

# COUNCIL ROCK SCHOOL DISTRICT

TITLE: CUSTODIAL/NONCUSTODIAL  
PARENTS

ADOPTED: March 19, 1998

REVISED:

<p>1. Purpose</p> <p>2. Definitions</p>	<p style="text-align: center;">238. CUSTODIAL/NONCUSTODIAL PARENTS</p> <p>School professional personnel, in the absence of specific legal interpretation and direction from the courts, have had to act or react to certain situations based on what they think is best for the child. There is, however, some case law and statutory law that provides limited direction and guidelines to assist professional personnel in making decisions that involve the rights of custodial and noncustodial parents. This policy is written to guarantee and protect the rights of all parties to the extent the law allows.</p> <p>This policy shall be enforced in the absence of specific court orders or a mutual agreement between the parents which provide to the contrary. It is the responsibility of either parent to present legal documentation that would affect the administration of this policy.</p> <p><b>Parent</b> - The natural, adoptive, blood-relative or legally recognized individual with the status of parent.</p> <p><b>Custodial Parent</b> - The parent with whom the child resides as per marital agreement or court order.</p> <p><b>Noncustodial Parent</b> - The parent without actual possession and control of a child as a result of a court order or marital agreement.</p> <p><b>Marital Agreement</b> - A written document embodying the terms, conditions, and rights of a marriage, divorce or separation.</p> <p><b>Court Order</b> - A court decision and court orders and instructions and registered out-of-state court orders made in divorce, separation, neglect or dependency proceedings providing for the custody of a child or children and including visitation rights.</p> <p><b>Visitation Rights</b> - The terms and conditions established by a court order or marital agreement by which a noncustodial parent may have access to a child or children.</p>
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<p>Pol. 804</p> <p>3. Guidelines</p>	<p><b>Education Records</b> - Any information or data (written, printed, electronically recorded, filmed) that is directly related to a student and is maintained by an educational agency or institution or by a party acting for the agency or institution. The term does not include information or data that is collected by the educational agency or institution after the student has terminated his/her enrollment at such agency or institution. An example would be information collected relating to the accomplishment of alumni.</p> <p><b>Professional Personnel</b> - A full-time or part-time certificated employee of the district or an educational consultant contracted by the district.</p> <p><b>District</b> - Council Rock School District and its member schools.</p> <p><b>School Day</b> - The hours as defined by school Board policy.</p> <p><b>Mutual Agreement</b> - A written document mutually executed by the custodial and noncustodial parent.</p> <p><u>District's Responsibility Of Informing The Custodial Parent Of Contact With The Noncustodial Parent</u></p> <p>The district shall notify the custodial parent of the noncustodial parent's request for visitation or access to the child. This notification shall precede the actual contact.</p> <p>In situations known to the district, both the custodial and noncustodial parents shall be apprised of the above.</p> <p><u>Access To The Child By Custodial/Noncustodial Parent During The School Day</u></p> <p>A noncustodial parent, with court ordered visitation rights, shall have the same access to the child as the custodial parent during the school day except in specific situations.</p> <p>The district has the responsibility to maintain an environment conducive to the child's learning experience. The visitation and access rights of parents during the school day are subject to certain limitations. Visitation and access rights of parents shall be limited to noninstructional periods and emergencies, as determined by the building administrator. The district shall not permit either parent to utilize court ordered visitation rights and the child's presence at the school as a means of expanding visitation rights.</p> <p>An administrator or his/her designee shall monitor any such period of visitation in situations involving custodial and/or noncustodial parents.</p>
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Access To The Child's Teacher(s) By Noncustodial Parent

The right of teacher contact by the noncustodial parent must be consistent with court ordered or mutually agreed parental rights of the child.

This right is subject to reasonable limitations that do not interfere with the teaching responsibilities of the teacher.

It is considered unreasonable for a teacher to be required to duplicate time and effort in conferencing with each parent on separate occasions. Whenever possible, teacher conferences should be planned with both parents present.

The Rights Of The Noncustodial Parent With Regards To Decisions Affecting The Child's Educational Program or Experiences

The district recognizes the rights of parents in making decisions that affect the educational program and experiences of their child. Decisions reached jointly by the custodial/noncustodial parent, when consistent with sound educational practice and district policy, will be implemented at the most appropriate time.

In those instances where there is a definite difference of opinion or conflict between the custodial/noncustodial parent, the district shall abide by the decision and wish of the custodial parent.

The district shall refuse to assume the role of arbitrator between competing parents. The district shall request that both parents supply additional legal documentation or a mutual agreement respective to their rights as they relate to the child's educational program and experiences whenever the district deems necessary.

A copy of this policy shall be available from the building administrator upon request.