

9240 RIGHTS OF PARENTS

The Board of Education recognizes that the parents or legal guardians of each child are ultimately responsible for the care and custody of that child, and that both parents or legal guardians share that responsibility equally. The Board recognizes as well that, where only one parent has legal custody of a child, the rights and responsibilities of the other parent may be limited. The Board believes that the interests of the child are best served by the continuing involvement of both parents in the child's life and well-being.

The Board will presume that each natural or adoptive parent or legal guardian of a pupil enrolled in this district possesses full parental rights of access to the pupil and to information about the pupil, notwithstanding any separation of the parents or legal guardians or dissolution of their marriage. Accordingly, and in the absence of notice to the contrary, the Board directs that school administrators accommodate the needs of both parents or legal guardians for access to their child, to their child's teachers, and to information about their child.

Every parent, except as prohibited by federal and state law, shall have access to records and information pertaining to his/her unemancipated child, including, but not limited to, medical, dental, insurance, child care and educational records, whether or not the child resides with the parent, unless that access is found by the court to be not in the best interest of the child, or the access is found by the court to be sought for the purpose of causing detriment to the other parent.

The place of residence of either parent shall not appear on any records or information released pursuant to the provisions of this section.

A child's parent, guardian or legal custodian may petition the court to have a parent's access to the records limited. If, after a hearing, the court finds that the parent's access to the record is not in the best interest of the child or that the access sought is for the purpose of causing detriment to the other parent, the court may order that access to the records be limited. Proper notice of court action consists of the custodial parent's sworn affidavit or certification supported by a copy of the pertinent portion of a legal agreement or court order that awards custody and establishes the rights and limitation of the non-custodial parent or terminates the parental rights of the noncustodial parent.

Nothing in this policy shall be construed as limiting in any way the rights of the non-custodial parent whose parental rights have not been terminated to full access to his or her child's records.

N.J.S.A.18A:35-4.6 et seq.; 18A:47-4; 18A:47-8

N.J.A.C. ~~6:3-6.1; 6:3-6.5~~; 6A:14-1.3; 6A:14-2.9; 6A:32-7.1; 6A:32-7.5

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