

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

ADMINISTRATIVE REGULATION

Name: Parental Custody

Section: Students

Code: JECAC-AR

It is the policy of the district to avoid involvement in child custody or parenting time disputes between parents. However, situations may occasionally arise which require the involvement of district personnel. No firm guidelines can be given for such situations. The building administrator shall evaluate each case on its own facts and develop an appropriate response. Where appropriate, the building administrator shall seek the guidance of the district's legal counsel, the superintendent, and/or designee.

When parents have been awarded joint custody of their children, or when married or unmarried parents do not have a custody judgment or order defining parental rights and responsibilities, both parents shall have equal authority to make decisions about their children, including but not limited to decisions relating to enrollment, transportation, student records, emergency contact information, and permission for attendance at school events. In the event of a dispute between joint custodial parents or parents who do not have a custody or parenting plan judgment or order, the school district will evaluate each case and develop an appropriate response.

The provisions set forth below apply to situations where one parent has been awarded sole custody:

Both parents will have equal access to their children while they are at school unless such access is otherwise restricted by court order and that court order has been presented to the district. The order must be signed or stamped by a judicial official. However, neither parent will be allowed access to their children if such contact is disruptive to the children or the school environment. During or after the school day, the children will be released to the parent who has parenting time on the date and at the time that the children are being released, so long as the district has been provided with a court order or judgment signed by a judge that unambiguously sets out that parent's parenting time. If conflicting or ambiguous court orders or judgments have been presented to the district, the children will only be released to the custodial parent until the district receives clarification as to which order or judgment is currently in effect, and as to the specific parenting time schedule.

The parent with sole custody shall be the only parent authorized to make enrollment decisions on behalf of their children. However, a court order or judgment awarding sole custody to one parent shall not deprive the non-custodial parent of the following authority, unless such authority has been expressly limited in the order or judgment¹:

1. To receive and inspect school records and consult with school staff concerning his/her children's welfare and education to the same extent as provided to the parent having sole custody.
2. To authorize emergency medical, dental, psychological, psychiatric, or other health care for their children if the custodial parent is, for practical purposes, unavailable.
3. To volunteer at the school and in their children's classroom, provided the non-custodial parent satisfies all requirements for volunteers as set forth in district policy KCA and KCA-AR, unless the presence of the non-custodial parent is disruptive to the children or to the school environment.

To the greatest extent possible, the custodial parent shall be listed as the first emergency contact in the district's student information system. The non-custodial parent shall also be listed as an emergency contact unless a court order or judgment prohibits this. The custodial parent shall be the only parent

¹ Once a student reaches age 18, this authority transfers to the student.

authorized to add to or revise the emergency contact list for the children unless a court order or judgment specifies otherwise, except that the noncustodial parent may update his or her own contact information if it changes.

LEGAL REFERENCES:

ORS 107.154
ORS 336.187

OAR 581-021-0340
OAR 581-021-0380
OAR 581-021-0391

Family Education Rights and Privacy Act (FERPA)

Reviewed: 12/13/2010, 4/2014, 8/2014, 8/2021

Approved: 12/13/2010, 5/6/2014, 8/13/2014, 9/14/2021