



KNOW YOUR RIGHTS

SEPTEMBER 2023

Protecting Students from Discrimination Based on Race, Color, Ethnicity, or National Origin

Learn about students' legal right to be free from discrimination based on their race, color, ethnicity, or national origin.

Title VI's Protection from Discrimination in Education

- Title VI of the Civil Rights Act is a federal law that prohibits discrimination based on race, color, or national origin in federally funded programs or activities—including all public K-12 schools, some private K-12 schools, and most colleges and universities.
- Discrimination based on race, color, or national origin includes discrimination based on a student's ethnicity, skin color, or the country where the student or their parents are from.
- For example, discrimination based on a student's race, color, ethnicity, or national origin might involve:
 - ✦ Verbal abuse or discipline based on racial, ethnic, or ancestral stereotypes;
 - ✦ Harassment based on appearance, including skin color, hairstyles that reflect a student's ethnic background or the country where they are from, or clothing that reflects their ethnic or ancestral traditions; or
 - ✦ Abuse based on speaking a foreign language or speaking English with a foreign accent.
- Title VI protects students who experience discrimination, including harassment, based on their *actual* race, color, ethnicity, or national origin or how others *perceive* their race, color, ethnicity, or national origin.
- Title VI also protects students from being retaliated against for reporting the discrimination based on race, color, ethnicity, or national origin that they or another student experienced.

Examples of Incidents that Could Raise Title VI Concerns

Here are examples of incidents that, depending on all the facts, might violate Title VI:

- A school fails to provide language services to students who are English learners.
 - A Muslim student who recently emigrated to the United States reports to a teacher that he feels unsafe at school because classmates regularly harass him for his name, accent, and the way he dresses.
 - A Black student is frequently called racial slurs and threatened at school by a group of white classmates.
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- A Jewish student finds swastikas drawn all over his class notes. His classmates also regularly make Holocaust jokes to him, perform Nazi salutes whenever he walks by them, and tell him he is “greedy like all Jews.”
- Black students are punished more frequently and more harshly than white students for violations of school rules.
- A student hears a teacher use an ethnic slur to refer to her Latina classmate. The student reports the teacher’s conduct to an assistant principal, who tells the student to let it go and that the student won’t be able to run for student government if she pursues a formal discrimination complaint.

What You Can Do If You Think Your Title VI Rights Have Been Violated

- Document everything. Write down the dates of the discrimination, what happened, where it happened, who was involved, and the names of anyone who witnessed the discrimination.
- Keep all emails, text messages, letters, complaint forms, and other documents that might support your claim.
- Inform a trusted school official of the discrimination and ensure that they or you report it to an administrator with authority to take action, such as a principal or superintendent. Check your school’s policies to see who fits this description.
- File a formal complaint with your school. Check your school’s website or handbook to get information on how to do this and whether there is a time limit on doing this. Consider submitting a complaint to the [U.S. Department of Education’s Office for Civil Rights](#).
- Consider contacting an attorney if you need immediate help or if you want to file a lawsuit.

If you believe you have experienced discrimination on the basis of race, color, ethnicity, or national origin, you may want to contact Public Justice’s Students’ Civil Rights Project for legal assistance by submitting an [intake form](#).

