

NONCUSTODIAL PARENTS

The Governing Board recognizes the right of parents/guardians to be involved in the education of their children and desires to balance that right with the district's need to ensure the safety of students while at school.

(cf. 5020 – Parent Rights and Responsibilities)
(cf. 6020 – Parent Involvement)

The parent/guardian who enrolls a child in a district school shall be presumed to be the child's custodial parent/guardian and shall be held responsible for the child's welfare.

School officials shall presume that both parents/guardians have equal rights regarding their child, including, but not limited to, picking the student up after school or otherwise removing the student from school, accessing student records, participating in school activities, or visiting the school. When a court order restricts access to the child or to his/her student information, a parent/guardian shall provide a copy of the certified court order to the principal or designee upon enrollment or upon a change in circumstances.

(cf. 3516 – Emergencies and Disaster Preparedness Plan)
(cf. 5111.1 – District Residency)
(cf. 5125 – Student Records; Confidentiality)
(cf. 5142 – Safety)
(cf. 6159 – Individualized Education Program)

In the event of an attempted violation of a court order that restricts access to a student, the principal or designee shall contact the custodial parent and local law enforcement officials and shall make the student available only after one or both of these parties consent.

Legal Reference:

EDUCATION CODE

48204 Residency requirements
49061 Definitions
49069 Absolute right to access
49091.10-49091.19 Parental review of curriculum and instruction
49408 Emergency information
56028 Definition, parent for special education
51100-51102 Parent/guardian rights

FAMILY CODE

3002 Joint legal custody, definition
3006 Sole legal custody, definition
3025 Parental access to records
6550-6552 Caregivers

GOVERNMENT CODE

810-996.6 Government Claims Act
6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking

NONCUSTODIAL PARENTS (continued)

Management Resources:

WEB SITES

California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>

California Department of Education: <http://www.cde.ca.gov>

CSBA: <http://www.csba.org>