

## **ACCESS TO CHILDREN BY NON-CUSTODIAL PARENTS**

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##### **1.0 PRINCIPLES**

It shall be the policy of the South Shore Regional School Board (SSRSB) to permit access to children by the non-custodial parent as outlined in the following procedures.

##### **2.0 POLICY FRAMEWORK**

This policy complies with the Education Act and other related provincial acts and policies.

##### **3.0 AUTHORIZATION**

The Superintendent is authorized to issue procedures in support of this policy.

## ACCESS TO CHILDREN BY NON-CUSTODIAL PARENTS

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#### 1.0 DEFINITIONS

- 1.1. **Custody** means physical care and control or day-to-day care and control of a child. In the SSRSB sense of the word, custody means all of the rights and obligations associated with physical, day-to-day care and control of a child, as well as the right and obligation to nurture the child by ensuring, providing for, and making decisions in relation to a child's physical and emotional health, education, religious or spiritual development, and other matters that affect the welfare of the child.
- 1.2. **Custody Order** means an order of any court of competent jurisdiction respecting the custody of or the access to any or all children of the marriage (Dictionary of Canadian Law, 2004).

#### 2.0 PROCEDURES

- 2.1. If it is known that the parents of a child are divorced or separated, the parents are requested to provide a certified copy of the Custody Order or Agreement for the school's information.
- 2.2. The non-custodial parent may not see the child at school, unless the school has a copy of a Custody Order or Agreement that provides him/her with access to the child at school. With this documentation, the non-custodial parent may see the child at school, consistent with the Custody Order or Agreement, only if the principal believes that such visitations would not be disruptive to the school, the students, or the child. The non-custodial parent may attend or participate in school activities or programs where parents are invited.
- 2.3. Non-custodial parents may not remove the child from the school, except as provided in a Custody Order, without the custodial parent's express written permission. However, in the case of a medical emergency, the non-custodial parent may give permission where the custodial parent cannot be reached.
- 2.4. Where a Custody Order from the court has been provided, and where it does not provide otherwise, the non-custodial parent shall be provided with report cards, school notices, etc. Otherwise, report cards, school notices, etc., shall be sent only to the custodial parent unless written permission is given by the custodial parent to forward such information to the non-custodial parent.
- 2.5. Where a Custody Order or Agreement exists that provides for shared decision-making authority as relates to the child's education, and the school has a copy of the Order or Agreement, both parents shall have access to the child and shall be forwarded education related documents as outlined in the Order or Agreement.
- 2.6. Unless otherwise provided by a Custody Order, for the purposes of decision-making and granting permission for school programs and activities, the SSRSB shall deal only with the custodial parent.

- 2.7. Only the legal guardian shall have access to the foster child at school.
- 2.8. Parents of children placed in foster care shall arrange with Family and Children's Services for any meeting with their child at the school.

### **3.0 RESPONSIBILITIES**

It shall be the responsibility of the Superintendent to ensure these administrative procedures are followed.