

Staff/Student/Parent Relations**

Release of Students

This administrative regulation describes the procedures to be followed when a child is released from school during attendance hours. In addition, this administrative regulation establishes procedures to be followed when parents or guardians who are in conflict over legal custody of a child raise disputes about who is to be permitted to remove a child from school during attendance hours or take physical custody of a child at the end of a school day. If a staff member is unsure about how to apply this procedure in a particular circumstance, he/she should contact the superintendent's office.

General Procedures for Release of Children During Attendance Hours

1. Children shall be released from school during attendance hours only through the principal's office.
2. Parents, guardians or others who attempt to remove students directly from a classroom, playground or other school facility during attendance hours must be referred to the principal's office to secure the release of a child.
3. If a person other than a child's parent or guardian attempts to remove a child during attendance hours without express permission of the parent or guardian, release must be denied until parent or guardian permission is secured or until the person in charge is satisfied that release is appropriate under the circumstances.
4. In the absence of the principal, release of a child during attendance hours must be approved by a staff member previously designated to act for the principal in his/her absence.

Release of Children During Attendance Hours — Custodial Conflict

1. Absent a legal decree to the contrary, each parent has equal legal authority to remove his/her child from school during attendance hours.
2. Decrees for dissolution of marriage or of separation showing care and custody of minor children are best evidence of the right to custody. Anytime a parent informs the school of a potential custodial conflict, the principal should request a certified true copy of the decree establishing custodial rights. The principal should inform the counselor, secretary, teachers and other appropriate staff of the potential problem and the procedures to follow.

Release Procedures

The following procedures are to be followed after a parent has notified the principal of a custodial conflict and has established that he/she has legal custody of the child.

1. Request that the custodial parent provide the school with names of persons who are permitted to remove the child from school during attendance hours.
2. Inform the custodial parent that, except as otherwise provided by court order, only those persons so identified will be permitted to remove the child from school during attendance hours unless the custodial parent expressly authorizes an exception.
3. Subsequently, if any person requests to remove the child from school during attendance hours without express permission from the custodial parent, the request must be denied until one of the following conditions is met:
 - a. The custodial parent gives express permission for the requesting person to remove the child from school; or
 - b. The person requesting to remove the child presents a certified true copy of a decree establishing his/her custody of the child.

The principal or designee will recognize the change in custody after determining the validity of the change-in-custody court order and before the release will make a reasonable effort to contact the parent who initially had established custody of the child.

4. When a change in custody is recognized by the school, the procedures described in this section should be implemented with the new custodial parent.

Release of Records to Noncustodial Parents and Their Attorneys

When parents are separated and no legal custody has been awarded, or when a non-custodial parent seeks a change of custody, the following procedures shall apply unless otherwise provided by a court order:

1. Both parents have a right to discuss the child's progress and behavior with licensed staff;
2. Either parent has a right to question the appropriate licensed staff member about the existence of student education records, including incidents of negative student behavior. (Student education records includes, but are not limited to, psychological tests, personality evaluations, records of conversations and any written transcript of incidents relating specifically to student behavior.);
3. An attorney for a parent is entitled to accompany the parent when a parent meets with a teacher to discuss the child's progress and behavior with licensed staff, but licensed staff need not respond to attorney questioning about the student's education records;

4. Ordinarily, if a contact is made by an attorney with a licensed staff member/principal for education record information, the attorney will be advised as follows:
 - a. There must be a written request by the parent to furnish the information requested;
 - b. The attorney may accompany the parent to a parent-conference on education record matters relating to the student.

Limitations on Providing Information

A staff member with any question about confidential communications regarding a question posed by a parent about the behavior of the student during the course of any custody litigation, should advise that the matter will not be discussed unless the staff member has been subpoenaed to a deposition or to court.