



## CHAPTER 1: Introduction

### A. About CRLA

California Rural Legal Assistance, Inc. (CRLA) is a nonprofit legal assistance program that helps California's low-income individuals and communities.

Each year, CRLA helps nearly 50,000 low-income rural Californians receive free legal help and a variety of community education and outreach programs.

The impact of CRLA's work has touched the lives of literally millions of low-income individuals, improving conditions for farmworkers, single parents, school children, the elderly, people with disabilities, and entire communities.

**CRLA has identified educational gaps in rural communities** that unfairly harm low-income children, children of color, students with disabilities, English Learners, homeless children, LGBT youth, and other vulnerable student groups.

When school data relating to discipline, class assignment, dropout, graduation and college enrollment is tracked by race, ethnicity, disability, and language, it is clear that harsher punishment of these students at school and a failure of some schools to meet their unique educational needs may be causing them to not do so well in school.

Studies have shown a link between students failing in school and increasing the chances of ending up in trouble with the law, a trend often called the "school to prison pipeline." CRLA is committed to working on issues that result in a "pipeline to nowhere"—not only

an increased chance of jail or prison for vulnerable students, but also limited opportunities in life more generally.

Early education advocacy focused on the unfair discipline of students at school. Advocacy across the nation resulted in changes in the suspension and expulsion of students and an overall reduction in the number of students who are suspended and expelled in school districts in California and nationwide. However, CRLA has noticed a disturbing trend.

**While expulsions, and even suspensions are going down, assignments and transfers to alternative schools are not.** Students of color and other vulnerable students still have a higher than normal enrollment rate in alternative schools which often do not provide the full range of education programs and classes that traditional schools do. Students in some alternative schools may have shorter school days and spend less time with teachers than in other schools making it harder for them to stay on track to graduate and more likely that they will drop out of school.

CRLA launched its Rural Education Equity Program to address the educational unfairness faced by students of color and other vulnerable students by demanding that schools follow the law, and taking schools and districts to court when needed; informing education policy, when asked; and promoting effective ways to work with parents, youth organizations and educators who share the goal of helping to create a pipeline to success for all students in California schools.

CRLA's efforts challenge unequal practices related to school discipline, school assignment and course availability to ensure that all children have equal access to a meaningful education and a full range of choices available to them after they graduate.

## B. About this manual

This manual is made possible by the generous funding of the W. K. Kellogg Foundation and intended to provide parents, guardians, and caregivers with an overview of some of the basic rights of California public school children. It includes discussions regarding the importance of parent engagement and the laws that keep schools accountable for student outcomes. It also identifies some common problems that happen in schools and provides advocacy tips.

## C. Who should use this manual

Are you interested in defending student rights? Maybe your child has some challenges at school and you want to help? Is your child enrolled in a community or continuation school? Do you want to learn about the laws that guide and control the California's public education system? If you answered yes to any of these questions, then this manual is for you!

You are your child's number one supporter and you are the best defender and protector that your child will ever have. **The more informed you are about your child's education rights and the more engaged you are at your child's school, the more support you can offer your child to make sure that they succeed!**

There are many benefits of knowing your child's education rights and being involved at their school.

Your child is more likely to have:

- Better school achievement, such as higher grades and test scores
- Good school attendance
- Higher career goals
- Motivation toward school
- A positive attitude about school
- Positive behavior in school
- More services and supports at school

You will be more likely to:

- Talk more with your child about what is going on in school and learn more about their social, emotional, and educational needs
- Gain confidence in your decision-making skills when working with teachers and schools because you know your child's education rights
- Build strong and helpful relationships with your child's teachers and school to bring attention to your child's needs
- Help make a positive school climate where parents, community, and school can work together towards the best outcomes for students
- Learn to work with the public school system including how to request and review policies that impact your child's education and be part of school decision making processes
- Meet and join other parents to talk about problems at school and take action together

## D. How do I become an education advocate for my child?

### 1. Learn more about how your child's school

**works:** An advocate is a person who supports and protects another person. Being an advocate for your child or another student may feel difficult because the education system is very complex. You are not alone and CRLA is here to help.

Your journey starts by getting the information that will help you understand your child's school system. Some questions you should ask are:

- What kind of school is my child attending?
  - Is it a traditional neighborhood school?
  - An opportunity or continuation high school?
  - A charter school?
  - A community school?
- Who is my child's teacher?
- Who is the principal of my child's school?
- What is the opinion of my child's school about the problem I want to deal with?
- What is the school experience like?

- How do parents, students, and teachers feel at school?
- Is it a positive place where I would be motivated to get involved as a parent?
- Who are the people who make important decisions at school who I do not know yet?
- How do they help parents solve problems and concerns?
- How creative are the solutions and supports offered to parents, students, and teachers at the school?
- What special programs or supports are offered at my child's school to motivate my child and help my child plan for the future by exploring his or her talents?
- What do I know about my child's school district and where is the district office located?
- Who is in charge of important decisions in the school district?
- Who are the school district board members?
- Who is the Superintendent of the school district?
- Where can I find the school district's policies and procedures?
- What do I know about the county office of education and where is the county office of education located?

**2. Learn and practice valuable skills like looking ahead and preparing for challenges:** Being able to look ahead for challenges will help you prepare to work with and talk effectively with school staff.

For example, you might find that:

- *The school does not have people trained to help your child:* sometimes changes at school cannot be made without appropriate training for staff and that requires an investment of resources and school time.
- *The school does not want to make changes:* sometimes schools have ways of doing things that have stayed the same for a long time and they do not want to change.
- *The school does not understand its legal obligations:* sometimes school and district representatives do not have the most up to date

legal information about their responsibilities so never assume that they are experts of the law on any subject you are concerned about.

- *The school does not have the staff or programs your child needs:* at times even if you have a good request and a good idea, school representatives may not have the power to make the changes you need; in some cases the right person could be at the district or county level because they have greater power over certain matters including, for example, how schools spend money for students.

### **3. Build a positive and useful relationship:**

If you have concerns at school you will work mostly with your child's teachers and principals to try to fix those problems. Because of this you want to build a positive and useful relationship with them. There are many positive people that will work with you and give you support, but you may also deal with people that are not as helpful or nice to you.

Here are some tips if you ever feel that the people in your school are not helpful:

- *Ask for an interpreter if you need one:* if English is not your primary language, schools must make sure that you are able to meaningfully participate in your child's education and talk with the school just like parents who speak and understand English; this includes providing you with an interpreter and translated documents
- *Be persistent and clear:* if they stop you from talking, let them know that they stopped you and you were not done talking, and ask for more time to share your entire opinion
- *Use the information you are given:* if someone shares hard to understand numbers and information, don't be afraid to ask questions and use the information they give you to support your opinion
- *Follow up:* if you reached a solution with school officials but you see no change, find out why; for example, special training for school staff may be needed or additional actions to see the positive change you are looking for.
- *Take control:* If someone tells you there is no answer, do not accept that as a final answer. Keep talking and continue to try and fix your child's

problem. Ask for the reasons why the problem cannot be fixed in writing and ask who else you may talk to who may have greater power; for example, the district or county superintendent.

**4. Communicate clearly:** Let school officials know exactly what you want for your child, whether it is more academic support or better discipline methods. Whatever purpose you have, make sure to explain yourself clearly and try to understand the views of others so you can work together to come up with a solution that fixes the problem.

Here are some things to keep in mind as you communicate with anyone at school, whether it is a teacher or the school principal:

- **Keep it short and simple:** think about how to express what you need for your child and how you could share that in a brief sentence. Once you share your child's needs with the school representative, they will probably ask questions to get more information from you but avoid sharing everything at once, as you may find that they may not understand how to help you if they get distracted by other details.
- **Give evidence:** show the person you are speaking to how the problem is affecting your child by using specific dates, events, and examples as much as you can. This will help you be confident in your request and also make it hard for the school to ignore your problem.
- **Stay strong:** you will be asked many questions, but all you need to do is make sure that you are clearly saying what you need. A good way to do this is to come back to your first request and repeat what you need as much as possible.
- **Get more information:** you may not reach a solution at the meeting because the person you talk to may not have the power to make the change you would like to see or because they have an opinion that is different from yours. Do not let this stop you. At minimum, make it your goal to get as much information about how your child is doing at school (including their learning and behavior) and what supports are being provided or not provided. This information will help you think of ways to fix the problems that your child is facing at school, including taking legal action if necessary to get what is needed.

- **Put your concerns into writing:** share your concerns in writing with your child's school and keep a copy for yourself.

Sometimes you may disagree with what teachers and other school representatives say. Try to talk to them clearly and nicely during these disagreements in a way that will make the meeting a positive and useful experience.

Keep in mind that your goal is to fix the problem that your child is dealing with and to do so by working with your child's teacher and other people at the school. Ask questions, pay attention to the school staff's point of view, and stand firm in your opinions and requests.

Communicating clearly with the school staff who work with your child every day can be a very good way to identify the needs of your child and the root issues that may be interfering with their ability to learn. Sometimes students have disabilities that we may not know about, are being bullied, or have other needs that they cannot express or do not feel comfortable expressing. If there is a basic need that your child has and it becomes a problem, make sure to tell that to the school and work with the school to fix the problem.

## **E. How do I begin to get my child the help that they need on a specific issue?**

Here are some first steps to think about when you want to tackle a particular issue your child is facing at school and some best practices to keep in mind:

- 1. Speak to your child:** Ask your child about the problem to get details about what is happening and how it's affecting them at school. Let your child know that you will work together, as a team, to try to solve the problem.
- 2. Keep everything in writing:** It is very important that you write down what happens every time you speak with, leave messages, contact, or try to contact anyone from the school because sometimes you will have trouble or delays in getting what you need. What you write down is evidence of all your efforts and that will be very helpful if you have to make a complaint. So make sure:
  - If you ask for a meeting, ask for it in writing and date your letter.
  - Keep copies of all the letters you deliver and receive.

- If you deliver the letter in person, write down the date, time, and name of the person who received your letter.
- If you do not receive a response to your request, submit a second letter with a copy of the first.
- If you make a call, send another letter to document and confirm your telephone conversation with someone from the school.  
**See Appendix for Sample Letter to Confirm Phone Call/Contact.**

If you have access to internet, it is best to use email when reaching out to the school because every email is sent with a date and time and it can be an easy way of keeping track of your communication. If you do not have access to internet, or are not comfortable with using the computer, you can use the practices described above.

**3. Keep a call & meeting log:** Another good idea is to create a call and meeting log. You only need to write the important information as you can see in the example below.

This record will help you follow up on your child’s education issues and can be evidence of the people you spoke to over the phone, email, or in person.

**4. Request your child’s complete (“cumulative”) education file:** A cumulative education file is a student’s file that has all of their school records and information. You have a right to your child’s records. You should get a copy of this file and read all of it.

The file should have all your child’s enrollment information from every school that they ever attended, complete information about their school attendance, records of any discipline issues, documentation of any individualized plans and/or behavioral supports, and grades received in all subjects up to date.

If your child is a special education student or has an Individualized Education Plan (IEP) or 504 plan it should also be included. Learn more about an IEP and 504 plans in **Chapter 5, Section E**.

You can get a copy of your child’s file by asking your child’s current school for it. You may request a copy in the form of a letter addressed to the Principal and/or Superintendent of the school district. **See Appendix for Sample Request for Cumulative Education File.**

**5. Keep an organized record of documents you receive:** There will be many papers and files to keep track of during the course of your child’s education. Your child’s “cumulative education file” on its own could be over 200 pages and even more if he or she is a special education student.

A simple way to keep everything organized is to gather all of your child’s educational information in a 3-ring binder and keep it in order by date. Simply log all of the papers and records that you have in a list and place it at the front of the file. You should update it every time you get a new document. See a sample document tracking list on the next page.

CALLS AND MEETINGS RECORDS						
Date	Time	Contact Person	Action I Took	My Questions	Answers I Received	Other Notes
10-12-17	9:00 AM	Secretary Sandoval	Called	Requested anti-bullying policy for the school	Did not receive an answer but was told I would be called by the Principal	She seemed unfamiliar with the policy and questioned my reasons for requesting it

### SAMPLE DOCUMENT TRACKING LIST

Date	Author	Type	Significance
01-01-2018	ABC School District	Attendance records	Received truancy notice
01-02-2018	Ms. ABC	Letter	Missing homework

Being prepared to support and advocate for your child is not only about being organized, it is about being prepared with skills to successfully get your child the help that they need and having knowledge about their school.

Knowing your legal rights as a parent and your child's education rights as a student is a crucial part of being your child's strongest supporter and defender. ■