

U.S. Department of Education, 1999 Bryan Street, Suite 1620, Dallas, TX 75201-6810; (214) 661-9600 or hotline at 1-800-421-3481; E-mail: OCR.Dallas@ed.gov; Web: www2.ed.gov/about/offices/list/ocr/complaintintro.html.

U.S. Department of Justice, Civil Rights Division, 950 Pennsylvania Avenue, NW, Educational Opportunities Section, PHB, Washington, DC 20530; (202) 514-4092 or 1-877-292-3804 (toll-free); E-mail: education@usdoj.gov; Web: www.justice.gov/crt/educational-opportunities-section

State government agencies

The Arkansas Department of Education is a state agency with two offices that address some students' rights violations. It may be appropriate to file a complaint with one or both offices.

For complaints against public school officials/employees about professional actions:

Arkansas Department of Education Professional Licensure Standards Board, One Capitol Mall, Suite 4C-216, Little Rock, AR 72201; (501) 683-2921; Web: www.arkansased.gov/divisions/human-resources-educator-effectiveness-and-licensure/professional-licensure-standards-board.

For complaints about discrimination, contact the **Arkansas Department of Education Office of Equity Assistance**:

Unit Leader, Arkansas Department of Education, Division of Public School

Accountability, Four Capitol Mall, Room 204B, Little Rock, AR 72201; (501) 682-4212; www.arkansased.gov/divisions/public-school-accountability/equity-assistance.

Contact private counsel or the ACLU of Arkansas

You may need to retain the services of a private lawyer. The ACLU of Arkansas is also sometimes able to provide legal assistance to students and parents. You can reach us by filing an online complaint at: www.acluarkansas.org/get-help, or sending a letter to ACLU of Arkansas, 904 West 2nd Street, Little Rock, AR 72201 .



904 West 2nd Street
Little Rock, AR 72201
www.acluarkansas.org

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Know Your Rights! STUDENT BULLYING IN ARKANSAS





STUDENTS AND PARENTS:

Know Your Rights!

STUDENT BULLYING IN ARKANSAS PUBLIC SCHOOLS

The U.S. and Arkansas Constitutions and federal and state laws protect students' right to receive a public school education free from unlawful harassment. This information is to help parents and students understand and protect that right.

Free Speech vs. Unlawful Harassment

Public schools must both prevent harassment and respect students' First Amendment rights—and understand the difference. Students have free speech rights, even if they're expressing unpopular views; in fact harassment is less likely in schools where ideas are freely and respectfully exchanged. But, when a student or staff member's speech or actions interfere with a student's educational opportunity, or encourages unlawful treatment, this is not protected speech and must be addressed by school officials.

Legal Protections

Federal law protects public school students from discrimination or harassment based on race, color, religion, sex, national origin, or disability. **Arkansas law** goes further, and protects students from bullying, which is defined as being "reasonably free from

substantial intimidation, harassment, or harm or threat of harm by another student."

The law specifically protects students from bullying based on race, color, religion, ancestry, national origin, socioeconomic status, academic status, disability, gender, gender identity, physical appearance, health condition, sexual orientation and other attributes.

District employees witnessing or knowing about bullying must report it to the principal. Every school principal (or designee) must promptly investigate the report and make a record of the investigation and any action taken. Retaliation against a reporting person is against the law.

If a student encounters bullying or harassment in a public school setting, parents should:

- ◆ Obtain and read the school district's bullying policy and procedure for reporting and investigating. Ask for copies of any written records of incidents involving the student.
- ◆ Schedule a meeting with your teacher, principal, or school administrator as soon as possible. Keep a record of your activities and interactions with school officials. It's best to correspond in writing or via email so you have a record of the school's responses, in case things don't get better or the school doesn't respond effectively; this will help if you end up consulting a lawyer.
- ◆ Don't threaten or imply threats to the school staff, the bully, or the bully's family.

- ◆ You and your child do not have to sign or write an account of anything if you don't want to. CLEARLY tell your child NOT to sign ANYTHING without you present, in case police or school officials attempt to have them sign an admission of guilt or anything else you don't agree with.
- ◆ Your child should not talk to police without a parent or guardian present. In fact, your child should ask for you to be there if they are questioned by anyone, regardless of threatened consequences. It is better that they say nothing than say something that could be used against him or her by the school or the police.
- ◆ You should contact law enforcement if a crime has been committed or you feel your child is in danger. Contact your local police or sheriff's office in addition to following up with your school.

Approaching the school about bullying and asking school officials to intervene is usually the first step in advocating for your child's rights and safety. If you've tried getting help from teachers and administrators and are not satisfied with the outcome, consider filing complaints with the school board, federal and state governmental agencies, and non-governmental agencies.

Federal Government Agencies

The federal government has two offices that may be contacted, depending on the circumstances.