

491 Children of Divorced/Separated Parents and Parents Not Sharing the Same Household

It is the intention of the District to promote the best educational and other interests of each student enrolled in the public schools in partnership with the student's parents. The School Board recognizes that while the parents of some students may be divorced, estranged or otherwise not sharing the same household, both parents generally have a right to be informed of and involved in their child's educational program and school activities. The Board also recognizes that sometimes legal actions affecting the family, and the court orders issued in relation to those actions, can include limitations on the rights of a parent to make decisions related to their children, including school and educational program decisions, and can include other restrictions on parental rights.

With these recognitions in mind, it is the responsibility of the parents of students enrolled in District schools to keep the District informed of:

1. any legal action affecting the family that may have an impact on parent involvement and participation in the schools; and
2. any court order that may define or restrict a parent's rights in relation to children enrolled in the schools.

Upon receipt of a family court order involving a child enrolled in a public school in the District, it shall be the responsibility of the building principal or his/her designee to review the court order and see to it that any provisions of the court order applicable to the schools are noted in the child's school records and shared with appropriate staff members who have legitimate educational interests, including safety interests, in the information. The building principal or his/her designee may, with permission from the District Administrator and consistent with Board policy, request assistance from the District's legal counsel in interpreting the court order and in understanding its applicability to the schools.

Should neither parent to an action affecting the family notify the District of the existence of a family court order, neither parent shall be deemed to have rights superior to the other with respect to any child enrolled in the District or with respect to parent participation in school-related activities.

Each parent is individually responsible for observing his/her respective parenting rights, obligations, and restrictions in all of the parent's interactions with the District. As a general rule, if one parent believes that the other parent is acting in a manner that is inconsistent with such rights, obligations, or restrictions, his/her primary method of obtaining recourse is to seek enforcement of applicable laws, court orders, and applicable agreements by involving law enforcement and/or the courts. Further, if parents disagree with one another about their respective rights, obligations, or restrictions, it is the responsibility of the parents to obtain appropriate clarifications of, or

modifications to, any applicable agreements or court orders through the family court system.

The District Administrator shall develop administrative guidelines to be used in the implementation of this policy that address the collection of family court action information from parents and provide guidance for staff when working with parents who do not share the same household or who are (or have been) involved in actions affecting the family in the schools.

Legal References:

Wisconsin Statutes - Section 118.125(2)(m) [access to student records by parents denied periods of physical placement], Section 767.41 [child custody and physical placement], Section 767.41(7) [parent access to records]

Federal Law - Family Educational Rights and Privacy Act [parent rights regarding access to educational records]

Adopted: August 19, 2020