

### **Custodial and Noncustodial Parent Rights and Responsibilities**

The School Board presumes that the parent who enrolls a student in school is the student's custodial parent. Unless Colorado court order specifies otherwise, the custodial parent shall be the one whom the school district holds responsible for the education and welfare of the child.

Parents or guardians shall have the right to receive information contained in school records concerning their minor child and to forbid or permit the disclosure of such information to others unless authorized by the custodial parent. The Board, unless informed otherwise, assumes that there are no restrictions regarding the noncustodial parent's right to be kept informed of the student's school progress and activities. If restrictions are made relative to the rights of the noncustodial parent, the custodial parent shall be requested to submit a certified copy of the court order which curtails these specific rights.

If there are specific court-imposed restrictions, the noncustodial parent, upon request, shall be given access to all of the student's educational records including, but not limited to the student's cumulative file and the student's special education file, if applicable. Teacher conferences with the noncustodial parent shall be permitted only upon the written consent of the custodial parent.

The student shall not be permitted to visit with or be released to anyone, including the noncustodial parent, without the approval of the custodial parent. Unless otherwise provided by applicable law or court order, education conferences with a noncustodial parent shall be permitted only upon the consent of the custodial parent.

Current practice codified 1996

Adopted: date of manual adoption

LEGAL REFS.: 20 U.S.C. § 1232g (*Family Educational Rights and Privacy Act of 1974*) (*FERPA*)

20 U.S.C. §1401 *et seq.* (*Individuals with Disabilities Education Improvement Act of 2004*) (*IDEIA*)

34 C.F.R. § 99.1 *et seq.* (*FERPA regulations*)

34 C.F.R § 300.30 (b)(2) (*IDEIA regulation*)

C.R.S. 14-10-123.8 (*access to school records*)

CROSS REFS.: JLIB, Student Dismissal Precautions

JRA/JRC, Student Records/Release of Information on Students

KFA, Public Conduct on School Property

**[Legal Revised February 2009]**