

ADMINISTRATIVE REGULATION

# CENTENNIAL SCHOOL DISTRICT

APPROVED: December 8, 2017

REVISED:

## 238-AR-0. CUSTODY ISSUES GUIDELINES

1. When a shared custody agreement specifies the times at which each parent has control of the child, the school should use the language of that agreement to designate the custodial and noncustodial parent. The rights afforded each parent should be based on the custodial status during that period of time. In those instances, where shared custody arrangements do not explicitly assign parent control, the school should have the parents present their understandings about how that responsibility will be discharged. These will then form the basis for decisions by the school concerning the custodial relationship that exists at any point.
2. Only the legal surnames should be used on official school records and documents. Changes in the child's names cannot be affected by an act of the parent but must be authorized through court documents. Custody arrangements or a change in the marital status of the parent has no bearing on the legal name of the child.
3. Both the federal Family Educational Rights and Privacy Act and Pennsylvania Law (Act 115 of 1981) provide each natural parent with access to the school records. Act 115 also gives the parent access to medical and dental records and the residence address of their children and of the other parent. No matter what form the custodial arrangement takes, one parent may not prohibit the other from viewing the records of the child. The only way a parent loses that right is through a specific order of the court restricting access.
4. It is required that either parent submit a written request to review the records. The District has a week to honor the request. The school will notify the custodial parent whenever they receive such a request from the noncustodial parent. Along with the right of access, both parents also have the right to request that the records be released to other parties. This must always occur with the knowledge of the custodial parent.
5. Report cards, progress reports and other educational information routinely shared with the custodial parent may be provided to the noncustodial parent upon written request. The school, however, is not obligated to do this with any material that would not be considered an education record.
6. Where the court has awarded legal custody to one parent, unless otherwise specified, that parent has the right to make all decisions regarding the education of the child. Any involvement by the noncustodial parent should only occur with the knowledge and consent of

the custodial parent or under some specific understanding placed in the custody order.

7. Unless specifically prohibited by a custody order or the expressed desire of the custodial parent, the school may allow the noncustodial parent to contact the child during school hours. Whenever possible, the concurrence of the custodial parent should be secured prior to the contact with the child. If this is not feasible, the custodial parent should always be notified that the contact took place.
8. Access to a child by the noncustodial parent during school hours should always occur under staff supervision. Unless there is explicit consent by the custodial parent, the noncustodial parent should never be allowed to take the child off the school premises. This would also involve transporting the child at the close of the day. The "door step to door step" responsibility of the school should be carefully observed in all cases. (SC 1317)
9. The building principal or his/her designee should notify law enforcement officials immediately if a possible abduction of a child is suspected.
10. The Education of the Handicapped Act and other federal statutes dealing with disabled children encourages both parents to be involved in all educational decisions affecting the child. This would include consent for services and placement, signing off on the Individualized Educational Program and involvement in any due process procedures. Unless legal custody has been established, both parents of a disabled child may exercise all rights provided in the law.
11. Each building will use the standard form for the identification of the family status of each child. This should be part of the regular enrollment procedure and the resulting records should be updated periodically.
12. Notwithstanding anything to the contrary set forth in Policy 238, the law defines a child as an unemancipated person under eighteen (18) years of age. Accordingly, under those circumstances where the student is eighteen (18) years of age or older, or emancipated, notwithstanding anything to the contrary in Policy 238, the School District and its officials shall respect the rights of any individual eighteen (18) years of age or older or any individual who is emancipated. Any provision in the School District's policies that are inconsistent with the rights of individuals eighteen (18) years of age or older or with the rights of an emancipated minor shall not be applied to said individuals. Questions concerning whether a child who is less than eighteen (18) years of age is emancipated shall be referred to the District's solicitor.