

Bristol Tennessee City Schools

Descriptor Term:

Child Custody / Parental Access

Descriptor Code:

6.209

Issued Date:

01/15/18

Rescinds:

8.165

Issued:

09/16/02

The board presumes that the person who enrolls a student in school is the student's custodial parent. Unless a Tennessee court **order** specifies otherwise, the custodial parent shall be the **parent or guardian one** whom the school district holds responsible for the education and welfare of that child.

Parents or guardians shall have the right to **access receive** information contained in school records concerning their minor child.¹ The board, unless informed otherwise, assumes there are no restrictions regarding the non-custodial parent's right to be kept informed of the student's progress and activities. If restrictions **exist regarding are made relative to** the rights of the non-custodial parent, the custodial parent shall submit a certified copy of the **legally binding instrument or** court order **that restricts those rights. which curtails these specific rights.**

Unless there are specific court-imposed restrictions, the non-custodial parent, upon request, shall receive or **be provided access to or a copy of** the child's report card, **attendance records, notice of school attendance,** names of teachers, class schedules, standardized test scores, and any other records customarily available to parents.²

No school official shall permit a change in the physical custody of a child at school unless:

1. The person seeking custody of the child presents the school official with a certified copy of a valid court order from a Tennessee court designating the person who has custody of the child; and
2. The person seeking custody shall give the school official reasonable advance notice of their intent to take custody of the child at school.³

The following procedures have been developed for situations involving child custody, visitation, and release of records:

1. Upon request, non-custodial parents shall be entitled to **experience exercise the rights of access to student records and school information permitted by law** ~~all parental rights~~ to the extent that such rights are not restricted by a legally binding instrument or court order.
2. ~~A reasonable attempt will be made to publicize this policy so that affected parents will be informed of their option.~~ **The district will make reasonable efforts to publicize this policy so that affected parents will be informed of their rights under this policy and available options.**
3. The requesting parent will initiate the written request for duplicate parent reporting to the principal of the school where the student currently attends. **The request must include the student's full legal name and current address, the full names and current addresses of both**

1 parents, and the signature of the requesting parent. The request must include the full legal name
2 and address of the student, the full name and addresses of both parents, and it must be signed
3 by the requesting parent. The requesting parent is responsible for notifying the school of any
4 change in contact information. The district may require the parent to confirm or update the
5 request annually and whenever the student changes schools. The request must be renewed
6 annually or whenever the student changes schools, whichever occurs first.

- 7
- 8 4. Once the request has been made, the principal or designee shall ensure that timely copies of
9 routinely distributed official information are mailed, delivered electronically, made available
10 through secure electronic access or otherwise provided to the requesting parent. When
11 reasonably possible, the information shall be provided at approximately the same time it is
12 provided to the other parent, but no later than two (2) weeks after distribution. will cause to be
13 duplicated and mailed/delivered to the requesting parent of record, timely copies of any official
14 information (not to exceed two {2} weeks).
- 15
- 16 5. Official information for the purpose of this requirement, is limited to annual parent and student
17 calendars, report cards issued at the end of each grading period, failure notices issued to alert
18 parents to unsatisfactory midterm progress, attendance notices, names of teachers, class
19 schedules, notice of suspension and/or expulsion, and standardized test score reports as are
20 routinely distributed to parents, and other education records or school information customarily
21 available to parents.
- 22
- 23 6. When information is to be provided through a teacher and/or principal parent conference,
24 teacher-parent or principal-parent conference, the requesting parent, upon their request, will be
25 invited to attend the conference provided there is not legal documentation to forbid it, and the
26 presence of both parents does not compromise the integrity or quality of the conference.
- 27
- 28 7. Duplicate reports may be provided as photocopies, electronic copies, or through electronic
29 access, including the district's parent portal, and are not required do not need to be duplicate
30 originals.
- 31
- 32 8. The requesting parent may also ask that all other materials distributed by the school
33 (newsletters, notices of special functions, disciplinary notices, etc.) and similar communication
34 be provided, as well. Materials may be provided electronically, through the district's parent
35 portal, by mail, or through another reasonably available method. To activate this request for
36 paper copies, the requesting parent may be required to provide a supply of self-addressed,
37 stamped envelopes to the school. Such arrangements are to be worked out by the parent and the
38 building principal or designee.
- 39
- 40 9. The staff will be oriented as to the rights of non-custodial parents.

Legal References

1. ~~20 USCS § 1232g(a)(1)(A)~~
2. ~~TCA 49-6-902~~
3. ~~TCA 36-6-105~~

1. 20 USCA § 1232g(a)(1)(A)
2. TCA 49-6-902(a)
3. TCA 36-6-105

Cross References

Student Records 6.600-604

Annual Notification of Rights 6.601

Inspection and Correction Procedure 6.602