



Book	POLICY MANUAL
Section	400 STUDENTS
Title	Custodial/Noncustodial Parent Rights
Code	491
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The West Bend School District will respect the rights of parents/legal guardians with joint custody. The District understands that at times disputes may arise between parents regarding custody or placement of a child(ren). However, in order to maintain its relationship with both parents when educating their child(ren), the District will maintain strict neutrality between parents who are or have been involved in legal action affecting the family, unless otherwise directed by court order. Any restrictions as to access to students or student records and information based on custody and physical placement as ordered by a court will be honored, provided that the District has been given a copy of such order. It is the responsibility of the parent(s) to provide the school principal with a copy of the most recent court order, if restricted access to students or student information is requested.

Parents/Guardians with legal custody have the right to view (a) the child's school records, (b) receive school progress reports and all school mailings, (c) attend parent/teacher conferences, and (d) visit the child briefly at school. Consistent with District policy regarding school visits by parents/guardians of all students, reasonable visitations in school will be allowed if there is no disruption to the learning environment or to the learning of the involved student.

It is the responsibility of the parent who does not have regular physical placement of the student to inform the school office of his/her name, address, and telephone number if he/she wishes to be consulted regarding his/her child or wishes to be placed on the school's mailing list.

A student enrolled in the District may be released from school to either the custodial or non-custodial parent or an individual designated by either parent, unless a court order that prohibits such release has been provided to the District.

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 an administrator 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.

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.

Legal

- [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\(7\) \[parent access to records\]](#)
- [20 U.S.C. §1232\(g\) \[Family Educational Rights and Privacy Act; the federal student records law\]](#)
- [34 C.F.R. part 99 \[U.S. Department of Education FERPA regulations\]](#)