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## **Chapter 26: Try the Ten Golden Rules of Parent-School Partnerships**

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## **Chapter 26: Try the Ten Golden Rule of School/Parent Partnership**

- 1. Education is a partnership—even site based management does not trump the parental role.**

**See:** TEX. EDUC. CODE §26.001(c) Unless otherwise provided by law, a board of trustees, administrator, educator, or other person may not limit parental rights.

**Issues:** “Banning letters” issued without adequate investigation and justification that “ban” parents from campuses and school activities for a set period of time.

- 2. Boards must have procedures to hear complaints that parental rights have been denied.**

**See:** TEX. EDUC. CODE §26.001(d) Each board of trustees shall provide for procedures to consider complaints that a parent's right has been denied.

**Issue:** Board policies or statutes that limit the parent’s recourse like TEX. EDUC. CODE §28.0212. It limits the *basis* on which a grade award may be reversed, but *not* the right to appeal it to the board.

- 3. If it’s an educational record, parents have the right to access it.**

**See:** TEX. EDUC. CODE §26.004. ACCESS TO STUDENT RECORDS. A parent is entitled to access to all written records of a school district concerning the parent's child, including:

(1) attendance records; (2) test scores; (3) grades; (4) disciplinary records; (5) counseling records; (6) psychological records; (7) applications for admission; (8) health and immunization information; (9) teacher and counselor evaluations; and (10) reports of behavioral patterns.

TEX. EDUC. CODE §26.004.

**Issue:** Scoring for school honors and activities like National Honor Society and cheerleading. If you ask educators for subjective evaluation of candidates, parents can access these records. Many educators will refuse to participate because of this factor. Tempted to use anonymous evaluations instead? *Byard v. Clear Creek ISD*, Comm’r of Ed. Dec. No. 020-R5-1001(6/17/2002), held that they violate TEX. EDUC. CODE §§26.001(a) and 26.008(a).

- 4. People sue you when they feel that they haven’t been treated right.—Kelly Frels**

Parents who hire a lawyer do so because they believe their children have not been treated right *and* that school authorities are not listening to them. Often, they’re right about at least one of those concerns. Often school administrators who provoke lawsuits are those who do not believe in parent partnership as envisioned by Chapter 26, and make their authority in the situation clear to parents. By the same token, administrators who

truly listen to parents, emphasize and truly review their situation, can often diffuse a parent who is prepared to take legal action.

**5. Do unto others as you would have them do unto you (and its corollary--there is no such thing as a bad kid, just bad behavior).—the Bible and educational psychology theory.**

The demeanor of the school attorney has a lot of bearing on my clients' reactions. Attorneys who are deliberately nasty, mean, and insulting to parents and employees annoy, irritate, infuriate, and harden parents and employees in their conflict. Warm, considerate school attorneys who evidence a concern for the student or employee can often diffuse parents' or employees' wounded feelings and facilitate a mutually agreed solution—usually to the benefit of both parties.

**6. Even if there is such a thing as a “bad” kid--schools now have little choice but to deal with it.---See the No Child Left Behind Act and all the new accountability standards.**

The bottom line is that between NCLB and all the other accountability standards, schools have little choice but to figure out a way to deal with problem students. Even if a “bad” kid drops out of school, the school will be forced to try to find and graduate him. A chronically disruptive child can be sent to AEP for lengthy assignments, but unless the school steps in to determine why the child is chronically disruptive (or can't learn), the child will continue to be a problem for teachers and fellow students. And if the parents do research on the internet or hire a lawyer, they may realize that that chronic disruption is due to a disability, diagnosed or undiagnosed, that must be appropriately addressed under the law. Usually parents, school staff, and attorneys can find common ground in addressing the needs of the student in a nonaccusatory fashion. By the same token, it is not helpful for the school staff or the school attorney to try to persuade the parents or their counsel of how “bad” a child is nor is it helpful for a parent or their counsel to focus on how they think school staff did things wrong, because it usually only makes the school staff defensive. Resolution is usually found by focusing on how to deal with problems in the future, and recognizing that neither side wins if a student is chronically disruptive.

**7. School law is, and should be, about education, not winning.**

In most civil law situations, attorneys sit by quietly as the other party commits legal errors that can be used against them in future litigation. In school law, such a practice may benefit a case or an attorney's fees, but not the interests of the student. If the parents have to resort to litigation, usually both sides lose. By the same token, schools often mistake winning the battle or the case with winning the war. The parties usually will still have years to deal with each other, and judicial resolutions only widen the

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