

POLICY 5910
DIVORCED/SEPARATED PARENTS

Consistent with the intent of the District to promote the best interests of each student enrolled in its schools in partnership with both parents of the student, the District shall maintain strict neutrality between parents who are involved in an action affecting the family, unless otherwise directed by a court order.

In the event neither parent to an action affecting the family notifies the principal/designee of the existence of such action, neither parent shall be deemed to have rights superior to the other parent with respect to any minor student.

Unless otherwise expressly curtailed or restricted by a provision of a court order with which the principal/designee has been provided, the parent with physical placement rights of any student enrolled in a school subject to District control shall, upon request, be provided all grade reports, notices of school activities, disciplinary action, or teacher or principal conference appointments or summaries that are provided to the custodial parent or joint custodial and residential parent. The parent with physical placement rights shall be entitled to participate in all school activities, including scheduled conferences involving the custodial or joint custodial and residential parent.

In the absence of a court order to the contrary, a parent with physical placement rights shall be permitted to visit the enrolled student in a school and to confer with the student's teacher(s) subject to District control during required school hours assuming that the visitation is within the rules prescribed by the School Board or by administrative guidelines relating to school visits. The principal/designee may deny visitation if the denial the in the best interest of the student.

LEGAL REF.: Wisconsin Statutes
Sections 118.125(2)(m) [Parent access to student records]
767.24 [Custody and physical placement]

CROSS REF.: 1600, Visitors to the Schools (currently 1250 and 1251)
6470, Student Records

ADMINISTRATIVE REGULATIONS: None

AFFIRMED: August 13, 1991

REVISED: August 28, 2001

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A. Definitions

As used in Board policy and these guidelines, the following terms have the following meanings:

1. "Action affecting the family" means the action for divorce, legal separation, annulment, custody, or child support, whether pending or completed.
2. "Court order" means any order, adjudication, or decree, temporary, interlocutory or permanent, entered by a judge or court commissioner of competent jurisdiction within Wisconsin or any other state as a result of an action affecting the family. Any court order that appears to be certified as a true and accurate copy of the original shall be presumed to have been signed by a judge or court commissioner of competent jurisdiction.
3. "Custodial parent" means the natural or adoptive parent having sole legal custody of a student by virtue of the court order.
4. "District" means the Kenosha Unified School District No. 1.
5. "Enrolling parent" means a parent who:
 - a. Is a party to an action affecting the family and resides in a residence separate from the other party to such action; and
 - b. Enrolls or intends to enroll in a school of the District a student subject to the jurisdiction of the court in which such action affecting the family is venued.
6. "Joint custodial parent" means a parent who has legal custody of a student, jointly with the student's other parent, by virtue of a court order.
7. "Residential parent" means the custodial or joint custodial parent with whom the student is residing during the school year by virtue of a court order.
8. "School building administrator" means, the school principal of any student of an enrolling parent or the designated agent of such administrator or the designated agent of the Superintendent of Schools in charge of students in any building.
9. "Superintendent" means the Superintendent of Schools or the designated agent of the Superintendent.
10. "Parent with physical placement rights" as used herein means a parent without legal custody who, by virtue of a court order, has a right to have physical placement of a student with him/her, and has, during that placement, the right and responsibility to make routine decisions regarding the student's care consistent with major decisions made by a person having legal custody.

B. Student Enrollment Information/Information about Actions Affecting the Family

1. Prior to the commencement of each school year, each enrolling parent shall be requested to provide the following information to the school building administrator:
 - a. Name of enrolling parent and type of action affecting the family;
 - b. Name of each of the enrolling parent's children subject to a court order as a result of the action affecting the family;
 - c. Name of each school in which such children will be enrolled;
 - d. Identity and location of the court having jurisdiction over the action affecting the family;

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- e. Whether there is any court order dealing with student custody or physical placement rights as a result of the action affecting the family;
- e. Name and current address of the other party to the action affecting the family;
- g. Whether the enrolling parent is the custodial or joint custodial and residential parent;
- h. Whether the most recent court order in effect curtails the rights and privileges of the parent with physical placement rights with respect to such parent's rights to be kept advised of the student's school progress and activities or participate therein;
- i. Whether the most recent court order expressly prohibits or permits the student to be released from school to the parent with physical placement rights.

In the event any enrolling parent advises the school building administrator that the most recent court order in effect curtails or restricts the rights and privileges of the parent with physical placement rights with respect to such parent's right to be kept informed of the student's school progress and activities, or participate therein, the enrolling parent shall be requested to provide the school building administrator a certified copy of the most recent court order reciting such curtailment or restriction.

2. In the event a custodial parent or joint custodial and residential parent of any student enrolled in a school subject to District control fails to provide the school building administrator with a certified copy of the most recent court order dealing with custody or physical placement of the student of such parent, or fails to provide the address of the parent with physical placement rights, the parent with physical placement rights may file a certified copy of such court order or the address of the parent with physical placement rights, or both, as the case may be. The school building administrator shall notify the custodial parent or joint custodial and residential parent of such filing, and shall thereafter provide to such parent with physical placement rights, upon request, all grade reports, notices of school activities, disciplinary action or teacher or principal conference appointments or summaries that are provided to the custodial parent or joint custodial and residential parent, and allow the parent with physical placement rights to participate in all school activities, including scheduled conferences in which the custodial or joint custodial and residential parent is permitted to participate, unless such action is expressly prohibited by the provisions of the most recent court order on file with the school building administrator.
3. District personnel, other than those requiring such information, shall not make inquiries concerning parents' "family problems" except necessary questions relating to the educational welfare of a student.