



**POLICY NO. 5510**

**CUSTODY OF CHILDREN AND  
EDUCATIONAL INFORMATION**

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**POLICY**

As a general rule, personal contact of a student at school is the sole right of the custodial parent or guardian. The non-custodial parent who has access rights, or joint guardianship, also has the right to make inquiries and to be given information as to the health, education and welfare of the child.

*School Act, Sec. 7, 8, 9, 11. Family Relations Act.  
Harris & Company "Guidelines for School Admin:  
The Rights of Parents on Separation and Divorce".*

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#### REGULATIONS

Procedures to be followed by the Principal or his/her designate are as follows:

1. Establish which parent/guardian has custody. When parents are living separate and apart, the parent who usually has care and control of the child is the "guardian" of the child unless a court order otherwise or the mother and father make a written agreement between them which provides that one of them is the sole guardian.

School administrators are entitled to rely on the information concerning guardianship, custody, access and usual care and control of the child which is provided to the school at the time of initial registration. If there is a change in the legal status of the parents, it is up to the parents to bring it to the attention of the school.

2. If the other parent/guardian demands information regarding the child's education, including teacher interviews, require that this parent/guardian give proof of "reasonable access" or joint guardianship, such as a court order. If he/she has such proof, then provide information as requested; if he/she has no access, or no joint guardianship, do not provide any information. Obtain a copy of the proof for the student's file.

Note: Any court orders should bear a stamp from the court registry in which they were filed indicating that the order has been registered with the court. Separation agreements should be signed by both parties to the agreement.

If school administrators have any questions as to the validity or meaning of an order or separation agreement, they should seek advice from District Staff or legal counsel rather than relying on any representation from the person providing the order or agreement.

3. Normally provide personal contact only to the custodial parent/guardian. However, in situations where compatible arrangements can be made between the estranged spouses and the Principal, the Principal can use his/her discretion in granting personal contact with the student to the access parent/guardian. In antagonistic situations the Principal should abide by the wishes of the custodial parent/guardian, and advise the access parent/guardian to either convince the custody parent/guardian to alter his/her point of view, or resort to the courts to specify the degree of access.

School administrators and staff should not give the appearance of support for one parent or the other in the event of a custody dispute.

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