

FAMILIES AND FRIENDS OF LOUISIANA'S
INCARCERATED CHILDREN

EDUCATION TOOLKIT

Knowledge and Tools to Help Parents
Advocate for Children



FFLIC





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ACKNOWLEDGEMENTS

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The contents of this toolkit reflect the views of the authors and do not necessarily reflect the views of Families and Friends of Louisiana's Incarcerated Children.

Families and Friends of Louisiana's Incarcerated Children

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WHO IS FFLIC?



Families and Friends of Louisiana's Incarcerated Children (FFLIC) began our work fighting for children who were locked in Louisiana's prisons, starting with the Tallulah Correctional Center for Youth, which FFLIC helped close. At the time, parents, family members, and allies got together and began to share stories of how their children were suffering inside the center and their experiences with the unjust systems and practices that landed them there. It has been years since the successful closing of Tallulah, and fewer children are locked in Louisiana's state prisons, but we believe there is still a long way to go. And we can get there together. With this in mind, FFLIC developed a three-point platform for our "Let Kids Be Kids" Campaign, which urges Louisiana's leaders to come together to holistically address the critical needs of children related to mental health, education, and poverty.

MENTAL HEALTH

Prison is the wrong place to meet mental health needs, but more than 40% of Louisiana's incarcerated children have mental health challenges.

EDUCATION

Education is key to a child's development and their ability to contribute to society, but Louisiana ranks 48th in education.

POVERTY

Poverty is a form of violence that can lead to crime in order to survive, but Louisiana ranks 49th in economic well-being.

Additionally, FFLIC realizes that outside of the home and family, one of the most important influences on our children is their school. While schools can act as a protective factor against negative influences in their lives, they are often making children more vulnerable to violence. Studies show that children who were suspended are more likely to drop out and be incarcerated. This phenomenon of harsh discipline policies and practices that push schoolchildren, especially our most vulnerable children, out of classrooms and into the criminal justice system is known as the school-to-prison pipeline and it must stop. FFLIC believes that all children have a human right to a quality public education in a safe and supportive learning environment that addresses their challenges related to mental health, education, and poverty. Thus, we work to help parents support their children by making sure the school systems are working for them.

Join us

Visit our website at www.ffmpeg.org to read more about our work or become a FFLIC member to receive the support you need to fight for your child and ALL children. You can also call us at 504-708-8376 or email us at ffmpeg@ffmpeg.org for more information.



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WHAT IS THE TOOLKIT AND HOW DO I USE IT?



In over 20 years of experience, FFLIC has learned that parents are the best at knowing how to help their child. We want to give you more information to make you more successful at taking care of your child and their education. We also know you might not always have the time and energy, so we are providing you different options to be able to support your child and fight for their right to go to a good school. There may be times when you're able and ready to fight for your community's children, and other times when it takes your all just to figure out what's going on at your child's school. That's ok! Whatever you're able to do at any time is valuable, and we can help guide you every step of the way. This toolkit is to help you figure out what your next steps are, wherever you're at, and what support you can call on to help you out. It helps you build knowledge and gives you the tools you need to advocate for your child and all children.

The toolkit is made up of three parts:

- 1) Know the System
- 2) Challenge the System
- 3) Change the System



Within each part, FFLIC gives you one-pagers of information that address some of parents' common questions and issues, and provides options for advocacy. Read and use the ones you need and feel free to just skim or skip the information you already know or that doesn't apply to you. This will help you figure out how much you want (and are able) to take on in the fight for better schools and opportunities for our children. We also look at the larger picture of how schools in New Orleans are part of a bigger system of inequality that gives some students and families opportunities that aren't given to others. This is nothing new, but it helps us to understand what our work can do and why we have to keep doing it.

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KNOW THE SYSTEM

We ask and answer important questions about the education system. Think of it like a card game: It's always easier to play and win a game if you know what the rules are. We also give you information on where to find important information about school rules and policies. But be aware the rules and policies are designed to be confusing for folks, so don't worry if you can't make sense of them.

CHALLENGE THE SYSTEM

We guide you in your efforts to defend your child. We try to provide you with some tips and address issues you may be currently dealing with (or that may come up in the future) in the area of discipline, fees, and other critical information.

CHANGE THE SYSTEM

We remind you that being a leader in your community is about defending ALL children and provide you with tools so you can be the best leader you can be.



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A CONTEXT OF RACE AND POWER



Before we go into information about knowing, challenging, or changing the system, we want to be real about what we are dealing with. If we look at the history of any system in America, whether it's our healthcare system, criminal justice system, or education system, it was founded upon racism and racist beliefs. This is what we mean when we say "institutional racism." The individual racist beliefs of people get baked into our institutions. Privilege, power, and oppression have been baked into our nation's laws, policies, institutions, and societal beliefs, and this has resulted in the lack of access to power, wealth, and opportunity for Black people, Indigenous people, and people of color. On the flip side, a disproportionate distribution of power, wealth, and opportunity has gone to white people and continues to be maintained by white people. Additionally, in this context, we can define power as "the ability to impact or influence the outcomes of others."

When we look at the education system in New Orleans we can see that racism is ingrained in every aspect of it. A recent article in *The Atlantic*, titled "[Schools Are More Segregated Today Than During the Late 1960s](#)," outlines some of the realities that many New Orleans parents know from experience. For example, predominately Black schools get less funding and resources than predominately white schools.

This is just the tip of the iceberg of how policy decisions in education have been made to advantage white students and disadvantage Black students. As Frederick Douglas once said, "Power concedes nothing without a demand." So we can't expect the system to willingly work for us. We have to learn how to utilize the system for our own needs as much as possible and in order to do that we have to know how it works. Once we are able to navigate the system for ourselves, we can also begin to work with others to increase our impact and try to change the system. The only real power is the power of the people. Organizing is key to impacting and influencing the outcomes of the children in our community. When we are trying to fight the system alone, it might seem disheartening and useless to know how the system works. But alongside others, it can seem possible.



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PART I:

Know the System



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WHAT IS A CHARTER SCHOOL?



Some parents don't even realize their children are attending charter schools because in New Orleans, our public school system has changed into an all-charter system. So if your child is in a public school in New Orleans, they are in a charter school. And if they are in a charter school, they are in a public school.

CHARTER SCHOOL



PUBLIC SCHOOL

PUBLIC SCHOOL



CHARTER SCHOOL

What our charter system looks like

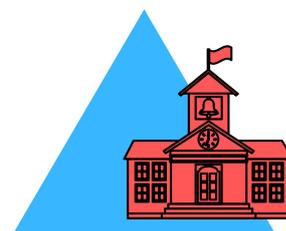
In New Orleans, because our public schools are charter schools, they are no longer run by the public. Charter schools are allowed to choose their own bosses, and so our public schools are free to operate without much input from the [Orleans Parish School Board](#) (OPSB). Additionally, because they are our public schools, charter schools are funded by the state and must be tuition-free and open to all students. But, even though they are funded by the state, our public schools are allowed to create many of their own rules and regulations.

So, to review, in our old public school system (pre-Katrina), OPSB used to be responsible for all of the schools in New Orleans. Now, most of our schools have their own board that they can choose (even if the person has no qualifications), with some support and guidance from OPSB. We do not have a "central" public school system where there is one clear governing authority. Instead, each school has its choice of who it wants in charge.

You can go to your charter school's website for information about board members and board meeting dates, or ask the school principal. Additionally, some school boards have an opportunity for parents to serve as a member of the board, which is something to think about if you have the time to give to it.

Who governs the charters

All schools in New Orleans are under the authority of the [Board of Elementary and Secondary Education](#) (BESE), which creates and implements policies and laws for all schools in the State of Louisiana. BESE was created by the Louisiana constitution and has to follow state laws passed by the state legislature. (For more information about how a bill becomes a law, see the [Louisiana State Legislature's website](#).)





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WHAT IS A CHARTER SCHOOL?



Some of BESE's members are elected and others are appointed by the Governor. Additionally, the State Superintendent of Education is appointed by the Governor, but BESE has to approve the appointment. (See [BESE's website](#) for more information about their structure, responsibilities, and members.)

Who a charter answers to

As you can see, charter schools are purposely designed so that they can do what they want. In a perfect world, this would allow teachers and administrators to create new approaches to education. But if charter schools aren't responsible to the government, it can create an environment where schools aren't responsible to parents and children either. This is often what we see happening in New Orleans. The [Louisiana Department of Education \(LDOE\)](#) website states, "Charter school leaders and boards are free to make decisions about staffing, curriculum development, and other factors to meet the needs of their students." Needless to say, this combination of self-rule—where schools choose their own board members—and little oversight has created a lot of tension between parents and the schools.



Governor / BESE
State Superintendent
Orleans Parish School Board
OPSB Superintendent
Charter School Boards
School Leaders

Opening, renewing, and closing

OPSB and the Department of Education have guidelines that determine when to open and close charters, when to renew and not renew a charter, and other "frameworks" or rules to hold them accountable. While OPSB and the Department of Education hire companies to assess schools according to these frameworks, they still get to make the final decisions. So there is still a lot of room for discretion.

To learn more

For more information about charter system accountability, visit the Dept. of Education website to view types of charter schools and their document "[Charter School Performance Compact](#)," and OPSB's website for their "[Charter System Accountability Framework](#)." Any time BESE or OPSB is making a determination regarding a school, such as opening, renewing the charter, or closing a school, you might look at these documents to make your own assessments of how the school does or does not meet the state and local standards. To connect with community efforts to hold charter schools more accountable, call the New Orleans Community Accountability Project at 504-322-6582.

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WHAT IS A "GOOD" SCHOOL?



All parents want their children to attend a good school, or quality school. But we have to figure out how “quality” is being defined so that we can try to make good choices for our children. The [Board of Elementary and Secondary Education \(BESE\)](#) and the [Orleans Parish School Board \(OPSB\)](#) define school performance in terms of the school’s grade. Just as school children receive report cards on their performance, schools also receive these scores from the state. These letter grades are known as “school performance scores” (SPS) and are given out each year.

What a score is based on

These scores are largely based on how well students test. Not how much the student understands the material, not how well the teachers are teaching, not how safe students feel to ask questions, not how supported students feel at school, but rather TEST SCORES! So it’s important to understand what the scores really tell us, and how we can determine for ourselves what is the right school for our child.

The grading system

In the past few years, the school grading system has been changing, making it harder for parents to understand how well a school is doing. Now, it’s harder for schools to get a good letter grade, which are mostly based on how many students tested well, or “at grade level,” during end-of-year testing (see chart).

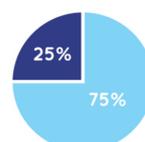
Essentially, the more students who score at grade level, the higher the letter grade the school receives. In 2017 students had to score at “proficient” to be considered on grade level, but in 2018 students had to score at the higher “mastery” level to be considered on grade level. Basically, students had to get more questions right on their state tests.

Progress score

You may also have heard of a “progress score.” The state takes into account whether students are learning at the rate we expect them to, which is called a “progress score,” which is also given in the form of a letter grade. Again, this score is largely based on test performance. So if a school has a lot of students showing up on day one receiving lower grades on tests, if at the end of the year those same students are showing improvements, the school will still get credit even if the students still aren’t doing great.

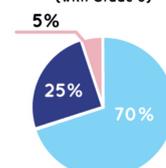
2017-2018 Formula for School Performance Scores

Elementary School Performance Scores



● State Assessment Performance
● Student Progress

Elementary/Middle School Performance Scores (with Grade 8)



● State Assessment Performance
● Student Progress
● Credit Accumulation in 9th grade

High School Performance Scores



● State Assessment Performance and Progress
● ACT/WorkKeys
● Strength of Diploma
● Graduation Rate



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WHAT IS A "GOOD" SCHOOL?



Actual score versus progress score

In other words, the performance score/grade is how many students are at "mastery" level, while progress score/grade is how many students got a higher score, even if just a few points, no matter what level they started. Don't let schools try to confuse you. Some will show off their progress score, which is also on a letter system, as if it is their overall grade. Ask to see both scores! And for more info on school performance scores, view the Louisiana Department of Education's (LDOE) [4-Minute video](#) on their website (www.louisianabelieves.com).

Other ways to define a "good" school

If you believe a quality school should be defined by more than just the students' test scores, you are not alone. Community efforts are underway to create alternative ways of defining a quality school. For example, a coalition of community organizations came together to create the [New Orleans Educational Equity Index](#) in 2017, which also allows parents to take into consideration the following data when choosing the school that is right for their child:

- Enrollment costs
 - If transportation is provided
 - Student-to-teacher ratio
 - Number of incidents reported to police
- There is also additional data on LDOE's website which can help you decide what school might be a good fit for your child (www.louisianaschools.com).

How did Orleans Parish grade?

'C'

is for
'concerning'

The entire Orleans Parish district got a C letter grade, with a corresponding school performance score of 66.2.

In Orleans Parish, 40% of schools are in the D and F range compared to a quarter of schools statewide.

Half the schools in New Orleans are B or C, and just a handful are rated A.

In addition to the overall school performance and progress score, some key data LDOE provides is:

- How many students are free from suspension
- How diverse the teachers are
- How particular groups of students are performing at the school

Is it really about performance?

Finally, grading schools with school performance scores often simply amounts to grading schools on the money they have or do not have. For example, a well-funded school that can afford more books for the students to take home, additional staff, and lower teacher-student ratios will likely have better scores. So the concern is that what is really being measured is how much funding a school has, which of course, is deeply and historically tied to racism and segregation.

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WHAT IS THE SCHOOL'S APPROACH TO DISCIPLINE?



FFLIC recommends that parents consider discipline rates and how many times the school reported a child to the police, which we call "school climate." It is important to look at the school culture and how the school views and treats children. While some information can give you hints as to what the climate is like (for instance, high suspension rates usually indicate stricter, more aggressive climates), numbers are not going to tell the whole story.

You will probably need to talk to the school, as well as ask other parents and students, including your child. Community conversation is critical, since many schools will say one thing and practice another. Is the school using a stricter approach, having children walk in lines and enforcing a silent lunch? These schools tend to view and treat children as enemies or criminals who need to be punished when they do not follow rules. They can be quick to call the police and involve law enforcement in matters that could and should be handled by the school. This is why these schools should be avoided if possible. Studies reveal that the long-term effects of strict policies, also known as "zero tolerance policies," do not make schools any safer, and likely have the opposite effect.

For more info about PBIS:

Visit www.pbis.org and ask FFLIC about the "Parents in Leadership" Project.

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Alternatives to suspension

In contrast, some schools use alternatives to suspension. These are more positive approaches that focus on preventing misbehavior by building relationships and encouraging good behavior with clear expectation and rewards. This is known as Positive Behavioral Interventions and Supports (PBIS). When a child misbehaves, these schools tend to see the misbehavior as the problem, not the child, and to try to find the cause of the misbehavior and correct it. These schools might also use restorative approaches, which is a method of discipline focused on repairing the relationships between those harmed (for example, the target of a rumor) and those causing the harm (the students spreading the rumor).

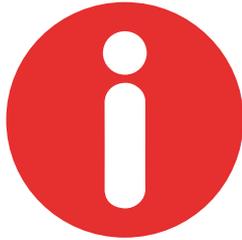
Finding a supportive school

Parents can try to choose schools that utilize these practices, or encourage their schools to use them. You will probably need to ask around to other parents and students and to talk to your child because there is no data on which schools use PBIS and/or which use them correctly. Also, don't be afraid to talk to the school itself. Studies show that alternatives to suspensions like PBIS contribute to improved grades, so it's in the best interest of schools to use these tools. Additionally, these practices reduce the likelihood of your child being suspended, dropping out, or coming into contact with law enforcement.



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WHAT INFORMATION DO I NEED TO KNOW?



When dealing with schools, it is important to be informed. There is some information regarding your child that the school is responsible for giving you and that you have a right to, such as changes in an [Individualized Education Plan](#), behavior violations, or medical treatment. And there is some information that you should seek out on your own that the school doesn't provide but is really good to have, such as the school code of conduct and school calendar.

Figuring out the rules

There are a few main sources of information that are very important for your child that you can read whether or not there is an issue or concern. But it is even more important to review the information if there is an issue involving your child. The information can be a bit confusing, but don't worry. Take your time and ask questions. You don't have to understand everything all at once. Also, think about asking for help. It is true that two heads are better than one, so if a family member, a friend, a neighbor, or someone you trust can also look at the information, this can help a lot.

Information to review

At the beginning of the year you will want to review important information. You can review these resources ahead of time, to know they are there and what they are, and use them if an issue arises. This may take some time, but it's worth it. These documents include:

- Your School's Code of Conduct (This should be available on your school's website. If you do not know your school's website, you can find it using the [school directory](#) on the Orleans Parish School Board Website).
- Louisiana Department of Education [Complaint Procedures](#)
- See FFLIC infographics on "Other Critical Information"
- OPSB's "[Parental Rights](#)" information
- [School Bullying Incident Form](#)
- Orleans Parish [Manual for Disciplinary Procedures](#)



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PART II:

Challenge the System



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HOW CAN FFLIC SUPPORT MY ADVOCACY?



If you are having an issue with your school, FFLIC wants to help. We can help you figure out the rules of the game so that you can win the game. Ideally, our schools would also want to address a child's challenges from a more holistic view, but currently that is not happening. It's probably better to assume that schools are not working for your child, and begin your work there. Although this may seem defensive or pessimistic, we have to remember that if we don't fight for our child, no one else will. This is why we begin with a **"Whole Child Check-In."**

Common scenarios

Additionally, FFLIC sees some common scenarios that directly relate to the education system's inability and/or unwillingness to let kids be kids. For that reason, we have focused on helping parents deal with the school system in specific situations that are directly related to the mental health, education, and poverty challenges they face every day.



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In our toolkit we address three main topics:

- 1) Discipline
- 2) Fees
- 3) Other Critical Information

Additionally, we recommend reading:
FFLIC's **"8 Tips For Dealing with Schools."**



Whole Child Check-In

Any time a challenge with the school arises, FFLIC recommends doing a "Whole Child Check-In." This helps us identify the types of support the child needs in order to overcome these challenges at school. The purpose of this assessment is to look for the aspects of a situation that may be creating the challenge. This exercise can be done in the spirit of finding a solution, not placing blame or feeling like you as a parent are doing something wrong. The checklist asks you to think about the child's health and relationship with the school, you as a parent and other loved ones, their environment, and themselves.



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HOW CAN FFLIC SUPPORT MY ADVOCACY?



Discipline

Discipline issues are common. Sometimes these are caused by a child's misbehavior, and other times by the school system's inability or unwillingness to let kids be kids. Many times, it is a combination of both. This is why a Whole Child Check-In is recommended in order to assess all of the things that can contribute to discipline issues. Additionally, we offer guidance with the following discipline issues:

- What are my rights in the case of suspension and expulsion?
- Infographic: I was informed my child will be suspended or expelled.
- Infographic: How do I challenge a suspension or expulsion?
- Infographic: The school contacted me about a behavior issue with my child and/or my child's discipline case has been referred to FINS and/or Municipal Court.
- Infographic: My child's case was referred to FINS and/or Municipal Court because of truancy, absence, or tardy.

Fees

When we think about public education, we think it should be free, right? Unfortunately though, that really isn't the case in the New Orleans charter school system. Schools charge a number of fees ranging from a few hundred to a couple thousand dollars. Charter schools often ask parents to pay for school uniforms, supplies, extra-curricular activities, accelerated learning, and before-and-after-school programs.

But even though schools can legally charge fees for some things, they aren't supposed to charge for the education itself. Additionally, in most cases, there must be a waiver available. If you are a parent struggling to pay fees, it is important to know what a school can and can't charge for, and what your rights are in regards to asking for a waiver. We offer guidance with the following:

- Infographic: I'm having trouble paying school fees.

Other critical information

It is important for you and the school to share information about your child. You both have a responsibility to communicate with each other about the child's educational progress and needs. Additionally, sometimes the school is not aware of the parent's right to access records—such as those related to attendance, grades, and behavior issues—and/or their responsibilities to provide those records within timeframes set by law. Other times, the school fails to provide a parent/guardian with critical information. For example, if a nurse offers your child medical treatment or medication, the school should let you know. It is important for you to know the school's and your own responsibilities.

- Infographic: I want access to my child's school records.
- Infographic: The school failed to notify me...



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WHO ELSE CAN HELP?



FFLIC is here for you and will stick with you, so don't hesitate to contact us at **504.708.8376** or fflic@fflic.org.

Within the System

It's good to begin by looking for people within the system who want to help. Many don't want to be bothered, but it's a matter of finding the right person. Also, when you first have an issue or a concern within a charter school, usually the principal is the first person you go to. However, if the principal is not helpful, you might try emailing the school's board members. If that's not helpful, keep trying others at the next, higher level in the chain of command. Email your OPSB board member.

The board member of your child's school may be different than the member where you live, so check both. Also, make sure you document all calls and emails.

Outside the system

There are a number of agencies serving youth and families. Many are simply referral agencies and will instruct you to call another agency. This can feel very frustrating. Some parents give up altogether. Again, FFLIC is here for you. In addition, we may also want to seek help from other agencies that specifically do legal and advocacy work. FFLIC has worked with a few organizations that we believe can help:

ADVOCACY CENTER OF LOUISIANA

8325 Oak Street, New Orleans, LA 70118
ADVOCACYCENTER@ADVOCACYLA.ORG 504-522-2337

Special Education

PYRAMID PARENT CENTER

8325 Oak Street, New Orleans, LA 70118
INFO@PYRAMIDPARENTCENTER.ORG 504-218-8922

Special Education

FAMILIES HELPING FAMILIES

700 Hickory Ave, Harahan, LA 70123
504-888-9111

Special Education

SOUTHERN POVERTY LAW CENTER

VICTOR.JONES@SPLCENTER.ORG 504-526-1532
CHEYENNE.BLACKBURN@SPLCENTER.ORG

Legal and Advocacy

LOUISIANA CENTER FOR CHILDREN'S RIGHTS

1100-B Milton Street, New Orleans, LA 70122
ATEST@LACCR.ORG 504-658-6860

Legal and Advocacy

STAND UP FOR EACH OTHER

STANDUPFOREACHOTHER@GMAIL.COM 504-410-5437

Legal and Advocacy

N.O. COMMUNITY ACCOUNTABILITY PROJECT

504-322-6582

School Accountability and Advocacy

YOUTH OPPORTUNITY CENTER

504-218-5386

OPSB Case Management Services



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8 TIPS FOR DEALING WITH SCHOOLS



A big part of working for your child is knowing when and how to push back on the school. But there are some key tools to use that can make you more effective.

1) Know your rights! By knowing your rights and what should happen, even when schools don't understand the rules or play by the rules, you will have an advantage.

2) Gather information! Keep all important documents the school gives you, such as permission slips, attendance, suspension notices, and any emails and online correspondence that teachers and administrators send you. Put them in a safe place until the end of the school year.

3) Keep records! Make sure you keep a record of all meetings and interactions. Keep a journal to take notes and write dates of events. Print out all emails that the schools sends, and keep all school letters and correspondences in a folder.

4) Stay informed! Know where you can get school updates and seek out information on updated policies within your school and the school system. Ask your child for updates on a situation or about the school in general.

5) Be assertive, but keep your cool! Asking for what you want and deserve is your right. But even if someone deserves to be yelled at, they won't give you what you want if you're screaming at them. Before going in, get a clear mind. It's natural to get angry, but it can also be harmful to our cause.

6) Listen carefully! There is a lot of good information that can be collected at a meeting with a school administrator or while talking to your child about their situation. Taking notes while you're having a conversation is a great way to remember what they said and it gives you a tool to build your case. Send a follow up email with your notes to the person you met with. If taking written notes doesn't work for you, turn on your cell phone recorder to listen to later and save the recording for future use with other documentation/notes you have gathered.

7) Don't assume anything! Don't be afraid to ask questions! It's okay to not know something or to get it wrong. Ask for clarification or to have something explained or repeated as many times as you need. These systems want to keep us in the dark, so we have to fight against that by asking, asking, and asking some more.

8) Collaborate! Even though you may not agree with an action by the school or system, you can look at it with the intention of improving or changing it. You can cooperate without agreeing. Remember: you are educating the school about your child, and you want them on your side.



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WHOLE CHILD CHECK-IN

SCHOOL

PARENTS/LOVED ONES

CHILD ENVIRONMENT

CHILD

- Evaluate skillfulness of teachers and other school personnel
- Relationship between school personnel and child
- Evaluate school's policies and practices on discipline, fees, and other critical information

- Physical health
- Emotional health
- Financial health
- Spiritual health
- Relationship with spouse or child

- Close friends
- Home environment
- Responsibilities
- Transportation
- Neighborhood safety

- Physical health/nutrition
- Emotional health
- Spiritual health
- Extracurricular activities
- Past grades vs. current grades

PART I. IDENTIFYING CHALLENGES IN EACH AREA

1. Is the school supportive in meeting your child's specific needs?
2. What is the child's relationship with the teacher, the principal, and the school disciplinarian?
3. What methods of discipline does the school normally use? (Examples: punishment by suspending, peer circles, in-school suspension)
4. Does the school make information readily available?
5. What are the fees associated with attending this school?
6. Are there any other schooling options for your child?

1. Am I, the parent/guardian, having a hard time right now (physically, emotionally, financially)?
2. Is there someone special in the child's life who is going through a hard time?
3. Did anyone recently die or go to jail?
4. What are ways to show the child even more love during difficult times?

1. Are the child's friends getting into trouble?
2. Does the child have the right amount of privacy?
3. Do you and your child have different expectations regarding cleanliness?
4. Do you and your child have different feelings about the neighborhood?
5. Where does the child like to go to hang out?
6. Does the child have the right amount of responsibilities?
7. How is the child's transportation situation working out?

1. Has the child's friends/ behaviors/eating habits changed recently?
2. Is the child involved in extracurricular activities?
3. What does the child like to do for fun?
4. Has the student's school performance changed recently?
5. Is the child experiencing any physical illness or symptoms?
6. Is the child experiencing depression, anxiety, or any other mental health challenges?
7. What are ways to show the child even more love during difficult times?



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PART II. ADDRESSING THE CHALLENGES

We understand that challenges don't exist in a vacuum. There are a lot of factors that created the situation and a lot of them are not in your control. We know that you are doing the best you can as a parent. That said, it is still helpful to look at what you can control. You are the expert in what you can change and how you can change it. So we have provided some guiding questions, but left this part blank for you to fill in.

1. IN EACH OF THESE AREAS, WHAT CHANGES DO YOU FEEL YOU COULD MAKE AT THIS TIME?

SCHOOL

PARENTS/LOVED ONES

CHILD ENVIRONMENT

CHILD

2. WHAT ARE THE OBSTACLES YOU MIGHT NEED TO OVERCOME?

3. WHO CAN YOU ASK FOR HELP IN MAKING THESE CHANGES?

Part II: Challenge the System Discipline



FFLIC

SUSPENSION: WHAT ARE MY RIGHTS?



The following information is a summary of R.S. 17:416, the Orleans Parish Student Code of Conduct (2017-2018), and a review of several schools' codes of conduct. If your child has been suspended, please do not rely on this document alone. Review your school's code of conduct in detail!

What is suspension?

- Suspension is school discipline that removes a student from school for less than a semester.
- The school can keep the student off of school grounds and out of school activities. The school can also keep the student in a classroom separate from other students, if someone is there to supervise them. This is called "in-school suspension."
- The rights spelled out below are typical for charter schools in the Orleans Parish School District. But, you should check your student/family handbook for the student's particular school.

When can a school suspend a student?

- The student can be sent to the principal's office for disobeying a school employee, doing things the school employee thinks are disrespectful, fighting, threatening someone, bullying, stealing from the school or a student, and leaving school without permission.
- The principal will decide if the student will be suspended. A student cannot go back to class until the principal decides on a punishment.

- The principal can decide what kind of punishment the student will get, depending on how bad the principal thinks the behavior was and if they have misbehaved before.

What must the school do before it suspends a student?

- The student has the right to a conference with the principal before they are suspended.
- Many schools require the principal talk to the student about the incident by the end of the day or the end of the next school day.
- In the conference, the principal must give the student a chance to tell their side of the story and if they choose, submit it in writing. Students can also bring in documents and/or bring in people to back them up.
- The principal must tell the student what school rule they broke and how they know the student broke the rule.
- The principal must call the student's parent/guardian to tell them about the incident. Most schools will also send a letter to the parent about the rule the student is supposed to have broken.
- A parent and student must receive documentation of the suspension. No student shall be sent home without the school properly documenting the reason for the suspension.





FFLIC

SUSPENSION: WHAT ARE MY RIGHTS?



What are the student's/parent's rights to appeal a suspension?

- You can appeal a decision to suspend the student within five days of the decision.
- That means if you think the decision to suspend the student was decided the wrong way, you can contact OPSB. Because the student must remain out of school due to the suspension, it is best to submit the appeal as soon as possible.
- The OPSB Superintendent will decide if the school was right or wrong. The decision made by OPSB is final and cannot be changed.

What are the student's/parent's rights after a final decision of suspension?

- If the student is a minor, the student has the right to remain in school until the end of the school day unless released into the care of their parent/guardian unless the student poses a danger to themselves or others. In that case, the principal may remove the student from the school immediately.
- OPSB's policy is that students suspended three or more consecutive days shall be provided schoolwork during their suspension, which must be picked up by the parent/guardian at the school. A student suspended less than three consecutive days will receive the assignments on return from suspension.

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- State law provides that if the student is suspended for 10 days or less, the school must provide schoolwork during their suspension and give partial or full credit. The parent/guardian must pick up the schoolwork at the school.
- If the student is suspended for more than 10 days, they must be placed in an alternative education program. The alternative education program must assign them schoolwork, so they can still graduate.
- If the student is suspended for damaging school property, the child cannot go back to school until they pay for the damage. But the superintendent can decide payment is not needed.
- If the student is suspended twice during a school year, then the principal can make the student and parent meet with the school counselor/social worker.

Other things to think about

- Students in Special Education or receiving [504 plan accommodations](#) have additional rights and protections in suspension and expulsion proceedings. See the Advocacy Center's "[Education Rights of Children With Disabilities in Louisiana: A Guide For Parents.](#)"
- If a student threatened or hurt a school employee, the student will be immediately taken out of school and cannot return until all conferences, hearings, and appeals are finished.



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EXPULSION: WHAT ARE MY RIGHTS?



The following information is a summary of R.S. 17:416, the Orleans Parish Student Code of Conduct (2017-2018), and the OPSB Manual for Disciplinary Procedures, as well as a review of several schools' codes of conduct. If your child has been recommended for expulsion, please do not rely on this document alone. Review your school's code of conduct and the Manual for Disciplinary Procedures in detail!

What is an expulsion?

- Expulsion is school discipline that removes a student from school for a semester or more. The school can keep a student off of school grounds and out of school activities.

When can a school expel a student?

- For all schools in Orleans Parish, there are three groups of violations that lead to expulsion. These groups are called Tier 1, Tier 2, and Tier 3.
- A student can only be expelled if they did something listed in these Tier groups. A student cannot be expelled for disrespect, disobedience, or uniform violations.
- Specific Tier 1 violations include hurting someone, threatening to hurt someone, dealing drugs or prescription medicine, and having weapons at school.
- Specific Tier 2 violations include having sex at school; having drugs, pepper spray, or mace at school; robbing someone; and vandalizing the school.
- Specific Tier 3 violations include being high at school, bullying someone, stealing things from the school or other students, and sharing sexual photos.



- A student cannot be expelled for their first Tier 3 violation.

What must the school do before it expels a student?

- The school has 4 days to send an "Expulsion Recommendation" to the Orleans Parish Student Hearing Office. The Orleans Parish Student Hearing Office must schedule a hearing. A student can only be expelled after that hearing.
- If the Expulsion Recommendation that is required from the school is late or missing required documents, the Student Hearing Office cannot expel the student.
- The school must tell the parent/guardian about the violation.
- The school must mail the parent/guardian a letter saying they are trying to expel the student. The parent must sign that letter to show they got it in the mail before the hearing.

What are the student's/parent's rights during the expulsion process?

- If the parent tells the Student Hearing Office in advance, even the day of the hearing, they may reschedule the hearing at least once. Call the Student Hearing Office as soon as possible!
- The student/parent doesn't have to be at the hearing for it to happen, but it is important they show up.



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EXPULSION: WHAT ARE MY RIGHTS?



What are the student's/parent's rights during the expulsion process? (cont'd)

- If a parent cannot go to the hearing, they can ask the Student Hearing Office to let them participate over the telephone.
- The student can still be expelled if they do not show up to the hearing, but they are not automatically expelled if they don't show up.
- The student has the right to tell their side of the story at the hearing and to bring documents and witnesses.
- The student should not be suspended for more than 10 days while waiting for the expulsion hearing, unless they committed a Tier 1 violation that threatened the safety of others.
- The student/parent will get a written copy of the decision made at the hearing.

What are the student's/parent's rights to appeal after a final decision of expulsion?

- The student/parent can appeal a decision to expel. That means if you think the decision to expel was decided the wrong way, you can have the Superintendent look at the case again.
- You have five days after OPSB's Student Hearing Office makes its decision to appeal to the school in writing. The school does not have a right to appeal, only you do.
- You have the right to a second appeal. If OPSB upholds the school's decision to expel, you can submit a second appeal (of OPSB's decision) within 10 days to the [Orleans Parish Civil District Court](#). The Court will determine if OPSB's Student Hearing Office made the correct decision.

What happens after a final decision of expulsion?

- If the student is expelled and is in grades 7-12, they will be placed in an alternative education program. If the student is expelled and is in grades K-6, the student will be placed in another regular school.
- An alternative education program must assign the student school work, so they can still graduate.
- The student must attend the new school assigned to them before submitting the appeal.
- The student must start going to the new school within 3 school days of the expulsion hearing.

Other things to think about

- Students in Special Education or receiving [504 plan accommodations](#) have additional rights and protections. See the Advocacy Center's "[Education Rights of Children With Disabilities in Louisiana: A Guide for Parents.](#)"
- If a student threatened or hurt a school employee, the student will be immediately taken out of school and cannot return until all conferences, hearings, and appeals are finished.
- Normally, having a gun or knife in the school parking lot would get a student expelled. But, the law lets the school decide not to expel the student if the weapon was in the car and the student was not going to use it to harm anybody. But the decision to expel is the school's.

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ISSUE: I WAS INFORMED MY CHILD WILL BE SUSPENDED OR EXPELLED.



Did you receive notice of the suspension or expulsion?

You have the right to be informed of disciplinary actions taken against your child. This includes: police arrest or detainment, expulsion, suspension, in-school suspension, and removal from the classroom (RS 17:416 and R. 17:406.9). The school must contact the parent/guardian by phone or mail (certified letter in the case of expulsion) and provide: 1) notification of the action taken, 2) reason(s) for the suspension or expulsion, and 3) a scheduled date and time of the school conference or expulsion hearing. Note that the school will contact the person listed on the student's registration card. Also, any child under the age of 18 cannot sign legal documents, (18 Civil Code §29). If a child signs the disciplinary notification, that document is void.

Suspension

Expulsion

No, I did not receive notice.

The OPSB Hearing office strictly scrutinizes a school's expulsion recommendation for compliance. If the school is not compliant, the school has 24hrs to come into compliance, or the hearing office will reject the recommendation. (MDP)

No, I did not receive notice.

Disciplinary action must be documented for it to take effect! (RS 17:416 and RS 17:406.9) The school should call you or send a letter home. If they do not, call or email the school. Also, you might ask to review the child's disciplinary record to check for accuracy. You now have notice...

Yes, I received notice.

Prepare for the hearing. The student's participation, though voluntary, is extremely important. The student is not required to speak. See OPSB's Manual for Disciplinary Procedures (MDP). FFLIC recommends that you have an advocate or a lawyer present.

Yes, I received notice.

Along with documenting the suspension, a school official should have: 1) held an in-school conference with the student, and 2) provided the student with an opportunity to explain their side of the story (RS 17:416).

Does the punishment given to your child do what it is supposed to do?

Look at the list of possible discipline actions for the violation and decide if the punishment fits the violation. You can find this information in the following sources:

- Your school's code of conduct
- The OPSB Manual for Disciplinary Procedures (for expulsions)
- Students in Special Education and students receiving 504 Plan accommodations have additional rights and protections in suspension and expulsion proceedings. See [Advocacy Center's "Education Rights of Children with Disabilities in Louisiana: A Guide for Parents."](#)

Yes, the punishment does what it is supposed to do.

Even if you are in agreement with the punishment, consider challenging a suspension or expulsion. Suspensions and expulsions have a serious impact on a student's educational progress. Also, do a Whole Child Check-In. Ask what might be done to improve your child's behavior and well-being. What remedies can you begin to put into place?

No, the punishment does not do what it is supposed to do.

Challenge the punishment. For suspensions, this will happen at the school conference. For expulsions, at the expulsion hearing.



QUICK FACT

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Discipline for uniform violations

Act 248 of 2015 prohibits suspension or expulsion of students in grades PK-5 for certain uniform violations unless the discipline is tied to willful disregard of school policies.





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HOW DO I CHALLENGE A SUSPENSION OR EXPULSION?

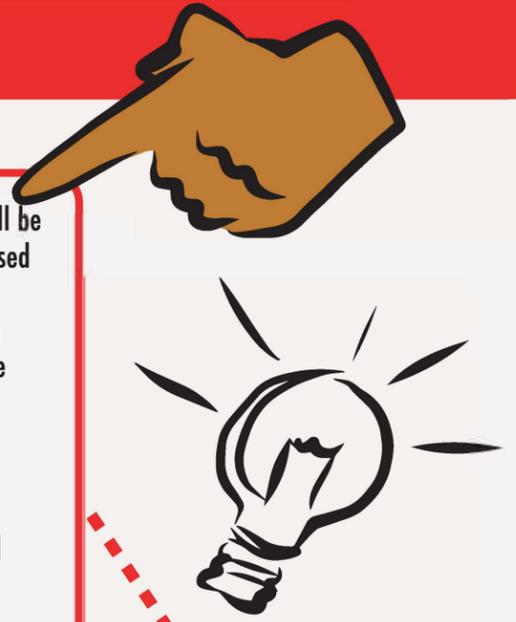
Know the Facts and the Law

First, try to gather as much information as possible from your child regarding the incident. Explain that you will be able to help them better if they tell the truth. But don't assume they tell you everything or you might be surprised later when additional information comes out. Children can unintentionally or intentionally leave out important details. Do the best you can to gather the facts. Next, look again at the list of possible discipline actions for the violation. What other methods of discipline are available for the violation? Why would another method be more appropriate? Be ready to make your case.

You can find this information in the following sources:

- Your school's code of conduct
- The [OPSB Manual for Disciplinary Procedures](#) (for expulsions)

Also, students in special education and students receiving 504 Plan accommodations have additional rights and protections in suspension and expulsion proceedings. See the Advocacy Center's "[Education Rights of Children with Disabilities in Louisiana: A Guide for Parents.](#)"



Identify Goals

Before challenging the suspension or expulsion identify some goals, or what you want to see happen to fix the issue at hand. Ask yourself:

- What do you want the end result to be?
- What are the best outcomes for the child?
- What does the child want to do?

Use the Whole Child Check-In to help you.

Make your case

Gather all of the information or documentation you can to prove what you are trying to get across. 1) Identify key people or organizations who can help you and/or support your case. 2) Gather additional supporting information, including information regarding your child's positive impact on the community. Examples: letters from a counselor, favorite teacher, coach, or pastor, and list of child's activities. 3) Be ready to talk about what discipline actions from the code of conduct would be more appropriate and why. 4) Do the Whole Child Check-In and be ready to talk about what additional changes you and your child are making to address the challenges. Especially in the case of expulsions, FFLIC recommends having an advocate or lawyer present.

Appeal

Every parent/guardian has the right to appeal a decision of suspension or expulsion.

Suspension

You must submit a written statement of appeal within 5 days of the decision to the OPSB superintendent or the superintendent's designee. Contact [OPSB](#) for information at 504-304-3520. Be sure to include a copy of whatever disciplinary paperwork the school provided you regarding the suspension. This will lead to a hearing on the merits of your appeal. The superintendent's decision is final, (R.S. 17:416).

Expulsion

You must submit a written statement of appeal within 5 days of the decision in writing to the to the OPSB superintendent or the superintendent's designee. Contact [OPSB](#) for information at 504-304-3520. If OPSB agrees with the school, you can appeal to the [Orleans Parish Civil District Court](#) within ten days of OPSB's decision to keep the suspension intact, (R.S. 17:416).

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LET KIDS BE
KIDS



ISSUE: The school contacted me about a behavior issue with my child AND/OR my child's discipline case has been referred to Municipal Court and/or Families in Need of Services (FINS).



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Has your school frequently contacted you about a behavior issue?



Yes

If your school is frequently contacting you about a behavior issue, could this be, or is it, an issue related to the child being gifted, having a disability, or a mental health challenge?

Yes

Does your child have an Individualized Education Plan (IEP) or 504 Plan?

Maybe. I'm not sure.

Ask for a meeting with the teacher. Ask questions about the child's behavior, abilities, and performance. If you suspect that the child needs special education services, ask the teacher to refer the child to a School Building Level Committee. Read the Advocacy Center's "Education Rights of Children with Disabilities in Louisiana: A Guide for Parents."

No, definitely not.

Do a Whole-Child Check-In. Ask: what might be done to improve my child's well-being? What remedies can you begin to put into place?



No

This is the first time. Or even if it's been more than once, it is NOT frequent and it is NOT a pattern of the same behavior. For school referrals to FINS or Municipal Court, there must be a pattern of behavior. The child must have "willfully and repeatedly" violated school rules, (LA Ch Code 730.1). A single incident is not enough. So this may be one way to challenge the referral, or if you have not received notice of previous issues. You will however still need to address the discipline issue. See FFLIC's guidance, "I learned my child will be suspended or expelled."

No

See the response for "Maybe. I'm not sure," if the behavior is related to an issue related to the child being gifted, having a disability, or a mental health challenge?

Yes

See Section 4 of the Advocacy Center's "Education Rights of Children with Disabilities in Louisiana: A Guide for Parents."



If there has been a referral to FINs and/or Municipal Court...

Schools can refer to either or both, and they vary in their practices, but there is guidance/recommendations regarding which one a school should refer to.

Municipal Court

These are often students in grades PK-8. The focus is the parent's behavior. Example: A child is falling asleep in class because parent's behavior is disrupting the child's sleep.

FINS

These are often students in grades 9-12. The student's behavior is the focus. Examples: Multiple fights, disrupting the class. If the school believes the behavior of the child is directly related to the behavior of the parent, a school may also refer to Municipal court, where the parent's behavior is the focus.

A Whole Child Check-In.

See the Whole-Child Check-In. What might be done to improve your child's well being? What remedies can you begin to put into place? Making these efforts will be helpful for your case. Provide documentation of what you are doing to change the situation.

Prepare for your meeting/hearing with FINS/Court.

Talk to an advocate and/or lawyer. Gather additional supporting information of your child's positive impact on the community. Examples: Letters from a counselor, favorite teacher, coach, or pastor, list of child's activities, as well as positive letters about your parenting efforts (boss, counselor, teacher, or pastor). If your child has a disability or mental health challenge, bring copies of the IEP or 504 Plan to every hearing date. If your child is in the process of a special education referral, let the court/FINS know. Bring a copy of your request to the school to refer the child to a School Building Level Committee.



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ISSUE: MY CHILD'S CASE WAS REFERRED TO FINS AND/OR MUNICIPAL COURT BECAUSE OF TRUANCY, ABSENCE, OR TARDY.



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HOW DID THE CASE GET TO FINS OR MUNICIPAL COURT?



Has the child been referred due to unexcused "absence" or "tardy"?

State law requires schools to refer to FINS or Municipal Court after the 5th unexcused absence or tardy in a semester or the 10th absence or tardy for schools not operating on semesters, (R.S. 17:221).

The school referred to FINS and/or Municipal Court

Schools can refer to either or both, and they vary in their practices, but there is guidance regarding which one a school might refer to.

Municipal Court

These are often students in grades PK–8 and the focus is the parent's behavior. Example: Not getting the student to the bus stop on time.

FINS

These are often students in grades 9–12. The student's behavior is the focus. Examples: Multiple fights, disrupting the class. If the school believes the behavior of the child is directly related to the behavior of the parent, a school may also refer to Municipal Court, where the parent's behavior is the focus.

Absence (being gone the entire day)

Refer to the school's attendance policy to determine if your child actually has five unexcused absences. The attendance policy will determine whether they are "excused" or "unexcused."

Tardy (missing part of a day)

The definition of "tardy" in Louisiana state law is confusing and allows schools to define it. What is clear is that a tardy DOES NOT include when a student is late transferring from one class to another during the course of the school day, (R.S. 17:233). Refer to the school's attendance policy to determine if your child actually has five unexcused tardies and look closely at the school's definition of "tardy" to determine if it is reasonable. The attendance policy will determine whether they are "excused" or "unexcused."

The police picked up my child because of truancy

The student will be brought to the YOC Truancy Center by law enforcement and the parent and school will be notified while intake is done and the student's attendance records are pulled. At this time the school will determine next steps. The school may decide to refer to FINS or Municipal Court. State law requires schools to refer to FINS or Municipal Court after the 5th unexcused absence or tardy in a semester. If a child has been dropped off to the truancy center 3 or more times, his/her parent will later receive a summons to appear in Municipal Court. The parent will pick up the child, or the truancy center will transport the child to the school or home depending on the time of day.

Yes, illness

A school may require a doctor's note for illness. It is important to have a relationship with your doctor's office so that you can simply call in and ask for a note even when a visit is not necessary. If the illness is a chronic illness, see NHLBI's "Guidance for Families, Schools, and Students."

Yes

If you were aware of the incidents, were they due to illness or a disability?

Did your child's school give you notice of the unexcused incidents?

A school should have done ALL of the following before referring to FINS/Municipal Court:

- 1) Made two warning calls or sent letters for each of the child's first two incidents (recommended but not required by law).
- 2) After 3rd incident the school is required by law to:
 - give you notice in writing of the unexcused incidents
 - hold a conference with you
 - have you sign a receipt of the notice of unexcused incidents, (17:233).

Yes, disability (other than chronic illness)

Laws requiring parents to send their children to school apply to all parents, even those with children with disabilities. It may be time to review the IEP or 504 Plan to see what is and isn't working. See the Advocacy Center's "Education rights of Children with disabilities in Louisiana: A guide for Parents"

No, neither

See the Whole Child Check-In.

No

If you were not aware of the absences, find out why this miscommunication occurred. If it was because the school did not provide notice, this will help you. If they did provide notice, but you did not receive it, this may still be helpful. Talk to a case manager/lawyer/advocate. Also, see the Whole-Child Check-In.

The Whole Child Check-In

What might be done to improve you and your child's well being? What remedies can you begin to put into place? Making these efforts will be helpful to your case. Provide documentation of what you are doing to change the situation.

PREPARE FOR YOUR MEETING/HEARING WITH FINS/COURT.

Gather additional supporting information of your child's positive impact on the community. Examples: Letters from a counselor, favorite teacher, coach, or pastor, list of child's activities, as well as positive letters about your parenting efforts (boss, counselor, teacher, or pastor). If your child has a disability or mental health challenge, bring copies of the IEP or 504 Plan to every hearing date. If your child is in the process of a special education referral, let the court/FINS know and bring a copy of your request to the school to refer the child to a School Building Level Committee.



LET KIDS BE KIDS



Part II: Challenge the System

Fees



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ISSUE: I'M HAVING TROUBLE PAYING SCHOOL FEES.

SCHOOL'S DUTIES REGARDING FEES AND FEE WAIVERS



First of all, it is important to know what the school's duties are regarding fees. BESE has issued the below guidance for schools in 2017. This guidance became state law (Act 240) in June of 2019 and schools must adhere to it by December 1, 2019. Every school system or school that charges student fees of any kind should publish on its website and include in its student handbook a clear policy on student fees that includes, at minimum:

- descriptions of each student fee being charged,
- the dollar amount of each student fee,
- how each student fee will be collected and used,
- the deadline by which each student fee is due and the desired method of payment,
- the process whereby students and families may request an economic hardship waiver, and
- the criteria by which economic hardship waivers will be approved.

The policy should include a reduction or waiver of fees for economically disadvantaged students and students whose families are experiencing economic hardships and are financially unable to pay them.

IS THE FEE RELATED TO REGISTRATION, ATTENDING THE SCHOOL, INSTRUCTION, OR MATERIALS FOR INSTRUCTION?

No.

If the fee is not related to registration, attending the school, instruction, or materials for instruction, a school can charge the fee. See below for information on fees that schools commonly charge.

Yes.

A school should not charge these fees. According to law, a school cannot charge a fee related to registering at the school. The school also cannot charge an "attendance" fee that is not tied to a particular activity or service, [RS 17:3991(E)(3)]. Specifically, all schoolbooks and instruction materials must be free of charge, [Louisiana Constitution Act VIII § (13)(A)].

Examples of illegal fees:

- A fee of \$200 to reserve the child's spot in the school
- Study guides that are required for a basic, required course
- Mandatory membership fees for parents (These must be optional.)

If a school is charging a fee, decide if it fits below under the fees that schools commonly charge.

Lunch

A school can charge for lunch, but you may apply for **free or reduced lunches** any time during the school year by submitting an application directly to your school or district. Even though applications go out in the beginning of the year, you can ask for an application any time during the school year.

AP Courses

The school can charge for AP courses because these are considered optional. However, schools might offer an installment plan or financial assistance. If your school does not, you might let them know the LA Dept of Education suggests the use of **four funding streams** to schools to offer financial assistance for AP exams.

Special Education services

The school cannot charge you for special education needs or accommodations identified in an IEP or 504 Plan. All school-age children have the right to a **"free and appropriate education"** under federal law in accordance with the Individuals with Disabilities Education Act and section 504 of the Rehabilitation Act. Also, this fee would be "related to instruction" and thus not allowed.

Discipline

A school can charge fines and fees for misbehavior, but this tactic is controversial. It burdens low-income families. Also, the school's code of conduct must clearly state they use this kind of disciplinary action. So this might be one way to challenge it, (LA Bulletin 741 §1302).

School uniforms

A school should provide the first uniform but can then require the family to pay for additional school uniforms. It must offer resources to assist low-income students and families who may not be able to pay. Also, if the parent does not have a home of their own, the child may be considered homeless and thus will be given additional protections and services in accordance with the **McKinney-Vento Act**.

Education Records

Parents may be charged for copies of education records, unless the fee would prevent the parent from obtaining the records. But the school can't withhold an education record as the result of lack of payment of any fine, debt, or other outstanding obligation, (RS 17:112).

Other Fees

This list is not inclusive, but generally, if the fee is not related to registration, attending the school, instruction, or materials for instruction, the school can charge. But this is open to interpretation. And unfortunately, schools get away with a lot despite the law. But if you think the school is wrong in charging a fee, see below.

Need help advocating for your child? Call FFLIC 504.708.8376.

IS YOUR SCHOOL CHARGING WHEN IT SHOULDN'T BE AND/OR NOT TELLING YOU ABOUT THE FEES?

If you think your school is charging in error, or if they are not telling you about the fees up front, try to work with the school and the school's board to correct the problem. Cite the above guidance/laws. If you can't resolve the issue, contact **OPSB** at 504-304-3520. You can also contact your **BESE board member**, **state representative**, and/or the **LA Dept. of Education**. Also, talk to other parents in your school and consider organizing efforts to stop the school's practices. A lawyer may be necessary. For example, the ACLU has taken on **cases** regarding inappropriate fees in other states.

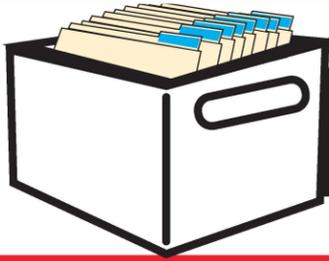


**Part II: Challenge
the System**
**Other Critical
Information**



FFLIC

ISSUE: I WANT ACCESS TO MY CHILD'S SCHOOL RECORDS.



WHAT IS A RECORD?

According to law (RS 17:406.9), "school records" includes the following:

1. Academic records
2. Medical or health records
3. Records of any mental health counseling
4. Records of any vocational counseling
5. Discipline and attendance records
6. Records associated with a child's screening for learning challenges, exceptionalities, plans for an Individualized Education Program, or Individual Accommodation Plan.
7. Textbooks, curriculum, and supplemental materials.

WHAT ARE YOUR AND YOUR SCHOOL'S RESPONSIBILITIES IN MAINTAINING THE CHILD'S RECORDS?

SCHOOL'S RESPONSIBILITY



PROVIDE ACCESS TO THE SCHOOL CALENDAR.

Provide access to the school calendar on the school website for the academic year at least 30 days prior to the first day of school, (RS 17:406.9).

MAKE AND KEEP RECORDS AND GIVE ACCESS.

School administration and teachers are required to make and keep school records and provide a student's custodial and non-custodial parent/guardian access to inspect and review their child's academic records in accordance with the federal law, [Family Educational Rights and Privacy Act](#), or FERPA, and state law, (RS 17:112 and RS 17:406.9). A school cannot withhold a record because of unpaid fines, debt, or other obligations (RS 17:112).

GIVE ACCESS WITHIN A REASONABLE TIME.

A school system has 10 days to provide the records in print or electronically under state law (or 45 days under FERPA). Electronic copies are free, but a school may charge for copies of a record, unless the charges make it so that the parent/guardian cannot access the record, (FERPA and RS 17:406.9)

INTERPRET OR EXPLAIN.

A school must respond to a reasonable request for interpretation or explanation of the record if a parent/guardian does not understand the record, (FERPA).

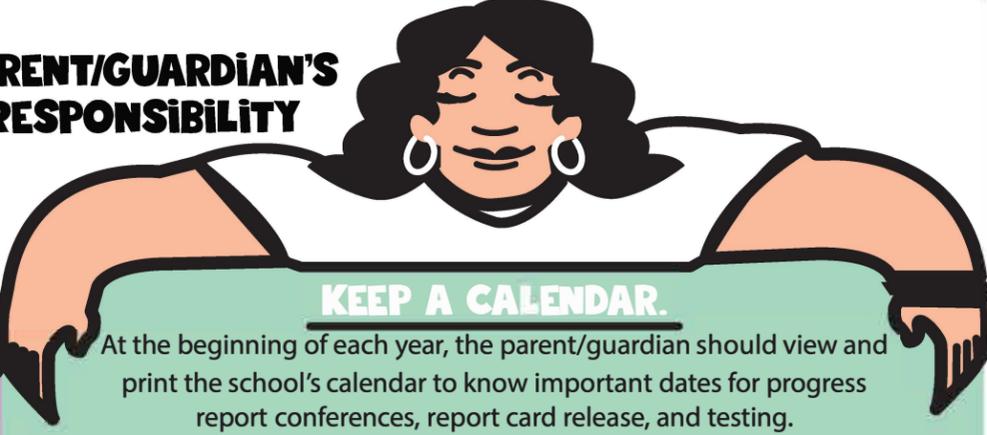
MAINTAIN CONFIDENTIALITY.

A school is not allowed to release the records to anyone outside the school system who is not involved in the child's education without parental consent, (FERPA). A school will not release any records or information to the parent if there is a pending investigation of child abuse or neglect conducted by any law enforcement agency or the Dept. of Children and Family Services where the parent is the target of the investigation, unless the parent has obtained a court order, (RS 17:406.9).

TRANSFER OF RECORDS.

A school must transfer a student's education records (including special education records) to their new school within ten business days, (RS 17:112).

PARENT/GUARDIAN'S RESPONSIBILITY



KEEP A CALENDAR.

At the beginning of each year, the parent/guardian should view and print the school's calendar to know important dates for progress report conferences, report card release, and testing.

KNOW WHAT RECORDS TO EXPECT AND ASK FOR RECORDS IN WRITING.

A parent should also ask the school to provide in writing what kinds of education records the school collects or uses to educate the child and where they are kept. In the case of any discipline action, a parent should keep a record. **Record requests are most effective in writing.** If it's not in writing, it's like it didn't happen.

KEEP THE CHILD'S RECORDS.

A parent should keep all of their child's education records in one place, as well as records of any conversations and meetings with school personnel concerning the child. Include the following information:

- Name of school personnel
- Date and time of interaction
- Summary of what was discussed

Following any meeting with school personnel, send an email to the person with whom you spoke and thank them for speaking with you. Include the date/time and summary of what was discussed. This will act as a record. As an alternative, audio record the meetings.

ASK IF YOU DO NOT UNDERSTAND.

If there is something you do not understand in the records, you can ask the school to provide clarification.

MAINTAIN CONFIDENTIALITY.

Confidentiality laws are aimed at protecting students. A parent should carefully think about who they share information with and make sure the person is trustworthy.

ENSURE THE TRANSFER OF RECORDS IF YOU TRANSFER YOUR CHILD TO ANOTHER SCHOOL.

Ask your child's new school to let you know when their school records arrive. This may be a good time to review the child's records.

IF THE SCHOOL DOES NOT COMPLY...

Check to see if the law/protections they are violating are state or federal. These are listed above. Federal is listed as FERPA, and "RS" signifies state law.

STATE

First, try to resolve the issue with the school. If your school refuses to share records within the 10-day time frame or otherwise violates the protections of state law, you may file a complaint with the Louisiana Dept. of Education.
Louisiana Department of Education
1201 North Third Street
Baton Rouge, LA 70802-5243
Toll-Free 1-877-453-2721



FEDERAL

First, try to resolve the issue with the school. If your school refuses to share records within the 45-day timeframe or otherwise violates the protections of FERPA, you may file a complaint with:
Family Compliance Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920
Phone: 1-800-USA-LEARN (1-800-872-5327)
Online: <https://studentprivacy.ed.gov/file-a-complaint>



For more detailed information on school records, including a sample letter to request the records, see Section 2.4 of the Advocacy Center's "[Education Rights of Children with Disabilities in Louisiana: A Guide for Parents](#)." Though this is for special education students, the guidance for writing the letter is helpful.

**Need help
advocating for your child?
Call FFLIC 504.708.8376.**



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ISSUE: THE SCHOOL FAILED TO NOTIFY ME ...



In accordance with state law, RS 17:406.9 and RS 17:416 the school should notify you in the below instances. If the school does not notify you, you may file a complaint with the LA Dept. of Ed. Contact [OPSB](#) at 504-304-5675 for complaint procedures and your [BESE member](#) and [state representative](#). You may also want to talk to other parents in your school and consider organizing efforts if issues appear to be happening regularly. You may also want to speak with a lawyer.

MEDICAL SERVICES RENDERED

You have the right to be notified when medical services are being offered to your child, unless emergency medical treatment is required. In cases where emergency medical treatment is required, you must be notified as soon as practical after the treatment is rendered.

CHILD'S INVOLVEMENT IN A CRIME OR CRIMINAL MATTER

You have the right to be notified if a criminal action is deemed to have been committed against your child or by your child. You have the right to be notified if law enforcement personnel question your child, except in cases where you have been accused of abusing or neglecting the child.

SEX EDUCATION TOPICS

You have the right to receive written notice and have the option to opt your child out of instruction on topics associated with sexual activity.

POSSIBILITY OF THE CHILD NOT BEING PROMOTED

You have the right to be informed about your child's school performance if it is such that it could threaten the child's ability to be promoted to the next grade level. The school must offer you an in-person meeting with the child's classroom teacher and school leader to discuss any resources or strategies available to support and encourage the child's academic improvement.

A CHANGE RELATED TO THE CHILD'S IEP OR 504 PLAN.

Schools are required to notify parents about their rights under special education laws, which includes parental/guardian notice and consent of many actions the school might take. For example, prior notice must be given before conducting an assessment, changing the current education program, or if there is "change in placement," which includes any proposed disciplinary action. Laws are less strict about parental involvement in small changes to 504 plans, but it is still not best practice for a school to make these changes without parental notice and consent. See Section 2.3 of the Advocacy Center's "[Education Rights of Children with Disabilities in Louisiana: A Guide for Parents](#)" for sample letters to the school notifying them of a violation of rights. If the issue cannot be resolved with the school, you may want to contact [OPSB at 504-304-5675](#). Also, see section 5 of the Advocacy Center's Guide, "Solving Problems" for options for mediation or filing a complaint.

REMOVAL FROM CLASSROOM AND SCHOOL GROUNDS

You have the right to be notified if your child is taken or removed from the school campus without parental permission (17:406.9). This includes discipline such as in-school and out-of-school suspensions. (R.S. 17:416).

COLLECTION OF SURVEY INFORMATION

You have the right to receive written notice and the option to opt your child out of any surveys that include questions about any of the following:

- (a) Your child's sexual experiences or attractions.
- (b) Your family beliefs, morality, religion, or political affiliations.
- (c) Any mental health or psychological problems of your child or a family member.



**Need help advocating for your child?
Call FFLIC
504.708.8376.**

PART III:

Change the System



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HOW DO I CHANGE WHAT'S HAPPENING?



Parents are the solution to creating safe and effective schools, as they are the experts on what children and communities need. These unjust systems continue to grow when people don't act; they want you to stay uninformed so that they can stay in power. But you have some powerful tools to help your child. The next step is helping to defend ALL children. We know that when children make mistakes, consequences should be just and fair. Children should be nurtured and educated, not locked behind bars. We also know that these systems extend outside of the school. When we use our rights and our power to advocate for justice, we create more opportunity for justice to thrive everywhere. We can and must spread knowledge, use our voice, and fight for our children as individuals, families, and communities so that we can transform the system to uphold justice for all. You are the one you have been waiting for and we're so glad you're here. We can't do this without you and your wisdom, experience, and voice. We need you to defend ALL children. But how do you do this? First, you begin by realizing you have all the knowledge, support, and power you need.

Who is a leader?

As a parent or guardian, you are already a leader. Your child looks up to you as a role model and example. As leaders, we can energize and uplift our community to show that children are worth fighting for.

When we use your voice and power to fight for children, the loudest message those children hear is "you're deserving and loved," instead of the story they hear when they're punished for being themselves. If the schools continue to give them the idea they're bad, children will begin to believe it. As leaders we have to create a louder message that reminds schools and students alike that our children are capable, expressive, unique, and deserving of the best possible education. So look no further than yourself for the leadership you need. What are some other qualities that you believe a leader has? How are you already demonstrating those qualities?



Leadership starts at home

The messages children hear have a huge impact on them, and they are getting them everywhere. Most often though, they get them at home. We can start to advocate for the best possible outcome for our children at home. You can do this by reviewing the Whole Child Check-In on a monthly basis with your child. Ask them questions about their school to help them to see that you value their opinion and that they have a say in their education.



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HOW DO I CHANGE WHAT'S HAPPENING?



Additionally, we want to create the same caring environment that we want the school to be. For example, we know that [Positive Behavior Interventions and Supports](#) (PBIS) and restorative practices are methods with proven benefit, and we can model these so children know there are loving and effective alternatives to harsh discipline. Be open to thinking about and trying new ways of discipline. Look for resources on PBIS such as the Dept. of Education's "[Getting Behavior in Shape at Home](#)." Finally, you can explain to your child what school alternatives to discipline are, so they can inform you when these aren't taking place at school. Helping your child learn what is and isn't acceptable for school officials to do can give them the tools to report more accurately to you. More information is always better, especially when you need to share a report or send a request for a meeting.

Leadership in the Community

When we become leaders in advocacy, we join a heritage that started and continues the civil rights movement. When we become leaders, we join the ranks of our heroes who were just ordinary people like us, standing up for their right to a better quality of life. You have something valuable to give, but it can be overwhelming to know where to start. But there is a role for you here that only you can fill, so let's look at the different ways to contribute to find the right fit for your natural gifts and resources.

Leadership in advocacy can take many different forms. In fact, the more approaches to advocacy we can take the better. We provide a number of approaches to advocacy that might work for you, depending on your time and resources. These approaches include the following types of advocacy:

- Grassroots organizing
- Institutions
- Policy
- Courts
- Media

Leadership is Love

The efforts to fight for rights, in all their varied ways, is a long tradition that has brought many gains to our communities, and there is not one form that has greater value. Leadership in advocacy takes time, effort, patience, dedication, compromise, and heart. It is work and it's not always easy. Leadership is a lot like love in this way. In fact, you could say that being a leader is the act of loving something publicly. When we are leading, we are loving our families and our communities better, and asking others to do the same. Leadership is a constant, in some form or another, but so is the love that got us here and continues to sustain us.

Please contact FFLIC to learn more about how FFLIC can help you lead the change.

Call or Email [504-708-8376](tel:504-708-8376) or fflic@fflic.org



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GRASSROOTS ORGANIZING



Grassroots organizing is a long tradition that has brought many gains to our communities, and it's a powerful force for change. You may have also heard it described as work "on the ground." At its core, grassroots is made up of the community closest to the issue, and it centers the experiences, knowledge, and voices of the people.

Sharing a vision

Grassroots organizing begins when people come together and decide for themselves what their goals are for their community. Sharing your truth publicly can play a big role in deciding what goals we should be moving towards, what we want to see, and how we want to get there. Essentially, you put the "root" in grassroots. You are the starting seed. What do you want to see grow?

This is the place for imagining the best possible outcomes, and sharing in a collective vision for what that looks like. Grassroots can help us redefine our future for ourselves, instead of looking to the past or outside our community to tell us what is possible for us.

What you might need:

- People
- Self-determination
- Truth
- Grassroots organizations
- Connections

People power

When we imagine together, that vision is clearer and stronger, and the results we want become closer. This is people power, and it's largely dependent on people showing up for meetings, rallies, information sessions, and other organizing events.

Stay connected with us to find out about organizing events happening in your neighborhood. Your presence, your truth, and your vision are the most important aspects of grassroots organizing, and you already have everything you need to participate. You just need to show up, as yourself, and with your wisdom.



Need help advocating for your child?

Call or Email 504-708-8376 or fflic@fflic.org



FFLIC INSTITUTIONS



Understanding the system and working with the school or with the system is usually the first line of defense. We can work with different parts of the school (such as teachers, counselors, and administrators) to get information and be a force or presence. While it may feel like the school is the enemy, it's important that we try to work with them to get the outcomes we want. Schools, and all the people within it, have a great impact on our children, so it's our job to know how they should be working to support your child's future, and to hold them to it.

Beyond the school

Advocating within the institution goes beyond the school, because we know this system is larger than just your child's school. The city, the state, and the nation all have a hand in creating and upholding the practices that let our children get locked up. So it's critical that we use our power to advocate within these systems too, and one of the tools we have is voting.

What you might need:

- Knowledge/information about the issues, system, and your rights
- Voting registration
- Your policymakers
- Advocacy organizations
- Outside resources
- An advocate or lawyer

Voting officials in/out of our institutions

We must look to our elected officials for accountability in government. All of them are responsible on some level to the people who voted for them. Are they doing what they said they would? We elect people to represent our goals and vision for our communities, and we should stay informed on where they stand on the issues that concern us. Voting allows us to have a say in who is speaking on our behalf, and it is a critical part of advocacy.

We don't always get to have the people we want representing us, but we always have the tools to communicate to the elected official how we would like them to act. You can call or email any of your representatives, from Orleans Parish School Board members to the Governor. Remember, they work for the people, or they should anyway, and it's up to us to make sure they do their job.

Do you notice a pattern? We are the ones that hold institutions accountable and make sure they are acting in our best interests. Remember, they want our votes so they are more likely to act in our favor if they know what their voters want to see happen in their community. Look up your local, state, and federal representatives. You can do so easily on <http://myreps.datamade.us>.

[Need help advocating for your child?](#)

Call or Email 504-708-8376 or fflic@fflic.org



FFLIC

POLICY



Policies set up how our systems run, and they can make or break equity in our communities. Historically, policies were created to put in place and maintain systems of racial oppression, making it legal for people to be discriminated against and kept out of housing, education, and other opportunities. Many of those policies continue to exist today. But the great thing about advocating for policy change is that it can give us a specific target to move towards and rally around (for example, a specific bill that aims to make restorative practices like PBIS in school the law), which is a huge advantage in organizing and creating change.

Policy goals

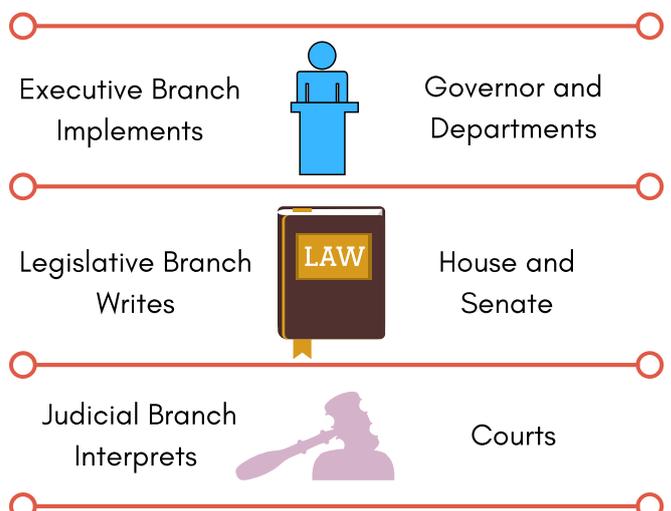
When we have specific goals in mind, it's easier to get large numbers of people involved, and this can have a huge impact on shifting a policy. The more people that sign a petition, show up to rally on the steps of the State Capitol, put in calls to their representatives, or publicly support a policy or bill (i.e. wear a shirt, put up a sign on their lawn, make a post about it), the better.

Large numbers of people have more power to put pressure on lawmakers to meet our demands. People coming together is the most powerful tool we have. We can see the effects of the gains we have made every day, but we have a long way to go.

Government and voting

Policy advocacy is a way to change the unjust laws that are creating problems in our communities and schools. When doing policy advocacy, it's important to understand our government system. Our government has three branches that are designed to hold each other accountable: the legislature, courts, and executive/administrative.

When we perform policy advocacy in education, we try to change how education laws are being implemented by the state departments. We also can advocate for changes to laws through the Senate or House of Representatives by telling them what we want through petitions, rallies, phone calls, organizing, etc. Additionally, voting is such an important tool because this helps us to have greater impact on all three parts of our government systems, through our elected representatives.





FFLIC

POLICY



Advocating for legislation

One example of policy advocacy is FFLIC's push for a law that makes schools use PBIS and restorative practices instead of "zero tolerance" for minor things. Because restorative approaches are not law, they can continue to use these harmful disciplinary tactics that suspend and expel students for normal misbehavior. There is a great need to create a statewide policy that guarantees our children's safety through alternatives to suspension. This is just one example of how a single policy can affect great change.

You can be a policymaker

An additional and important strategy is to become a policymaker yourself. If you don't want to run for state representative – which is definitely a possibility and something to think about—there are a number of advisory boards that seek out parents to serve. For instance, serving on the school board of your child's school is a way to directly impact what happens there. Check to see if your child's school has these opportunities.

What you might need:

- Knowledge of how the system works
- Policymakers' contact information
- Data and stories to influence policymakers
- Grassroots organizing
- Coalitions of organizations



Also, there are a number of state and local boards and councils you can join that are responsible for overseeing policy in our state departments. They attempt to ensure that different state and local agencies are doing their jobs in providing care for our children. Sometimes these boards also make policy recommendations to the state legislature, and their recommendations can carry a lot of weight. FFLIC is currently serving on some of the state boards that make policies to improve our state discipline codes.

Find out more

Additionally, FFLIC is keeping track of the different state and local boards that are supposed to be addressing the needs of children, as well as laws that need to be changed. This will help us all make sure agencies and policymakers are doing their job to protect our children and to propose laws that fix any gaps. Please ask us about how to get involved in these policy efforts!

Call or Email. 504.708.8376 or fflic@fflic.org



FFLIC

COURTS



Many people do not realize that a lot of what we have achieved or not achieved in the United States in terms of civil rights is because of the courts deciding whether laws are “constitutional,” or following the U.S. Constitution. Laws themselves follow a chain of command, which is important in deciding how to challenge those laws. State laws must not conflict with federal (U.S.) laws and the U.S. Constitution. The Constitution of the United States is the highest law and all laws created must follow this. It is the job of the courts to decide whether local and state laws conflict with federal laws.

A famous case

Take for instance *Brown v. Board of Education*, which many of us know is the U.S. Supreme Court decision that ended segregation in schools. Though it took years and a number of local court cases to enforce the decision, essentially, it was the courts that forced the change by declaring that state segregation laws were unconstitutional. On the state and local level, the Louisiana Supreme Court and local courts do the same in terms of making sure that we are following our state laws and constitution.

What you might need:

Support of legal organizations
A lawyer



Call or Email. 504.708.8376 or fflic@fflic.org

Using the courts

Sometimes advocacy can take the form of a legal court case. In some cases, the students themselves are the ones demanding their rights. For instance, in Compton, California, the ACLU represented students in the district in a lawsuit against the school systems, arguing that students who have experienced trauma are entitled to the same services and protections that schools provide to traditionally disabled students. The district court ruled in their favor. Locally, in New Orleans, lawsuits have been brought on by organizations such as the Southern Poverty Law Center to make sure that students with disabilities are receiving services in schools and that discipline laws are not excessive.

Defend your rights

Other times, the students or their parents are the ones who have court cases, which is scary because courts have a lot of power, and it can be expensive and time consuming. You can work with advocacy groups that have staff lawyers, or with other groups that already have a legal presence. In cases where the court cases are extremely unjust, organizations and individuals can organize and rally in support to try to impact the ruling. One famous example of this was in 2006 in Louisiana's *Jena Six* case, where six teenagers were charged in an excessive and racially discriminatory way for beating a fellow student. The case sparked protests and national attention.



FFLIC

MEDIA



In our times, advocacy uses new strategies to connect to a message and amplify it to the public. Many of us already engage in some form of advocacy, even if we don't know it. When we share articles, quotes, or pictures on our social media accounts, we are spreading messages. We influence others every day by contributing to what they see, hear, and learn. We can guide the content we share by focusing our feeds, and therefore people's attention, to a certain issue we want to shed light on. Sharing information and highlighting the effects of certain practices and policies, positive or negative, is one way to advocate for change, and it's right at our fingertips.

Amplifying a message

The more attention an issue has from the public, the more pressure it puts on the people responsible. The greater the number of people who are engaged with the issues, the greater the demand for change. For this reason, it helps to have as much documentation (video, pictures, interviews, documents) to make a stronger case. People are more likely to share quick sound bites and things they can watch.

[Need help advocating for your child?](#)

Call or Email 504-708-8376 or fflic@fflic.org

What is media

Media is not just Twitter, Facebook, and Instagram, though. We also can use already established news channels and publications to share our stories to get publicity and attention. It's important to create relationships with the press and begin to feel comfortable reaching out to them so that they can be alerted to events as they unfold, or immediately after. While all issues related to equity and justice are urgent, some situations are time sensitive such as rallies, protests, upcoming elections, and extreme violations of human rights.

Find what works

You may also want to consider how people get news in your community, since not everyone follows the local news channel or reads the paper. Some people get their news at different spots in their neighborhood: at church, at the store, or anywhere else people gather. Don't underestimate the power of word of mouth. For many of us, this is the most direct and consistent way we hear news, so it's important to talk about the issues and what we want to see happen in our community.

What you might need:

Social media accounts
Visuals
Stories
Connections

FAMILIES AND FRIENDS OF LOUISIANA'S INCARCERATED CHILDREN

JOIN US

If you found the toolkit helpful, please think about becoming a FFLIC member. We need you and our children need us. For more information about FFLIC and our organization's efforts, please visit our website.

Phone: 504-708-8376

Email: fflic@fflic.org

Facebook: <https://www.facebook.com/FFLICLA/>

Web: www.fflic.org.



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