

**FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION****Students
NONCUSTODIAL PARENTS**

The County Superintendent and County Board recognize the right of parents/guardians to be involved in the education of their children and desires to balance that right with the County Superintendent's need to ensure the safety of students while at school.

The parent/guardian who enrolls a child in a County Superintendent-operated school shall be presumed to be the child's custodial parent/guardian and shall be held responsible for the child's welfare.

School officials shall presume that both parents/guardians have equal rights regarding their child, including, but not limited to, picking the student up after school or otherwise removing the student from school, accessing student records, participating in school activities, or visiting the school. When a court order restricts access to the child or to his/her student information, a parent/guardian shall provide a copy of the certified court order to the lead site administrator or designee upon enrollment or upon a change in circumstances.

In the event of an attempted violation of a court order that restricts access to a student, the lead site administrator or designee shall contact the custodial parent and local law enforcement officials and shall make the student available only after one or both of these parties consent.

Adopted: 12/08/2011

Amended: 10/15/2020

Legal ReferenceEducation Code

48204 Residency requirements

49061 Definitions

49069 Absolute right to access

49091.10-49091.19 Parental review of curriculum and instruction

49408 Emergency information

56028 Definition, parent for special education

51100-51102 Parent/guardian rights

Family Code

3002 Joint legal custody, definition

3006 Sole legal custody, definition

3025 Parental access to records

6550-6552 Caregivers

Government Code

810-996.6 Government Claims Act

6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking

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Management Resources

Websites

CSBA: <http://www.csba.org>

California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>

California Department of Education: <http://www.cde.ca.gov>

5021, 7/2009; Doc# 122632