

PARENTAL & CIVIL RIGHTS VIOLATIONS COMPLAINTS & APPELLATE PROCESS

Every state has nuances, use this as a guide and check local laws, especially any for a Bill of Parental Rights.



Flowchart Addressing a Violation of Parental Rights in K-12 Schools

The Top Story is YOUR STORY

Sharing your story will encourage others to keep fighting!

Petition U.S. Supreme Court

- Action: File for certiorari, argue national importance
- Outcome: Final resolution (landmark ruling or denial)

Appeal to U.S. Court of Appeals

- Action: Circuit court review, possible oral arguments.
- Escalation Trigger: Disagree with ruling.

Sue in U.S. District Court

- Action: File under 42 U.S.C. § 1983 for constitutional claims
- Escalation Trigger: Adverse ruling

File Lawsuit in State Court

- Action: Sue for state law violations, seek injunction
- Escalation Trigger: Lose or seek broader precedent

Complain to U.S. Department of Education

- Action: File within 180 days, federal review
- Escalation Trigger: No resolution or need for damages
- USDOE Website: <https://www.ed.gov/>
- Email contact: <https://www.ed.gov/contact-us>
- USDOE Phone: (202) 401-3000
- OCR Complaint: <https://ocrcas.ed.gov/>
- OCR Phone: 800-421-3481
- FERPA: Federal Educational Rights and Privacy Act, [20 U.S.C. § 1232g](#)
- PPRA: The Protection of Pupil Rights Amendment, [20 U.S.C. § 1232h](#)

File with State DOE

- Action: Submit state complaint, e.g., for FERPA violation.
- Escalation Trigger: No enforcement or resolution.

Present to School Board

- Action: Attend public meeting, request policy change.
- Escalation Trigger: Board denies or takes no action, which is the norm.

Discuss with Superintendent

- Action: Written grievance (email), follow district policy, provide deadline of two weeks.
- Escalation Trigger: No resolution.

Recognize Violation

- Example: Denied FERPA* access, data violations, illegal surveys (PPRA*) no curriculum opt-out, no access to curriculum, ignoring opt-outs on file, sexually graphic assignments, opposite sex in locker room, assault, inappropriate conduct by school employee, mandated pronouns, discrimination by race, sex or religious status, requiring student to expose beliefs and political alignments, etc.
- Gather evidence: assignments, emails, etc.

Special Note 1: Special education students have more options beyond the core chain of command listed here. See reverse.

Special Note 2: There may be violations where you feel the teacher or principal may be your starting point. Curriculum is not their decision and they have no say over policy, so that would start at the Superintendent level. Weigh each situation.



Key Tips Before Starting:

- **Identify the Violation:** Common examples include undisclosed gender identity changes, mandatory participation in conflicting curriculum without opt-out, or restricted access to records.
- **Gather Evidence:** Emails, notes, witness statements, and relevant laws/policies.
- **Know Your State:** Use resources like your state Department of Education website for specific forms.
- **Seek Support:** Free help from groups like Alliance Defending Freedom, America First Legal, Liberty Counsel or local parent advocacy networks like ours.
- **Exhaust Internal Steps:** Courts often require this before external escalation.

Notes:

- **Timelines:** Vary by step (e.g., 45 days for FERPA record access, 180 days for OCR complaints). Check local policies.
- **Tips:** Document everything, cite laws (e.g., FERPA, state statutes), and consider legal support (e.g., Parental Rights Foundation).
- **Email** is the best method of documentation as they are all subject to open records. Recap every phone call with a follow up email.

- **Limitations:** Supreme Court review is rare (~1% of petitions granted).

Most issues resolve earlier.

This chain emphasizes exhausting administrative remedies first, as required by many laws and courts, to avoid dismissal. The full process can take months to years, especially litigation. For visual representation, the table above serves as a linear flowchart in progression. If the issue involves specific federal protections (e.g., disability under IDEA), additional paths like due process hearings may apply, but the core chain remains similar. If your situation is urgent (e.g., ongoing harm), prioritize steps 1-3 while preparing for escalation. For personalized advice, contact your state's education department or a legal aid service.

For parents of K-12 students with special needs, such as those on the autism spectrum or with other disabilities, additional options exist to address parental rights violations beyond the standard chain of command. Under the Individuals with Disabilities Education Act (IDEA), parents can request a due process hearing if the school violates rights related to a student's Individualized Education Program (IEP) or 504 Plan (e.g., failure to provide agreed-upon services). This involves filing a complaint with the state education agency, which triggers a formal hearing with an impartial officer. Mediation or resolution sessions may be offered first. Parents can also file complaints with the Office for Civil Rights (OCR) for disability discrimination under Section 504 of the Rehabilitation Act. These processes run parallel to FERPA complaints and can lead to corrective actions like revised IEPs or compensatory services. Always document violations and consult advocacy groups like the Council of Parent Attorneys and Advocates (COPAA) for support.

This is not legal advice, these steps vary by state and we recommend that you consult legal counsel. Many of them have free opt-out resources for legal recourse.

Attorney resources we recommend:

Alliance Defending Freedom - adflegal.org

America First Legal - aflegal.org

Child & Parental Rights Campaign - childparentrights.org

Liberty Counsel - lc.org

WEBSITES AND TIP LINES:



parentsonthellevel.com
parentsonthellevel@gmail.com



protectohiochildren.net
Ohio: send an email to
tips@protectohiochildren.net to update heatmap.