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*Recognise the Human Race as One*

*To transform underprivileged and minority communities and individuals into informed and vibrant members of society through civic, educational and personal development programmes.*

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Dear School Administrator,

UNITED SIKHS is a UN-affiliated, international not-for-profit advocacy organization dedicated to advocating for the civil and human rights of disadvantaged and minority communities, primarily focusing on the Sikh community. We therefore consider it our privilege and duty to provide you with this information about the Sikh religion and practices, in order to assist you in protecting Sikh students' personal rights and freedoms in your school.

Founded in the 15<sup>th</sup> century in the Panjab region of undivided India, Sikhism is the world's fifth largest religion and has grown to encompass over 23 million followers. There are approximately 500,000 Sikhs in the United States. With the first appearance of Sikhs in the United States recorded over 100 years ago, Sikhs have become an integral part of the fabric of American society,

Sikh students who are *amrit-dhari*, or initiated, are mandated to wear five articles of faith, known as the five *kakaars* (or "5 Ks"): *kesh*, unshorn hair, with all Sikh boys and some Sikh girls tying their hair in a topknot covered by a *dastaar*, *patka*, or *rumaal* (turban), *kanga* (small wooden comb), *kara* (a steel or iron bangle worn on the wrist), *kacherra* (drawstring boxers), and *kirpan* (a short steel religious sword). Uninitiated Sikh youth may wear *kesh* (unshorn hair), tied as a top knot covered by a *dastaar/patka/rumaal*, and the *kara* (steel or iron bangle) as a commitment to their faith.

A Sikh's unique appearance due to his or her religious attire can, unfortunately, lead to discrimination, bullying, verbal or physical abuse, and hate crimes in schools and other public places. Such abuse from fellow students or teachers is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment.

We have been very successful in providing cultural sensitivity training through UNITED SIKHS' Sikh Awareness Project (SAP) to make certain that teachers and students understand and respect Sikh practices so that schools can maintain a learning environment of acceptance for all students. You may learn more about our SAP program by visiting [www.unitedsikhs.org/sap/](http://www.unitedsikhs.org/sap/). We encourage you to incorporate diversity training, including training about Sikhs, in your regular curriculum.

Please feel free to contact us if you would like to schedule a SAP or with any other questions or concerns about the Sikh religion or culture.

Very truly yours,  
UNITED SIKHS

UNITED SIKHS is associated with the United Nations and is registered as a non-profit tax exempt organization pursuant to Section 501(c)(3) of the Internal Revenue Code in the USA



Dear Texas School Administrator:

The ACLU of Texas is the state affiliate of the American Civil Liberties Union, a nonprofit, nonpartisan organization dedicated to the defense of constitutional rights and civil liberties. We write to draw your attention to federal and state legal protections for students' rights to freely exercise—and to be free from discrimination and harassment on the basis of—their religion. These protections apply equally to Sikhs as to students of all faith traditions.

The First and Fourteenth Amendments to the federal Constitution and Texas' Religious Freedom Restoration Act protect students' rights to wear religious attire in school. When a Sikh student is substantially motivated by sincere religious belief to wear the articles of faith, a Texas school may not prevent him or her from doing so unless there is *no less restrictive alternative* to further the school's *compelling* interest.<sup>1</sup> Courts in Texas have applied this standard to strongly protect student religious attire: a court in Houston ruled against a school that punished Catholic students for wearing rosaries,<sup>2</sup> and two others have prohibited schools from requiring Native American boys to alter their hair to comply with a campus dress code.<sup>3</sup> Thus, any dress policies Texas schools adopt must respect and accommodate Sikh and other students' religious exercise.

A safe, civil school environment is also necessary for students to achieve academic success. Texas law requires schools to prohibit, and take steps to prevent, student harassment.<sup>4</sup> Schools that turn a blind eye to religious or racial harassment also risk legal liability under Title VI of the Civil Rights Act and the Equal Protection Clause.<sup>5</sup> Because schools are responsible for ensuring the safety of all students, we encourage you to actively monitor the treatment of Sikh students by their classmates and teachers, and to take concrete steps to guarantee that they are not subjected to bullying, harassment, or intimidation.

We hope the above references will help you foster tolerance in your school. For more information about the ACLU of Texas, please visit our website at [www.aclutx.org](http://www.aclutx.org).

Sincerely,  
ACLU Foundation of Texas

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<sup>1</sup> Texas Civ. Prac. & Rem. Code §§ 110.001, 110.003.

<sup>2</sup> *Chalifoux v. New Caney ISD*, 976 F. Supp. 659 (S.D. Tex. 1997).

<sup>3</sup> *A.A. v. Needville Indep. Sch. Dist.*, No. 08-cv-02934 (S.D. Tex. Jan. 20, 2009), *appeal docketed*, No. 09-20091 (5<sup>th</sup> Cir. Feb. 10, 2009); *Alabama & Coushatta Tribes v. Trustees of Big Sandy Indep. Sch. Dist.*, 817 F. Supp. 1319 (E.D. Tex. 1993).

<sup>4</sup> Texas Educ. Code § 37.001(a)(7)-(8).

<sup>5</sup> See 42 U.S.C. 2000d *et seq.* (prohibiting discrimination by recipients of federal funds on the basis of race and national origin); *Nabozny v. Podlesny*, 92 F.3d 446 (7<sup>th</sup> Cir. 1996) (school's deliberate indifference to student harassment based on gender and sexual orientation violates Equal Protection Clause); U.S. Dept. of Educ., *Investigative Guidance on Racial Incidents and Harassment Against Students at Educational Institutions*, 59 FR 11448-01 (1994) (discussing schools' liability under Title VI for failure to address racial harassment).