

*Legal Custody/Guardianship*

In most cases, both natural parents, guardians or adoptive parents shall have the right to inspect and review the child's educational records, unless the school is provided with evidence that there is a legally binding instrument, state law or court order which provides to the contrary (see Policy 5225). The school should make reasonable efforts to accommodate the requests of noncustodial parents for parent conferences and for information such as report cards or test results, absent a legally binding instrument, state law, or court order that provides to the contrary.

When the child does not live together with both natural parents, both parents will share the responsibility of making educational decisions affecting the child and will be given an equal opportunity to participate in the decision making process, absent a legally binding instrument, state law, or court order that provides to the contrary. In the event the parents cannot agree on making an educational decision, the school shall take a course of action based on what it considers to be in the educational interest of the child.

When there is a court order awarding sole legal custody to one parent, the right to make educational decisions for the child resides exclusively with that parent, unless the court's order directs otherwise. In this case, the parent without legal custody will be included in the educational process; however, the District will be guided by the decisions made by the parent with sole legal custody.

When parents execute a written agreement for joint or shared custody or the court awards joint or shared custody, both parents may be involved in the educational process, unless the custody agreement or court's order indicates otherwise. Principals should make reasonable efforts to involve both parents.

Students should be released from the school only to a parent of record, unless prior arrangements have been approved by a parent of record and communicated to the school. Students will be transported by bus only to and from the residence of a parent of record.

In cases of shared custody between two parents, the parent of record for purposes of releasing the student at the end of the school day or authorizing the release of the student to another individual is the parent who has custody on that particular day according to a schedule provided to the school. This means that, absent emergency or written (which can be email) permission from the parent of record on a particular day, the child will be released at the end of the day only to the parent of record. Alternately, if the parent of record does supply written permission for someone else to pick up the child at the end of the school day, the child will be released to that person. During normal school hours, a student may never be picked up from the classroom or released by a classroom teacher.

Students must be picked up only from the principal's office. If a request is made of a teacher by a parent, relative, guardian or other person to pick up the child from the classroom, the teacher should send the person making the request to the principal's office. The teacher should then alert the principal that such a request has been made.

The principal has the responsibility to verify, through identification and documentation, that the person making the request is the child's parent or guardian. The principal may check the emergency record card, health records, or permanent record or other records relating to the child before deciding whether to release the child. The principal may also call the Superintendent's office for guidance, and if the situation appears to be growing hostile, the principal may call the local police. Every effort should be made to explain the reasonableness of the procedure should it be necessary to invoke it, but the principal may deny a request for a child to leave school during the school hours.

Generally, a parent of record may have access to the child during the school day, provided that such access is not disruptive to the child's education or the functioning of the school or classroom.

A noncustodial parent, however, may only have access to the child during the school day, provided:

- (1) it is not contrary to the express wishes of the parent of record;
- (2) it appears to be in the best interest of the child;
- (3) the principal or teacher monitors the visit;
- (4) an effort is made to notify the parent of record prior to the visit; and
- (5) the noncustodial parent does not remove the child from the school premises.

In the event of a medical emergency, all efforts will be made to contact the parent(s) of record. If the school is unable to contact the parent(s) of record, the school shall contact any person, designated by the parent(s) of record, as alternate persons to call in case of any emergency and may contact a noncustodial parent as well.