

Students

Noncustodial Parents

The Board of Education recognizes the right of parents/guardian, to be involved in the education of their children and desires to balance that right with the District's need to ensure the safety of students while at school.

Education Code 49069 provides that all parents/guardians, regardless of custody, have absolute access to a student's record. However, pursuant to Education Code 49061, a parent without legal custody does not have the right to challenge the content of a student record, provide a written response to the record, or consent to its release to third parties.

Only a parent/guardian as defined in Education Code 56028 is entitled to make educational decisions regarding a student with disabilities.

The parent/guardian who enrolls a child in a District school shall be presumed to be the child's custodial parent/guardian and shall be held responsible for the child's welfare.

School officials shall presume that both parents/guardians have equal rights regarding their child, including, but not limited to, picking the student up after school or otherwise removing the student from school, accessing student records, participating in school activities, or visiting the school. When a court order restricts access to the child or to his/her student information, a parent/guardian shall provide a copy of the certified court order to the principal or designee upon enrollment or upon a change in circumstances.

In the event of an attempted violation of a court order that restricts access to a student, the principal or designee shall contact the custodial parent and local law enforcement officials and shall make the student available only after one or both of these parties consent.

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Legal Reference:

EDUCATION CODE

49061 Definitions

49069 Absolute right to access

FAMILY CODE

3025 Parental access to records

Adopted: (4-94 5-07) 9-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California