



## **5730.1: NON-CUSTODIAL PARENTS' ACCESS TO STUDENT RECORDS AND SCHOOL CONTACT**

**I. General Statement.** Non-custodial parents shall have the same right of access to their child's student records and contact with their child as custodial parents unless prohibited or restricted by law, court order, or District policies or rules.

**II. Providing District with Court Orders.** Parents shall be responsible for providing the District with any court orders affecting a parent's right of access to records or contact with their children.

**III. Non-Custodial Parent's Right of Access to Student Records.** Upon request, non-custodial parents shall be entitled to exercise all parental rights regarding student records, including the right to request that the records be forwarded to other parties, unless prohibited or restricted by law, court order, or District policies or rules.

**IV. Non-Custodial Parent's Participation in Teacher Conferences and Right to Obtain General Notices.**

Non-custodial parents shall have the same right as custodial parents to attend regularly scheduled teacher conferences, IEP conferences, and to obtain copies of records of conferences unless the non-custodial parent is prohibited or restricted by law, court order, or District policies or rules. If divorced or separated parents request separate teacher conferences, the principal shall have the discretion to grant or deny such a request. Non-custodial parents shall also have the same rights as custodial parents in obtaining general notices such as lunch menus, parent organizations, announcement of teacher conferences, and school pictures.

**V. Release of Children.** During or after the school day or school activity, children shall be released only to the custodial parent or to law enforcement officers unless the custodial parent has granted permission for children to be released to someone else.

**VI. Identification.** District schools may reasonably require custodial and/or non-custodial parents to provide identification.

**VII. Definitions.**

**A. "Court order"** shall mean any order, decree, judgment, or other adjudication from a court of competent jurisdiction.

**B. "Non-custodial parent"** shall mean a parent who does not have primary physical custody of a child as a result of a court order, decree, judgment, or other adjudication.

**C. "Parent"** shall mean a natural parent or the child's legal guardian.

**Date of Adoption**

**March 7, 1988**

**Date of Revision**

May 6, 1996

November 20, 2000

August 16, 2010

May 21, 2018

**Related Policies and Rules**

[5730: Parents' Access to School Records and School Contact](#)

**Legal Reference**

34 C.F.R. § 99.4

Neb. Rev. Stat. § 42-364

Neb. Rev. Stat. § 42-381

Neb. Rev. Stat. § 79-2,104(1)