

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

The Board shall presume that the parent who enrolls a student in school is the student's custodial parent. Unless a currently effective Colorado court order specifies otherwise, the custodial parent shall be the one whom the school district holds responsible for the education and welfare of the student.

Parents or guardians shall have the right to receive information contained in school records concerning their minor child and to forbid or permit the disclosure of such information to others unless authorized by the custodial parent. The Board, unless informed otherwise, assumes that 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 relative to the rights of the non-custodial parent, the custodial parent shall be requested to submit a certified copy of the court order which curtails these specific rights.

Unless there are specific court-imposed restrictions, the non-custodial parent, upon request, shall be given access to all of the student's cumulative file and the student's special education file, if applicable. Teacher conferences with the non-custodial parent shall be permitted only upon the written consent of the custodial parent.

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.

**Adopted: June 7, 1995**

LEGAL REFS: 20 U.S.C. § 1232g (*Family Educational Rights and Privacy Act of 1974*) (*FERPA*)  
20 U.S.C. §1401 *et seq.* (*Individuals with Disabilities Education Improvement Act of 2004*) (*IDEIA*)  
34 C.F.R. § 99.1 *et seq.* (*FERPA regulations*)  
34 C.F.R. § 300.30 (b)(2) (*IDEIA regulation*)  
C.R.S. [14-10-123.8](#) (*access to school records*)

CROSS REFS: [JLIB](#), Student Dismissal Precautions  
[JRA/JRC](#), Student Records/Release of Information on Students  
[KFA](#), Public Conduct on School Property