

## **Custodial and Noncustodial Parent Rights and Responsibilities**

The Board presumes that the person who enrolls a student in school is the student's custodial parent. Unless a Colorado court specifies otherwise and a certified copy of the order is submitted to the school, the custodial parent shall be the one whom the school district holds responsible for the education and welfare of the child.

If the rights of a non-custodial parent are restricted by a Colorado court order, the custodial parent must submit a certified copy of the order to the school. Unless informed through the submission of such a court order, the school district assumes there are no restrictions regarding a non-custodial parent's rights, including the right to:

- be kept informed of the student's school progress and activities
- access all of the student's educational records including, but not limited to the student's cumulative file and the student's special education file, if applicable
- participate in teacher conferences, except that no decisions regarding the child's education or activities shall be made unless the custodial parent is also present

The student shall not be permitted to visit with or be released to anyone, including the noncustodial parent, without the approval of the custodial parent.

LEGAL REFS.: 20 U.S.C. §1232g (*Family Educational Rights and Privacy Act of 1974*)

34 C.F.R. §99.1 *et seq.* (*regulations*)

CROSS REF.: [JLIB](#), Student Dismissal Precautions

[JRA/JRC](#), Student Records/Release of Information on Students