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Know Your Rights as a Sikh Student in Public School (Federal Law)

In our post-9/11 world, Sikh kids are particularly vulnerable to discrimination, harassment, and bullying. Federal law protects children from bias-based harassment in school. So that they can stand up for themselves, the Sikh Coalition wants Sikh kids and parents to know their rights!

I. All students who attend public schools have the right to be free from discrimination, harassment, or bullying based upon their religion, race, ethnicity, or national origin.

What is discrimination?

- Discrimination, harassment, or bullying can occur 1) by a *student* against another student, or 2) by a *teacher, administrator, or principal* against a student.
- Some examples of discrimination, harassment, or bullying in school by a student are:
 - a. Physical or psychological abuse: Attacking, threatening, or scaring a student because s/he is Sikh or South Asian
 - b. Name-calling / Teasing / Using hateful or insulting words, jokes or stereotypes: Osama Bin Laden, terrorist, diaper head, towel head, Go back to your country!, nipplehead, genie, rag head
 - c. Graffiti: Writing hateful comments (like the ones described above) or drawing offensive pictures on walls, desks, or books
 - d. Spreading hate-based rumors about a student
 - e. Harassing someone through the internet (e-mail, chat rooms, Facebook, etc.)
- Some examples of discrimination or harassment in school by a teacher, administrator, or principal against a student are when:
 - a. A teacher refuses to admit a student to class, refuses to call on him/her, or seats the student in the back of the room explicitly because s/he is Sikh or South Asian.
 - b. A teacher asks a Sikh student about his/her turban in a hostile or humiliating manner.

What does a school have to do about it?

- If your school knows that you are being subject to discrimination, harassment, or bullying because of your religion, race, ethnicity, national origin, the school **must** try to stop it.
- *If the school is deliberately indifferent, does not try very hard to stop the harassment, or is perpetrating the discrimination, then the school itself may be violating the law.*
 - a. An example where a New Jersey school may have violated the law for not protecting a student against hateful bullying can be found at:
<http://www.sikhcoalition.org/advisories/VirdeeCase01.htm>

What can you do?

- If you are a student, talk to an adult that you trust. For students, more information on talking about bullying can be found at:
<http://stopbullyingnow.hrsa.gov/index.asp?area=areyou>
- If you are a parent, talk to your child first, and then to a teacher or school administrator about the problem. For adults, more information on talking about bullying can be found at: <http://stopbullyingnow.hrsa.gov/adult/indexAdult.asp?Area=preventiontips>

II. All students who attend public schools in the USA have the right to believe, practice, and express their religion.

- Students have the right to wear religious headwear (like turbans and patkas) and other articles of faith (like karas) to school.
- Students have the right to take days off for observance of Sikh holidays. Just make sure you tell your teacher beforehand, so that you can make up missed classwork.
- Students have the right to participate in religious groups or clubs in school (for example, Sikh Student Associations) on an equal basis with other (non-religious) groups.

III. All students in public schools and their parents have the right to seek outside help if a school does not resolve a problem of discrimination, harassment or bullying.

- If talking to the school does not solve the problem, you can contact the following groups:
 - 1) The Sikh Coalition
 - E-mail legal@sikhcoalition.org.
 - Register a problem on the Sikh Coalition's online hate crime & bias incident database at <http://www.sikhcoalition.org/ListReports.asp>.
 - 2) The U.S. Department of Justice Civil Rights Division
 - File a complaint with the DOJ online at <http://www.usdoj.gov/crt/edo/filecomp.htm>.
 - File a complaint with the DOJ by phone at 1-877-292-3804 (toll-free).
 - 3) The U.S. Department of Education
 - File a complaint with the Department of Education online at <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

For more information, please visit the following websites:

http://www.usdoj.gov/crt/religdisc/ff_education.html

<http://www.ed.gov/about/offices/list/ocr/know.html>

<http://khalsakids.org>

<http://stopbullyingnow.hrsa.gov>