or your school's student handbook online, ask for a copy from the school's main office.

When you file a grievance, be sure to **keep a written record** of each step you take, including copies of anything you give the school and the dates each event happened. If filing a grievance does not resolve your problem, contact the ACLU of Texas³ to ask for help.

¹www.aclutx.org/reports/2010YouthRightsManual.pdf

²Tex. Educ. Code § 26.011.

³www.aclutx.org/request-legal-assistance

⁴Tex. Educ. Code § 7.057(c); 19 Tex. Admin. Code 157.1073(d).

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 YouthRightsTX

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How to File a Grievance in Public School Know Your Rights



Q&A

When should I file a grievance?

You or your parent or guardian should file a grievance if you believe your school has violated your rights. Many districts require that the grievance be filed within 10 to 15 days of the incident about which you are complaining. Check for your school's deadline, and be sure you don't miss it.

Before filing a grievance, you can try to resolve the issue through an informal conference with the teacher or administrator involved. Take a parent or friend along, and make a written record of the conference, including the date, time, place, who was there, and what each person said.

How do I file a grievance?

You or your parent or guardian should deliver your grievance, *in writing*, to your school's principal by hand, fax or certified mail. Your grievance should provide all of the details of the incident about which you are complaining: what happened, when, who did it and who witnessed it, and what you want the school to do about it. Attach copies of *all* documents that might support your grievance—some districts will not allow you to add any documents later on.

Some districts have special forms for filing a grievance. Check your school's policy or ask in the school office to find out if you need to use a special form.

Keep a dated copy of your grievance, and any other documents you provide to or receive from your school about the grievance.

What if the principal doesn't do anything about my grievance?

In many districts, if the principal denies your grievance or fails to respond within the deadline under your district's grievance policy, you may appeal by requesting a conference with the superintendent. In many districts, you must do this within 7 to 10 days of the principal's decision or failure to respond.

Some districts require students to go through an additional step before requesting a conference with the superintendent. Students in these districts must first request a conference with the district executive director or the next appropriate level of administrator. If he or she denies your grievance or fails to respond within the time allowed by your district's policy, you may then move on to the superintendent. Check your district's policy to find out if this step applies to you.

Check whether your district requires a special form to request a conference with the superintendent. Whether or not a form is required, submit your request in writing and keep a copy for yourself.

What if the superintendent agrees with the principal's decision?

If your superintendent denies your grievance or fails to respond within the deadline under your district's grievance policy, many districts allow you to request that the school board review the decision. If your school does not have a form for appealing to the school board, make a written request to the superintendent that your grievance be placed on the agenda for the next board meeting. In many districts, you must do this within 7 to 10 days of the superintendent's decision or deadline to respond.

Attach all supporting documents, your prior grievances to the principal, executive director, and/or superintendent, and their responses. Keep a copy of your appeal and all attachments.

What will happen during my school board appeal?

In many districts, you will be given time during an upcoming board meeting to present your appeal, and the superintendent may also present his or her opposition. The school board must record these presentations in writing, audio or video.⁴ The school board will consider your appeal and should provide a decision to you before or at its next scheduled meeting. Make sure you get a copy of the decision in writing. If the board does not provide a decision by the end of its next meeting, then, in many districts, the superintendent's decision stands.

- Some districts allow the school board to consider appeals based on written submissions in addition to live presentations.
- If the school board denies or ignores your appeal, contact the ACLU of Texas for help.

Do I have to speak for myself at the school board?

No. In many districts, your parent or any other adult may file the grievance and speak on your behalf at any stage during the process. You should inform your school, in writing, if someone else will represent you. Check your district policies to find out how far in advance you need to provide this notice.

Can I tell people about my grievance?

Like reports of harassment, grievances can and should be discussed with a parent or adult you trust, but *be very cautious about talking to friends or reporters, or posting online about your grievance.*