

How to Formally Notify a School System of Discrimination and Harassment of a Person with a Disability



Discrimination and harassment of persons with disabilities are against the law! Schools, school districts, colleges and universities have a legal responsibility to prevent and respond to disability harassment, including harassment by school staff, school administrators or other students. When a school knows or should know of harassment based on a student's disability, it must take immediate and appropriate action to investigate what happened. Once a school district has knowledge of the harassment, the school has a responsibility to respond to disability harassment. The school must take prompt and effective action to end the harassment and prevent it from recurring.¹

What to do if your child is being harassed and/or discriminated at school

Notify the School Administration

a. **School's grievance process.** Call and talk to the principal and teacher about the harassment. This may be the easiest way to address the problem because all schools must have a grievance process to address disability harassment. To make sure your earliest contact with a school administrator is documented you should make contact with him/her in writing (in addition to a phone call), describing the harassment, and request a reply.

b. **Gebser letter to the school principal and the district superintendent.** If the school grievance process does not work, or you do not want to use the school's grievance process, the letter to the school principal and the district superintendent is still very important. You may hear this called a "Gebser letter." This letter is important because the law states that a person with the authority to correct the problem must have "actual knowledge" of the harassment. By writing this letter and keeping a copy for your records, you have proof that the School System knew of the harassment (and therefore had "actual knowledge"). Once a school system has knowledge of harassment, bullying, or discrimination they must take prompt and effective action to end it and prevent it from happening again. A Gebser letter is a way to provide notice and documentation to the proper people within the school system about the harassment, bullying, or discrimination that has occurred.

Key Components of a Gebser Letter

See next page for a Sample Notification/Gebser Letter

- The child's full name
- A detailed description of the harassment (when and where the harassment is taking place, who is harassing your child, and what is happening.)
- Who the child/parent contacted at the school about the harassment.
- What actions you want the school to take regarding the harassment.
- Your signature
- The date

¹ <https://www.equipforequality.org/wp-content/uploads/2018/10/Bullying-Fact-Sheet-2.29.16-1.pdf>

Sample Notification/Gebser Letter

Send it to: _____ (*superintendent's name, each school board member, special education director, and anyone else that is personally involved*)

Regarding: Your Child's Full Name
Your Child's Date of Birth
Your Child's School Name

Dear (everyone you are sending the letter to):

My child, (*child's full name*), is/has (*name of disability and/or other protected class [race, gender, gender identity, etc.]*), and attends (*name of your child's school*) in (*name of the school district*).
(*He/She/They*) is being discriminated against and bullied repeatedly during (*his/her/their*) school days. (*Describe who is harassing your child, and the details of what is happening.*) This is prohibiting (*him/her/them*) from being able to access (*his/her/their*) education by (*explain how it is interfering with his/her/their education*).

(*My child/I*) have contacted (*name of person/people*) at the school about the harassment. (*Include dates if possible and how you contacted them*). (*name of school district*) has an anti-bullying policy that states: (*insert specifics that have been violated- bullying policies are on the district's website.*)

As you can see from the incidents I have described, this anti-bullying policy is not being upheld. I request that you: (*list what actions you want the school to take regarding the harassment*).

I would appreciate your written notification as soon as possible of when I can expect the investigation to be complete and what steps you will be taking.

Respectfully,
Your signature
Your address
Your phone number
Your email address (*if you want them to email you*)
Date of your Letter

Sources

- Adapted from [Bullying-Fact-Sheet-2.29.16-1.pdf \(equipforequality.org\)](#),
- [Sample Gebser Letter \(adayinourshoes.com\)](#)