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Ninth Circuit Court of Appeals Hearing on Parents' Rights in Public Schools

Court Asked to Hold Schools' Action as a Misuse of Authority that Violates Parents' Rights

(Pasadena-May 17, 2019) When their right to be meaningfully engaged in their child's education was obstructed by school district officials, Misty Camfield took a deep breath, and with her husband Corey, took a bold step in April 2016 – they filed a lawsuit against the Redondo Beach Unified School District.

Today, the Camfields sat in the Ninth Circuit Court of Appeals courtroom in Pasadena to hear oral argument on whether public school administrators can deny parents their right to be actively involved in their children's education. As the named plaintiffs in *Camfield v. Bd. of Trs. of Redondo Beach Unified Sch. Dist.*, the parents wanted to hear first-hand the appeal of a lower court ruling that dismissed the case against school administrators for permanently restricting access to the public school that their children attended. The restriction not only prevented the Camfields from participating in their child's education. It was a violation of state and federal law.

Plaintiffs' Attorney Marcy Tiffany says state and federal law recognize the vital role parents play in the education of their children. "Unfortunately, it often happens that when parents criticize or raise objections to what is happening in their child's school, school administrators retaliate by restricting or banning parents from coming onto campus under the guise of maintaining order," Tiffany says. "We are asking the Ninth Circuit to hold that this is a misuse of authority that violates the rights of parents to be strong and vocal advocates on behalf of their children."

California State Law ([Education Code 51101](#)) provides a right to parents "to participate in the education of their children." California law also provides clear guidance on how to deal with disruption in schools and specifically states what school officials can and cannot do.

Tiffany says that the RBUSD, like some other school districts in California, has a practice of ignoring statutory constraints and routinely issues DPLs imposing extensive and unwarranted restrictions, backed by illegal threats of criminal arrest, in order to intimidate parents whom school administrators dislike or consider disagreeable, such as the Camfields.

Misty Camfield says that school officials misread her involvement. "Parent engagement is vitally important and every parent has the right and responsibility to advocate for their child in school without being afraid that they will be retaliated against for doing so," Misty says. She filed the suit on behalf of her children but also for other parents who have faced similar bans and been prevented from becoming actively involved in their child's education. "Schools also must recognize that parents of children with disabilities have special needs that must be addressed. When my son's needs were not being met, I had to speak up for him."

Camfield focuses on the deteriorating interactions that occurred between the Camfields and school officials over time as the parents sought to make sure that their child received appropriate instruction and support services based on his special education needs. As a result of what school officials called "disruptive"

Camfield Parents Rights Lawsuit 2-2-2

behavior, the parents were illegally and permanently banned from their child's school after receiving what is known as "disruptive person letters," or DPLs.

Parents in other schools also have faced a variety of restrictions with the common characteristic that each was informed on their child's educational program, they were familiar with school policies affecting their child's instruction and they were volunteers or strong advocates for their children and in committees.

The issuance of DPLs raises some complex issues surrounding parent engagement and school control but the answer to addressing the problem is pretty straightforward, according to Araceli Simeón, Director of the Parent Organization Network (PON), a nonprofit parent advocacy organization based in Los Angeles.

"We did a study on the issuance of DPLs that shows that the letters are issued to parents when they advocate for their child's educational rights. The data showed that 32% of the letters came from 11% of principals that were more prone to misinterpret engagement and advocacy for disruption or safety threat," Simeón says. "Although parent engagement is a state priority, school districts' default response is to support school site administrators without fully investigating incidents or intervening to resolve conflict."

PON's report recommends common sense modifications to district-level policy and procedures so that the system can protect children and staff while strengthening relationships with parents to better identify and address students' needs. These include: clarifying the law and the process of DPL issuance; training for school staff on conflict resolution and de-escalation techniques; parent training on school sites on parents' rights and responsibilities and how to navigate the school system; and investing resources and providing opportunities for staff and families to build trust and strengthen the relations.

Attorney Tiffany, PON's Simeón and the parents she partners with understand that negative interactions between parents and school officials takes an emotional toll on both families and schools, and causes unnecessary friction that could be avoided. Simeón points to parent Maria Daisy Ortiz as representing the sentiment of other parents when it comes to parent-school relations. "Things that would help improve relations between parents and schools include communication, parent inclusion, transparency, training for parents and school staff, and shared leadership," Maria says, speaking in Spanish at the news conference following the hearing. "Staff also needs to be aware of the many barriers parents face to participate in schools such as poverty, language, educational attainment levels, and knowing their rights."

Simeón says it comes down to school officials changing their "deficit-oriented" view of parents, investing time in building relationships, in order to turn parent advocates into collaborative partners to provide a quality education for all kids.

About PON: Formed in July 2005, PON's mission is to provide a place and space for parents to improve educational outcomes for students from low to moderate-income communities of color in Los Angeles County. This collaborative of independent parent organizations promotes and supports parent engagement from a parent perspective which was, and continues to be, missing from so many conversations about schools and academic achievement. PON envisions a public school system where all parents are included, respected and valued as equal partners and decision-makers to help drive accountability for systemic school change to improve academic outcomes for all students.

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