

## **Students**

### **NON CUSTODIAL PARENTS**

The Board of Trustees 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)*

*(cf. 5141 - Health Care and Emergencies)*

*(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*

*6205-6211 Confidentiality of residence for victims of domestic violence*

**Management Resources:**

**WEB SITES**

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

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

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

Policy Adopted: 12/9/09

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California