



FOUNDATION  
AGAINST  
INTOLERANCE  
& RACISM

# SUCCESS

■ AT ■

# SCHOOL

# Handbook

**A guide to navigating the current issues in K-12 education**

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## It's that time of year again: Back to school.

Time for school supplies, new shoes, and questions about what the new school year will bring. What will they be teaching this year? Can I depend on our teachers and administrators to provide a robust and fair academic experience? Is there anything I should be worried about?

We get it.

A lot has happened over the past few years that might make parents and students, alike, uneasy. For some, it feels like the critical partnership between families and schools has been compromised, and it's important that we find ways to keep that relationship strong. For others, it may feel like there has been a lot of fuss about education lately, and it's unclear why.

No matter your politics or where you're located, chances are that you're curious or maybe even worried about at least one issue that might arise at school during the coming year. And you're probably wondering what, if anything, you should do about it. **That is why we created FAIR's Success at School Handbook.**

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# Introduction

The way that race, gender, and other sensitive issues are taught in the classroom has been one of the most inflammatory and often politically partisan issues of our time. Tensions remain high on all sides. Many see high-profile cases of race-essentialism, compelled speech, and outright discrimination that have taken place in schools, and worry: What is being taught at my school?

This Handbook is meant to help you easily access relevant FAIR materials that are helpful in navigating these issues. In addition to providing an overview of each prevalent issue, we provide links to the critical tools you can use to stand up for your rights.

As with all FAIR materials, this resource centers FAIR's Principles of Peaceful Change, and encourages trust between parents, students, teachers, and administrators. Our materials emphasize the importance of engaging in good faith. Teachers and administrators, like most people, have good intentions, and where parents and students have concerns, it is always better to first seek understanding and common ground.

As a first step during “back to school” season, we encourage you to reach out to the teacher(s) to establish a constructive relationship, express any concerns you have, and ensure that they are addressed. (Check out our [template email](#) in the [Talk to Your Child's Teacher](#) section below!) This constructive dialogue is important because not all unpleasant school practices are illegal, meaning that voluntary change is sometimes the only option. Furthermore, even if a school is doing something illegal, legal remedies are slow, cumbersome, and costly; it is often much easier for everyone involved to engage in a dialogue and resolve the issue voluntarily. And, if you happen to come across any FAIR-minded educators, [feel free to share this link](#) so that they can explore our education offerings and resources.

# An Overview of the Issues

If you feel something is allowed in your school setting but shouldn't be (or vice versa), chances are your intuition is backed by federal law. When parents or students feel that their rights have been violated, that sense of violation typically stems from perceived protections born out of the First and Fourteenth Amendments to the United State Constitution. Additionally, the Civil Rights Act also provides important protections.<sup>1</sup>

Generally speaking, the Constitution and the Civil Rights Act protect the following rights:

- **Students' free speech and free expression, as well as students' rights to be free from being compelled to undertake certain speech and expression;**
- **Students' rights to be free from discrimination, whether in the form of direct discrimination or in the form of a hostile learning environment;**
- **Parents' and other community members' rights to express their concerns and views during public meetings;**
- **Parents' rights to direct the upbringing of their children.**

It is important to remember that bringing a **legal action against a school requires a plaintiff**. That means that if a minor student's rights have been violated, the student must serve as a plaintiff in a lawsuit, which is brought by a parent or guardian on their behalf. In those cases, some amount of privacy might be afforded to the student by way of using initials only or in some cases a pseudonym. This is always at the discretion of the judge, but in any case, it is not realistic to expect that a minor child's identity will be fully protected when a legal action is brought. In cases where a parent or parents are suing a school for a violation of their own rights, the parent is the plaintiff in the lawsuit, and most courts refuse to use privacy-protecting mechanisms to shield the identity of the parent plaintiff. It is also important to note that in most circumstances,

<sup>1</sup>Please note that insights provided in this document are limited to Federal law protections and do not include any analysis of state law.

the documentation relating to a lawsuit will be available to the public. All of this is to say that while legal action is often attractive because of the certainty that comes with a judgment or verdict, that certainty may come with a cost: the often challenging aspects of being a party to litigation.

Below are high-level overviews of the topics that implicate your civil or constitutional rights and which are most commonly raised by FAIR supporters. Please note that the topics below generally fall into one of three categories: **Free Speech, Anti-Discrimination, and Gender Ideology**; however, several of these topics come into play in more than one major category. (Also check out [FAIR's Overview of the Issues](#) and [Understanding the Issues](#) for additional insights!) But first, a note on private schools.

## Private Schools

Students at private schools (and their parents) do not have many of the same rights as public school students. The Constitution, including the First Amendment and Equal Protection Clause, only applies to government actors, and therefore does not provide protections in private school settings. This means that while students and parents of a private school may value and expect a culture of free speech, they generally do not have these protections in any form. Furthermore, the main civil rights statutes that prohibit schools from discriminating on the basis of race, skin color, national origin, and sex (Title VI and Title IX) only apply to schools that accept federal funds. Because many private schools are funded entirely through tuition and donations, it is much more difficult to bring legal challenges to instances of discrimination by a private school. If your private school does receive federal funds, then most of the anti-discrimination rules apply essentially the same as in a public school setting.

Many private schools also have their own non-discrimination policy. If they violate their own policy, there may be a breach of contract. Finally, it is important to note that litigation is currently pending exploring whether Section 501(c)(3) of the Federal tax code, under which most private schools are tax-exempt, provides Federal protection against broad discrimination within private school settings.

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## Free Speech

The First Amendment extends to public schools, so in general, public school students may freely express themselves and their opinions, verbally or symbolically. However, there are some important distinctions and caveats.

Schools are allowed to impose reasonable restrictions on the “time, place, and manner” of speech. In particular, **speech may not significantly disrupt normal school activity**. Students stating their political beliefs when a teacher asks them a related question? Protected. However, if that same student repeatedly interrupts class to shout, “Abolish the Fed,” that speech is not protected.

In general, schools may not punish students for **speech that is made outside of school** or a school-sponsored event. (There are a few narrow exceptions for speech that is substantially disruptive to the school, such as severe bullying or harassment of students, or threats aimed at teachers or students.)

### TOOLS & RESOURCES

[Template Letter: Student Protests and Free Speech Rights](#)

[FIRE: Landmark Supreme Court Cases Focused on First Amendment Rights of High School Students](#)

[FAIR Transparency](#)

[Emory Free Speech Forum](#)

[Emory Law Student Talks FAIR](#)

[FAIR Legal’s Leigh Ann O’Neill on Bullying and Free Speech \(00:43\)](#)

[FAIR Writes Fairfax County Public Schools About Its “Discriminatory Harassment Policy”](#)

## Compelled Speech

The First Amendment protects children in public schools from being compelled to make ideological statements. What counts as “compelling”

speech? In general, any significant institutional pressure can count. This may include verbal instructions from a teacher or, in certain cases, assignments that force students to assume an ideological position (e.g., “Write an essay describing how you are complicit in white supremacy”).

But context and severity matter. A teacher telling students, “Now it’s time for the Pledge of Allegiance” is probably allowed; whereas a teacher telling students, “Now it’s time for the Pledge of Allegiance, and I expect everyone to participate” is probably not allowed. (And of course, punishing students who didn’t recite the Pledge of Allegiance would be blatantly unconstitutional.)

## TOOLS & RESOURCES

[FAIR Letter to Kiel Middle School: Pronouns and Free Speech](#)

[FAIR Letter to Fairfax County Public School: Compelled Speech, Pronouns, and Free Speech](#)

[Manhattan Institute Handbook for Parents](#)

## Viewpoint Diversity

In addition to protecting students’ right to express themselves and against being compelled to engage in certain speech, the First Amendment also requires public schools to honor a diversity of viewpoints. For example, public schools cannot promote one secular or political idea above another. Failing to offer (or at least allow) multiple viewpoints on matters that are ideological in nature can infringe on a student’s First Amendment rights if the school is silencing or chilling one set of ideas or beliefs in favor of another.

Whether a school has violated a student’s rights based on a failure of viewpoint diversity is not a question that has been thoroughly vetted through the courts, and the bar for finding a violation will likely be high. For example, a single errant teacher who is promoting one political candidate over another is not likely egregious enough to prove a constitutional violation (although that

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sort of behavior would certainly erode the spirit of First Amendment protections in public schools). Instead, it would likely be necessary to demonstrate a top-down, directed effort for faculty and staff to uphold and extol a specific set of ideas and beliefs at the expense of another in order for a violation to be found. To protect against this, we believe that promoting the importance of viewpoint diversity, teacher and institutional neutrality, and civil discourse is the best path forward.

## TOOLS & RESOURCES

[Model school policy on neutrality and civil discourse](#)

[Template opinion piece on the importance of teacher neutrality and civil discourse](#)

[Black Lives Matter @ School Action Week Toolkit, including template letter on viewpoint diversity](#)

[Template letter to schools in advance of day of protest being observed at a school](#)

## Pronouns

Because the First Amendment prevents compelled ideological statements, public schools usually cannot mandate that children use their classmate's preferred pronouns, or that children must announce their own pronouns. (Announcing one's pronouns or using particular pronouns is necessarily based on the ideological beliefs that pronouns refer to gender and not sex, that gender is independent of sex, and that gender is a matter of personal choice.) While schools can legally encourage students to use their classmates' preferred pronouns, or to announce their own, schools generally cannot punish a child for saying (or not saying) their own or another's "chosen pronouns."

Schools may claim that not using a classmate's preferred pronouns constitutes harassment. In the everyday sense of "harassment," this depends on both opinion and context; in the legal sense of "harassment," however, it is usually untrue. Legal harassment is an extremely high bar. The offending behavior has

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to be so persistent and pervasive that it denies the victim equal access and opportunity to school resources. Refusing to use a pronoun alone does not rise to this level.

Legal matters aside, FAIR recognizes the importance of treating others with kindness and respect and being tolerant towards those with opposing views on issues such as pronoun usage.

## TOOLS & RESOURCES

[FAIR Letter to Kiel Middle School: Pronouns and Free Speech](#)

[Fairfax County School Board Votes on Changes to Student Rights and Responsibilities](#)

[FAIR Letter to Franklin Public Schools](#)

[Sample Letter to BOE/School Community re: Intolerant Ideologies at School](#)

[FAIR Letter to New Trier High School District: Pronouns and Parental Rights](#)

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## Social Transition of a Student's Gender Identity - Parental Rights

The Supreme Court has consistently held that parents have a fundamental right under the Due Process Clause of the Fourteenth Amendment to direct the upbringing, care, and control of their children. It is parents, and not the state or its schools, who have the primary role in the care and rearing of children. Parental authority over their minor children is broad and includes involvement in their children's medical and personal decisions. This is due to the understanding that minor children often lack the cognitive ability to make sound judgments and decisions for themselves, and also because there is a legal presumption that parents act in the best interests of their children. Without ample evidence that a parent is unfit to raise children, the state may not usurp a parent's Constitutional due process rights. Because gender

transition profoundly affects a child’s mental, emotional, and physical development, involvement in that process is well within the scope of parents’ due process rights.

An issue that is often closely related to social transition of a student’s gender identity at school is a school’s provision of mental health therapy services without parental consent. Generally speaking, medical and mental health services require informed consent before they can lawfully be provided. Because minor children are not yet at the age of “capacity,” they generally cannot technically give “informed consent.” However, there are many exceptions to this general rule, all of which are based on each individual state’s laws. You will need to check your own state’s laws to determine whether there are circumstances in which parental consent for such services is not required. In order to do this, consider searching for “[state name] informed consent by minor child.”

## TOOLS & RESOURCES

[FAIR Letter to Tony Thurmond, CA’s Superintendent of Public Instruction](#)

[FAIR Letter to Virginia Department of Education applauding its model gender policy](#)

[FAIR Letter to New Trier High School District: Pronouns and Parental Rights](#)

[Restore Childhood’s Gender Toolkit](#)

## Affinity Groups

Affinity groups are social or educational groups that can be based on immutable characteristics (race, ethnicity, sex, etc.) or based on common hobbies or ideas. We can all agree that if a school wants to host an affinity group for students who enjoy chess, there’s no problem there. But when these groups exclude students based on protected characteristics, legal issues start to crop up. Even in that case, some affinity groups are legally allowed,

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while others are not. Below are the distinctions that matter.

If an affinity group is school-sponsored, membership and participation must be **open to all**, regardless of their immutable characteristics. School-sponsored affinity groups cannot have formal or informal policies restricting membership or participation. For example, even if a club is called “The Asian Student Club,” students from other races/ethnicities must be allowed to participate. An event is “school-sponsored” if the school created the group, and/or the group receives any financial or material support from the school.

Demonstrating formal exclusion from a school-sponsored affinity group entails simply pointing to a formal, often written rule explicitly restricting membership or participation. Demonstrating informal exclusion, however, is more difficult. Feeling left out, being socially ostracized, and receiving funny looks is not enough; it must be extremely clear that you are unwelcome, there must be a pattern of exclusion, and this exclusion must be because of your immutable characteristics, e.g., a faculty club sponsor repeatedly telling a student that “a non-Asian kid shouldn’t be present here.”

If the affinity group is not school-sponsored, it is usually legally allowed. For example, if students create an affinity group without school support, or students choose to self-segregate by immutable characteristics at school, then that is their right under the First Amendment (i.e. freedom of assembly). However, in extreme cases, this may create a legally impermissible hostile environment (see the Hostile Environment section below).

Let us remember the verdict from [Brown v. Board of Education](#) that concluded “Separate [is] inherently unequal.” FAIR advocates for groups, clubs, and other student and/or staff organizations that bring individuals together in the name of unity rather than promoting racial categorization.

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## TOOLS & RESOURCES

[FAIR Understanding the Issues: “Identity Group Standards for Hiring and Admissions”](#)

[FAIR Teaching About Identity Guides](#)

[FAIR Letter to PS 158: Curriculum and Race-Essentialism](#)

[FAIR OCR Complaint against Pathfinder K-8](#)

[FAIR Legal Letter: Harvard Medical School Affinity Spaces](#)

[FAIR Legal Letter: Anderson University's 'Listening Sessions'  
Based on Race](#)

[Call Racial "Affinity Groups" What They Are: Segregation](#)

## Other Differential Treatment Based on Immutable Characteristics

Beyond just affinity groups, public schools cannot treat students differently on the basis of their protected characteristics. Public schools cannot restrict access to or provide preferential access to any program, activity, or benefit based on protected characteristics. For example, a public school could not have a field trip only for students of color. **NOTE:** Where sex is considered, there are obvious exceptions that allow differential treatment of males and females, such as sex-segregated athletic teams and the use of intimate spaces. Following the finalization of new Title IX regulations and a myriad of legal actions challenging the same, you should check for the latest rules applicable to your state.

Furthermore, public schools cannot divide students into separate groups based on protected characteristics for any event or activity, even if the separate groups are treated equally. Accordingly, a public school could not, for example, have one assembly for non-white students and another assembly for white students. A common trend that falls into this category is graduation ceremonies—a school cannot hold segregated ceremonies and bar certain students from attending them based on protected characteristics. For example, a school can legally offer an additional graduation ceremony for Asian Pacific Islander students, but it cannot legally prohibit black students from attending it.

This is true of any school-directed grouping of students; just because a program is targeted at or advertised towards a particular group does not make it illegal. Just as with affinity groups, there must be a policy, either formal or

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informal, that actually restricts participation or provides unequal opportunities for access on the basis of a protected characteristic. For example, it is legal for a public school to hold an event marketed as a “Students of Color Career Fair” as long as all students could attend and participate in the event, regardless of their race. It would not be legal for the school to hold a career fair where the first hour was open only to non-white students and the second hour was open to everyone.

## TOOLS & RESOURCES

[FAIR Model Board of Education Policy on DEI Initiatives](#)

[FAIR Model Board of Education Equity Policy](#)

[Sample Letter to BOE/School Community re: Intolerant Ideologies at School](#)

[FAIR Letter: Janney Elementary and Antiracism “fistbook” lesson](#)

[FAIR Letter to PS 158: Curriculum and Race-Essentialism, Our Skin book](#)

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## Hostile Environment

Public schools are generally prohibited from creating or failing to prevent a hostile environment where severe and pervasive harassment based on a protected characteristic<sup>2</sup> denies a student equal access to an education.

However, the bar for a hostile environment claim is **very high**. The harassment in question must be **so severe or pervasive** that it creates an objectively abusive environment that **denies the student equal access to education**. Low-level discomfort and one-time offenses generally are not sufficient to create a hostile environment.

FAIR often looks at hostile environment claims that relate to certain types of DEI and “antiracist” curricula and training. Social Emotional Learning (SEL) is another area of curricula and training that has been questioned for leading

<sup>2</sup>The following classes are protected: race; color; religion or creed; national origin or ancestry; sex (including gender, pregnancy, sexual orientation, and gender identity); age; physical or mental disability; veteran status; genetic information; and citizenship.

to such claims. While such materials can be well-intentioned, beneficial, and perfectly legal, they can also sometimes create a hostile environment, particularly if the trainings repeatedly assign negative characteristics to people based on their immutable characteristics (e.g., trainings that explicitly say all white people are racist or that white teachers/students perpetuate racism just by being in the classroom). For an example of what this can look like, see [Kevin Ray v. New 42](#), [Tabia Lee v. De Anza Community College](#), and [Zack De Piero v. Penn State University](#).

But we would like to reiterate: **the bar for these claims is very high**. Merely being asked to read a book by Ibram X. Kendi or Robin DiAngelo, or to discuss systemic racism, does not usually rise to the level of a hostile environment.

## TOOLS & RESOURCES

[FAIR Model Board of Education Policy on DEI Initiatives](#)

[Sample Letter to BOE/School Community re: Intolerant Ideologies at School](#)

[FAIR Letter: Janney Elementary and Antiracism “fistbook” lesson](#)

[FAIR Letter to PS 158: Curriculum and Race-Essentialism, Our Skin book](#)

[FAIR Handout on Transformative SEL Concerns](#)

[FAIR’s Ethnic Studies Research Analysis Guide](#)

[FAIR Teaching About Identity Guides](#)

## Surveys

Schools are allowed to survey you and your child, including about sensitive topics. However, the Protecting Pupil Rights Amendment (PPRA) requires schools to notify parents about, and have an opportunity to opt their child out of, federally-funded surveys that ask about any of the following:

- 1 Political affiliations or beliefs of the student or the student's parent/s**
- 2 Mental or psychological problems of the student or the student's family**
- 3 Sex behavior or attitudes**
- 4 Illegal, anti-social, self-incriminating, or demeaning behavior**
- 5 Critical appraisals of other individuals with whom respondents have close family relationships**
- 6 Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers**
- 7 Religious practices, affiliations, or beliefs of the student or the student's parent/s**
- 8 Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)**

Schools are only required to provide notice of the surveys once per year. Accordingly, many schools will provide the required notice at the beginning of the school year, sometimes in an often-lengthy document referred to as the “annual parent notice” or something similar. We strongly encourage you to look for such notices and read them carefully.

PPRA only applies to surveys conducted using federal funds, so some surveys your school administers may not be covered by PPRA. Many states require parents to be notified when students are surveyed about sensitive topics and are required to give parents the opportunity to opt out their student (e.g., New Jersey’s survey notification and opt out law: [NJ Rev Stat § 18a:36-34 \(2018\)](#)). We encourage parents to research the law in their state so they know when schools must notify parents of surveys and when parents can opt out their student.



## TOOLS & RESOURCES

[PPRA FAQ from Student Privacy Compass](#)

[Public School Opt-Out forms from Pacific Justice Institute](#)

[America First Legal PPRA Toolkit](#)

## Public Comment at School Boards

School board meetings must usually be open to the public, so students and parents nearly always have a right to attend and listen. However, school boards also have broad authority to set the rules surrounding public comment, so there is no guarantee that you will be allowed to speak.

However, school boards cannot discriminate based on speakers' viewpoints. If the school board allows for public comment, all viewpoints must be treated equally. School boards may limit each speaker to five minutes (or even 30 seconds). But the school board cannot give speakers advocating for viewpoint X five minutes but give speakers advocating for viewpoint Y only one minute.

School boards must comply with state and local laws, as well as their own formal policies on public access to meetings and public comments. Some states, localities, and school districts may have laws and policies providing you with additional rights to comment or access meetings. We encourage you to look into your state's "open meetings law" and your school district's formal policies.

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## TOOLS & RESOURCES

[FAIR Guide on What to Expect at School Board Meetings](#)

[Letter introducing Board of Education to FAIR](#)

[FAIR Guide to meeting with school administrators](#)

[Sample School Board Meeting Scripts](#)

[Free Speech: Curt Thompson at School Board Meeting Case](#)

## “I believe my school is violating the law. What can I do?”

If you believe that your school is violating the law, FAIR encourages you to first gather as much information as possible and then to express your concerns to the school in order to see if they will voluntarily make the changes necessary to comply with the law. It is much easier and quicker to do things this way if possible, as the legal process can be slow and costly.

Sometimes, however, it may not be possible to resolve the dispute voluntarily. If it reaches this point, you have several options.

### Freedom of Information Act Requests

If you suspect that your school has engaged in unlawful practices, or if you are just curious about something happening at the school (including the curriculum), you can submit a Freedom of Information Act (FOIA) request to compel the school to provide you with all relevant records. Each state has its own version of FOIA (which is a federal law), but they all guarantee public access to government records.

Through a FOIA request, you can require that your school, school district, state board of education, or other government agency turn over specified records. To submit a request, you simply need to write a letter or email to the government agency that you would like the documents from and specify the documents you are requesting. For example, you can ask for all documents containing a particular word or phrase, all emails between certain people, or all assignments from a particular class or day. To avoid requesting irrelevant material and to ensure documents are sent to you as quickly as possible, try to make your request as specific as possible. It is also helpful to narrow the scope of your request by providing time frame parameters so that you don't end up with old or otherwise irrelevant information.

To help you with this process, we have included a [sample FOIA letter](#) that has often been used to locate race-essentialist materials within a school. (Feel free

to take parts of this sample letter and use it for other purposes as well.) Be sure to [check this website](#) for your state’s statute, which you will need to reference in your letter. You can also find more information, and more template letters, in the [“Guidelines for Submitting Requests for Instructional Materials”](#) document in FAIR’s Advocacy Toolkit.

Please note that schools and government agencies are able to charge some fees for the costs of finding and sending the records you request, so it is important that you indicate in your request the maximum amount you are willing to pay. Not all schools and agencies do charge these fees, but many do.

## Submit a FAIR Transparency Report

If you think a school is violating the law and you were unable to resolve the issue voluntarily, we encourage you to reach out to FAIR to see if we can help.

First, we ask that you submit a report through [FAIR Transparency](#). This provides information about the incident both to FAIR and to other people who may have had similar experiences or those who are doing their own research about a given school or district. In your FAIR Transparency report, it is best to avoid editorializing and to focus on providing factual details; the facts will generally speak for themselves. While keeping your narrative succinct, please include as many pertinent details as possible, as well as any relevant documents, recordings, etc. about the incidents or practices that you believe violate the law. It is especially helpful to our team if you can provide both your narrative description of what happened as well as primary sources (e.g., assignments, emails from the schools, etc.) that provide evidence of what happened. Please note that our policies do not allow us to post reports that contain individually-identifiable information. So, for example, refrain from using a superintendent’s name, and instead reference “the Superintendent of X school district.”

After the FAIR legal team reviews your FAIR Transparency report, if it is determined that the incident is within FAIR’s mission and amounts to a legally-actionable circumstance, we will reach out to you to set up a meeting.

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## File a Complaint with the Department of Education's Office of Civil Rights

You may also file a complaint with the federal Department of Education through the Office of Civil Rights (OCR). To submit a complaint, simply complete the forms that can be found [here](#). This process is designed to be easy to utilize, so a legal background is not necessary. OCR complaints usually must be filed within 180 days of the incident. After receiving your complaint, the OCR will review it and determine whether to conduct an investigation. If the OCR's investigation finds that the school violated federal civil rights law, the OCR will work with the school to take the necessary corrective action. You can review an example of an [OCR complaint filed by FAIR here](#).

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# “My school is not violating the law, but I’m still concerned. What can I do?”

In short, figure out exactly what’s going on, build connections with others, persuade your school to make voluntary changes in a way that avoids unnecessary conflict, and don’t escalate until you’ve exhausted other options. While FAIR has handled many extreme cases (e.g., students being segregated by race), many problems in schools are smaller (e.g., reading *Stamped* as the only perspective on racism) and might be solvable with a simple conversation.

Below, we discuss the principles and strategies you can use to work with your school. While these may be your only options if your school is *not* violating the law, everything also applies to situations where the school is violating the law.

## Read Your School’s Handbook and/or Board Policies

Many schools have a handbook and/or board of education policies that include all school rules. The handbook might be called a “student handbook,” a “handbook for parents,” or something similar, and often includes extremely important information. Who makes decisions about the curriculum? Whom should you contact when you have a concern? By reading the handbook, you can ensure you talk to the right people, and in the right order. An additional benefit to consulting the school’s handbook is that you can highlight the fact that you did this in future communications. This shows that you are trying to learn more about the school and follow the proper channels, and this can help set the tone of your requests and increase receptiveness to your message.

Reading the handbook and board policies can also help answer a second question: Does the school follow its own rules? Sometimes schools do not, and if you have proof of this, you will have a much easier time convincing your school to change its behavior.

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## Keep Records

You have probably heard the terms *woke*, *identity politics*, *cancel culture*, *social justice activism*, *white privilege*, *antiracism*, *intersectionality*, *ethnic studies*, and *diversity, equity and inclusion* (DEI). Some of these terms have a nice sound to them, and sometimes they refer to curricula or policies that are innocuous or even beneficial. Unfortunately, however, these terms, their meanings, and their application are also being used in intolerant ways that treat individuals as representatives of identity groups instead of as individual, complex human beings. When these terms appear, keep records. (However, do not immediately assume the worst. While most illiberal and race-essentialist practices use these terms, not all uses of these terms involve such practices.)

In general, it is a good idea to document anything of concern. Write down what your child tells you about class activities. Keep copies of assignments. Save school emails, especially those having to do with DEI. Write notes of conversations with teachers and school officials, including dates and names. Consider sending a follow-up email to the person you met with, recapping exactly what was discussed. Finally, it is helpful to note that most states are “one-party consent states.” In those states, individuals can make audio recordings of conversations without obtaining consent from the other participants in the conversation. Check your state’s laws to determine whether it is a one-party consent state.

## Listen

Even when teachers and administrators support divisive curricula or illiberal policies, **that does not make them bad people**. They are probably trying their best to do what they think is right. Keep this in mind when engaging with teachers and administrators, and try to listen to their perspectives.

Listening is an extremely effective way to ultimately change someone’s mind. For example, FAIR’s Board of Advisors’ member Daryl Davis befriended over 200 Ku Klux Klan members who ultimately quit the organization after getting to know Daryl. (Check out [FAIR’s impactful video about Daryl](#).) Daryl’s success

came from listening before sharing another perspective. In the same way, by listening to what school teachers and administrators have to say, you significantly increase the odds that they will listen to what you have to say.

In particular, listening can help you discover common ground that you can use to advocate for policy or curriculum changes. Perhaps a principal tells you he introduced a new (illiberal) DEI policy in an effort to make the school more inclusive. This is good to know! You now share a goal—inclusivity—and you can explain how you think the school could do things differently to achieve that goal (such as emphasizing our common humanity).

## Talk To Your Child’s Teacher

Teachers appreciate when parents and students take an active interest in education. If you reach out to them in the right way, you can establish good relationships and increase collaboration and transparency. Building these relationships is critical if you later hope that teachers will listen to you and consider your suggestions.

If you do not yet know what the curriculum includes, start by assuming good intentions and ask about the big picture. For example, for social studies classes, avoid loaded questions such as “Are you teaching that America is structurally racist or founded in white supremacy?” and instead ask broader, open-ended questions such as “How are you teaching about the history of race and racism?” Depending on your specific concerns, it might help to acknowledge the broader political tension surrounding controversial subjects. For example, you might say, “I realize race is an extremely loaded subject these days, and I think it’s important that our children learn about the history of slavery and colonialism.” This can reassure teachers that you are engaging in good faith, and help distance you from partisan politics surrounding schools.

If you are concerned about something a teacher is already doing (for example teaching a particular book or lesson), **double check the facts first**. Misunderstandings can turn a simple disagreement into an all-out conflict, and can erode any trust or potential relationship between you and the teacher.

This can be done in person, or by email (see below).

**Dear [Teacher],**

**I'm [student's] parent. [Mention connection to the teacher, if you have one.] I heard from [student/parent/etc.] that [lesson/book/practice] was being taught. I wanted to reach out to you to confirm. Is this the case?**

If you know for certain that a teacher is teaching illiberal, race-essentialist, or otherwise problematic lessons/activities/etc., politely ask for explanations first. Teachers are required by federal law to use, to the greatest extent possible, research-based practices and programs. Furthermore, in education, it is considered best practice to establish clear, measurable learning targets. Ask your child's teacher: What best practices support [lesson]? What learning targets does [lesson] address? Inquire specifically about the lesson's objectives, how they are stated, and how they will be measured.

Second, clearly articulate what you see as being problematic. Provide details, and explain your desired outcome (see [Opt Out](#) and [Suggest Alternatives](#) sections below). Connect this information to your child's classroom experience, but also to a broader perspective. Write down everything you discuss with the teacher and follow up with an email, always maintaining a respectful tone. Keeping an open and constructive dialogue with your child's teacher will allow you to most effectively advocate for a pro-human alternative to race-essentialism.

Lastly, emphasize to teachers that the issue is not whether race, diversity, or history should be addressed in school lessons. Students should learn about all of these topics in a truthful and balanced way. The question to ask is why these topics are being presented through a singular, illiberal lens. Also, remember that teachers, even public school teachers, do not enjoy the same free speech rights as their students. Even if they disagree with an illiberal lesson plan, they may be required to teach it. If the teacher is not receptive or able to make a change, the next step is to consider an "opt out" or to reach out to the principal or school district.



## Opt Out

If you face a curriculum issue that is relatively small, and/or you do not want to expend time and energy convincing your school to make changes, opting out of a particular lesson (activity, etc.) may be the easiest solution. After all, it is much easier to make changes for one student than for *all* students. Opting out may be especially appropriate in situations where you are concerned with what is being taught, but the material in question is only concerning insofar as it goes against your personal political or religious beliefs. If you request an opt out, propose a reasonable alternative and commit to supporting your child's instruction in that area. For example, if you'd rather your child not read and write about a particular book, propose an alternative reading selection and writing assignment of the same length and rigor, and assure the teacher that you will spend time working with your child on the assignment at home. Demonstrate to the teacher that you are willing to provide whatever research, suggestions, or support is needed to meet the state standard or lesson objective in a way that does not conflict with your family's beliefs and values.

## Suggest Alternatives

Even though your state and school district have academic standards and an approved curriculum, many teachers have some freedom to select and design lesson plans. If you have concerns about a lesson and believe it should be reconsidered altogether, respectfully reach out and propose an alternative or an additional lesson that teaches a divergent viewpoint. Merely explaining why you disagree with an existing book or activity is unlikely to convince a teacher to change, as developing lessons takes time and energy. Instead, suggest resources and explain how they connect to the learning objectives and state standards. In most situations, it is more effective to advocate for an additional perspective to be included in a lesson than it is to request removal of something you disagree with. Indeed, this may be the better option, as it promotes viewpoint diversity in the classroom.

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[FAIR Literature Guides](#)

## Talk to the Administration

The school principal is in charge of shaping the school's philosophy and academic vision. So, if you have talked with your teacher and there is still no improvement, call your school principal and make an appointment to meet in person. To be respectful of the principal's time, consider including any other parents who share your concerns, then make the principal aware that he or she will be meeting with a group. At a minimum, bring your spouse, partner, or at least one other friend. When you meet, have a clear objective and be prepared with documentation and a suggested course of action. Keep notes, and follow up with an email thanking the principal and detailing what was discussed in the meeting and what was agreed upon.

See our [Meeting With School Board Members and Administrators](#) resource in the FAIR Advocacy Toolkit for more information.

## Make Connections

While lobbying schools to make changes can be challenging, it is important to remember that you don't have to do it alone. Find like-minded people who share your concerns. If you can, find just one teacher or staff member who shares your opinion and is willing to help you. Take time to understand the politics at your school. Examples of this include assessing the degree to which your PTA/PTO has influence and understanding the interpersonal dynamics of the school leadership (i.e., the assistant principal might be more accessible than the principal). The non-licensed school staff, such as paraprofessionals and front office staff, can be allies and helpful sources of insight and information, too. Get to know them. Having a good understanding of how your school works and developing strong relationships will help you effectively advocate for change.

## Involve the School Board

After you have exhausted all channels of communication at the school level and you still have not had a satisfactory outcome, it is time to involve the

school board. If you take this step, get prepared, do your homework, and be organized.

See a detailed overview of why school boards matter and what to expect at a school board meeting here: [What to Expect at a School Board Meeting](#).

If you need to introduce FAIR to a school board, consult our [Letter to Introduce FAIR to a School Board](#) resource in the Advocacy Toolkit.

## Share Your Story

Many are shocked at the speed with which illiberal race-essentialism has captured our institutions. People are being silenced, canceled, and fired for questioning divisive practices and curricula. History teaches us that when we do not stand up to violations of civil rights, they only intensify—and simply speaking up is one of the most powerful ways to make an impact. Consider sharing your own story. How has this ideology affected you and your family? Have you had any success pushing back against race-essentialism? There is power in using your voice and connecting with others. Tell people your story, which will help the next person who lands in your situation. It helps to know that you are not alone.

Social media can also help connect you with others and amplify your message. Follow and engage with FAIR on Twitter, Facebook, and Instagram. Use FAIR's hashtag #BeProHuman to connect with others. Use your circle of contacts to broaden your connections. Be direct. Ask your social media contacts to share, like, retweet, respond, and take action.

FAIR also provides opportunities for members to share their stories and [connect with a local FAIR chapter](#). Chapter leaders have invaluable experience, connections, and resources that can help. Also consider reaching out to FAIR's legal department by filing an incident report via [FAIRTransparency.org](#).

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Finally, FAIR publishes articles and stories submitted by individuals who have experiences that are enlightening and informative. If you send us an email to [submissions@fairforall.org](mailto:submissions@fairforall.org), our editorial team will review your submission and let you know if we are able to publish it.

## Live Not by Lies, and Speak the Truth

Don't say something you don't believe. Don't sign an anti-racist statement that is, in reality, race-essentialist. Speak up in groups; you might be surprised that more people agree with you than not and will follow your lead. On the other hand, know that when you take a stand, it is possible that it will not be well-received. People might call you names, accuse you of being racist, target you on social media, or worse.

If you are not comfortable discussing what you are against, consider talking about what you support, such as the pro-human values of reason, fairness, equality, open inquiry, constructive dialogue, and multiple viewpoints. For instance, instead of challenging things directly, you could open the door for others to do so by stating, **“I’m hearing the position of \_\_\_\_\_ loud and clear, but I’m curious to learn whether there are other viewpoints here.”** Whatever approach you take, remember that you have the right to speak up and that you are standing up for hard-fought civil rights and liberties. The longer you wait to say something, the more difficult it will become to effect positive change.

Speak the truth: we are all unique individuals, intrinsically worthy of dignity and respect. We are all human. Embrace the pro-human approach and encourage others to join you in promoting fairness, understanding, and common humanity.

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FOUNDATION  
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