

RIGHTS OF CUSTODIAL AND NON-CUSTODIAL PARENTS

The board of trustees of the Jackson Public School District presumes that the person who enrolls a student in school has physical and legal custody of the student or is legal guardian. If there is a dispute between the parents and both parents claim to have legal custody, enrollment records will be examined. The parent who enrolled the child is considered by the school district to have legal custody until a legal document describing the custodial arrangement is provided to the school.

Parents or guardians have the right to request and receive information contained in the school records concerning their minor child, and parents with legal custody have the right to forbid the disclosure of such information to others absent specific authority otherwise. This board, unless informed otherwise, assumes there are no restrictions regarding the non-custodial parent's right to be kept informed of the student's school progress and activities. If restrictions are made, the parent with legal custody must submit a certified copy of the court order that curtails such rights, and describes the rights restricted.

Unless there is a legal document that specifies otherwise, both natural parents have the right:

1. To view the child's school records;
2. To receive school progress reports;
3. To visit the child briefly at school for lunch or classroom observations;
and,
4. To participate in parent and teacher conferences together or separately.

Unless legal documentation provides otherwise, both parents can see the child at school, however, only a parent with legal and/or physical custody, has the right to remove the child from school property. If a non-custodial parent asks to take the child from school, the principal or designee will adhere to the following procedure:

1. Explain that the school staff is responsible for the child's welfare while at school.
2. In plain view of the non-custodial parent, telephone the custodial parent and explain the request. If the custodial parent agrees, then comply with the request.
3. If the custodial parent objects, explain to the non-custodial parents that his/her rights do not include removing the child from school property. Unless legal documentation provides otherwise, confirm that the school will allow brief visits for lunch or classroom observation and describe the

conditions so that both parents hear the information. Emphasize that the child will not leave school property.

4. Escort the child to the office. Do not send the parent to the classroom. Explain to the child how the visit is to proceed. Emphasize that you (or a school security official) will return the child to class when the visit is finished.
5. Provide a place for the visit that can be observed by office staff. Escort the child back to class after the visit.
6. Maintain a file of such visits and have the non-custodial parent sign in and sign out so there is an official record of each visit.

Legal counsel should be sought when school officials are in doubt about custody matters.

SOURCE: Mississippi School Boards Association, Jackson Public School District,
Jackson, Mississippi

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