

326 - STUDENT CUSTODY DISPUTES

Background

The student record and any school files should accurately reflect the identity of the person(s) who is/are the custodial parent(s) or legal guardian(s) with custody by copies of court orders/binding agreements conferring such status. In the absence of an order, or an agreement limiting custody, both parents have a prima facie right to custody of the child. In the event that an individual other than a custodial parent seeks to gain custody of the child the following administrative procedures have been established.

Procedures

The Principal or designate should:

1. Inform the claimant that custody shall remain in the school until the child has left the school property.
2. Indicate that the other parent or the guardian will be notified of the custody request.
3. Ensure that both parties are informed that the child will be released only at the end of classes for the morning or afternoon and that the custody dispute is between the respective parents or guardians and does not involve the school.
4. Contact local Police or Child Welfare personnel if concern for the safety of the child is in question.
5. Contact the Superintendent or designate to record details of the demand for custody.

Reference: Section 60, School Act