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COLUMNS

Here's Why You Should Lawyer-Up Before Sending Your Kids Back to School

BY **MEGAN FOX** SEP 06, 2022 11:47 AM ET

You've seen the parents at school board meetings all over the country airing their grievances with the public school system. Maybe you are one of those parents who went to the board hoping to advocate for your student and found them less than willing to address issues. Most of them sit stone-faced or complain that they are being criticized. Some of them violate parents' rights and have them removed or silenced for disagreeing with the board's policies. I have a back-to-school ritual that I think goes a lot further toward having a good relationship with your public school district right off the bat instead of waiting for problems to crop up.

Many of you know that I homeschooled my oldest two children until second and sixth grade, at which point they went into private school. But after 8th grade, there were no other options except public school in my area. While I am supportive of the idea of public school, the reality doesn't quite match up to expectations, especially for conservative religious families. Public schools can be very hostile to these students, especially with the flood of LGBTQ cult programming that is inserted into the curriculum—unless religious parents hold government schools accountable to the Constitution.

Smart parents can reduce the amount of political and cult programming their children are exposed to by establishing from the outset what the students' rights are, as well as the consequences the schools could face—that will make everyone's life miserable—if those rights are not respected. I do it in the form of a letter announcing to the district that my child has a lawyer and asking them to put the lawyer's information in her file. It requires the district to call that lawyer in the event that any government agent, police officer, social worker, or another official should want to talk to my child. Here's what it looks like:

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It looks something like this. Feel free to use my template. Any administrator who gets this is immediately reminded that this is a nation of free people with rights that will be defended. Every school administrator should be reminded of this often.

This letter is to inform you that [student name] is represented by me, [lawyer name], in all legal matters. In the event that any member of the police, sheriff's department, FBI, child welfare agent, or any other agent of the state (to be defined as those with arrest and/or seizure power which includes any representative from the Department of Human Services, social services, child protective services, health department or otherwise empowered government official) should seek to meet with, speak to, or obtain information from my client, please notify me immediately. My client has been instructed of her 5th Amendment right and will invoke it until I can arrive. It is my expectation that the [School District] will observe my client's Constitutional right as a US citizen and as a minor who is entitled to proper representation if questioned by any government agent.

Signed, _____

Acknowledged and received (school) _____

Megan Fox

@MeganFoxWriter

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It's beneficial to everyone to be upfront about where you stand, what's on the table, and what is expected. It allows everyone to understand the stakes and the benefit of maintaining a cordial and cooperative relationship. The administration has been great to us.

If you have not talked to your children about their Fifth Amendment right to remain silent rather than self-incriminate, what are you waiting for? The number of CPS investigations that have been launched because of innocent statements children made to social workers that turned into "abuse" allegations is astounding. You do not want it to happen to you. I've trained my children from the age of five to ask for a lawyer and then shut up if ever questioned by any agent of the state. We actually role-play this all the time. There is nothing positive that can come from your child talking to police, social workers, or other government agents, and they are not legally required to. Children have Fifth Amendment rights too.

The lawyers for the district sent a response to my child's lawyer that sounded offended and claimed they had no obligation to honor her request. I told her to ignore them. What we have now is proof they were notified that my child has an attorney, and if they ever have her interrogated without her legal representative, it's a slam-dunk-win lawsuit. And they were dumb enough to respond in writing that they wouldn't honor it. I can't tell you how much that makes me chuckle. Can you imagine that argument in front of a judge? It's the stuff dreams are made of.

The administration took a different position than the district lawyers and inserted a large red flag in my child's account that says "contact administration before any outside agencies." That's a win, my friends. Mission accomplished.

This letter serves two purposes. It protects your child from warrantless seizures by government officials, and it informs the school that your child has a lawyer and her rights will be defended in court if necessary. The purpose of this initial short notice is much bigger than

just informing them that your child has a right to an attorney. It reminds them that your child is an American citizen with the full rights afforded by the Constitution and her parents are the kind of people who value those rights and will fight for them using every legal means available. These parents are not pushovers. The school will know after receiving this notice that they should be careful around this child because her parents know how to fight. That's the biggest and most important message of this letter.

It says we expect you to uphold the Constitution, and if you don't, we will hold you accountable for it. This lays the foundation for a conversation with administrators about your student's religious rights. It usually goes something like this: "My student is [insert religion here]. If my student is subjected to pressure to conform to ideologies or cults that she is opposed to due to her protected religious beliefs, I will view it in the same way that a Muslim parent would view a school employee forcing their child to eat bacon." They usually understand it immediately when I put it that way.

I will then get the curriculum for any health classes and pick and choose what my student can participate in. Everyone knows right away what is and is not acceptable for my student. I have never been told no by any teacher or administrator when I've asked for accommodations based on religious reasons. But you must do this BEFORE school is in swing and you get surprised by inappropriate content. Know that it is there. Find it before it is taught and opt your kid out of it.

It is preferable not to ever have to file a lawsuit. And usually, the threat of a lawsuit is enough to stop any shenanigans. But if it comes down to it, be ready to follow through. Retaining a lawyer to write a letter isn't expensive. It's way cheaper to lay down the groundwork for a peaceful relationship with the school district through a show of serious intention and resolve than it is to play catchup later. I believe in coming in hot and later, once everyone understands one another, turning on the charm offensive. Everyone can be friends after ground rules are established.

When my mother was a high school teacher, the older teachers told her not to smile during the first week of class and establish the rules of the classroom immediately and sternly. The idea was that you could always become softer later on after the respect for the teacher was solidified. It works the same way with parents and administrators. Bullies smell fear. If your administration has any bullies in it, the only way to deal with them is head-on with the mindset that you will be their biggest regret if they ever try to bully you or your kid.

Schools have no problem sending home stacks of papers for parents to sign demanding this and that, laying out their rules, their student handbook requirements, technology use agreements, and more. But I would never send my child to any institution where I didn't also hand them my requirements for how they are expected to behave in relation to my student and her rights. Parents who fail to do this are playing a very dangerous roulette game with people who might be wonderful or might be the most malicious troublemakers in existence. [Adam Lowther of New Mexico lost his children for 11 months because of a retaliatory teacher.](#)

Instead of heading into a school year with the administration blind to your expectations, it's better to alert them. Establish your expectations, let them know who you are, and let them see you are serious about your boundaries and that you are involved parents who won't be bullied or scared away easily. The best way to avoid conflict is to make it clear to school officials that any infringement of your student's rights will cost them far more than it's worth in legal expenses, negative media coverage, and angry board meetings. Let's avoid all that and just

be friendly and respectful of this great nation's principles that are owed to every American — even children.

See link above for editor's note.

Megan Fox is an award-winning journalist, broadcaster, and author of Believe Evidence; the death of due process from Salome to #MeToo. and [Shut Up! The Bizarre War that One Public Library Waged Against the First Amendment](#). **For media inquiries, praise, or hate mail please contact MeganFox.Writer@pm.me or contact [@MeganFoxWriter](#) on Twitter, [@MeganFox](#) on Gab, and her Author Page on [Facebook](#)**

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