

JOINT CUSTODY POLICY

INTRODUCTION

The Londonderry School District recognizes that the parents of students who attend schools in the Londonderry School District may, as a result of court decrees, be awarded various orders with regard to legal and physical custody of a student. The School District adopts the following policy to facilitate an appropriate working relationship with all parents and to encourage the cooperative working together of all parties in the best interest of the student.

It remains within the discretion of the administration to make a decision which they determine appropriate, which may include varying from this policy if in their judgment an immediate issue exists with regard to the educational needs, safety or well-being of the student in question.

COURT DECREES

It shall be the responsibility in the first instance, of the parent who enrolls the student in the School District to provide the School District with all relevant court orders. In a divorce decree or parenting plan developed pursuant to RSA 461-A, a child's legal residence for school attendance purposes maybe the school district in which either parent resides.

Transportation will be provided only between the selected area school and the residence of the parent who lives within that area school's geographic boundaries. Transportation will not be provided beyond the designated attendance area for the school to which the child is assigned, or beyond the geographical limits of the school district.

EDUCATIONAL RECORDS

As provided in the Family Educational Rights & Privacy Act (FERPA)(20 U.S.C. § 1232g) the School District shall give full rights under the Act to either parent, whether or not they have legal or physical custody, unless the School District has been provided with evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revoke these rights (Authority: 34CFR Part 99.4). Under these rights either parent may therefore, consistent with 20 U.S.C. § 1232g be given the opportunity to inspect and review the student's education records and if circumstances effectively prevent the parent from exercising the right to inspect and review the student's education records, the School District shall provide the parent with a copy of the records requested or make other arrangements for the parent to inspect and review the requested records. The School District will charge the parent the School District's standard copy fee for copying the education record unless imposing the fee would effectively prevent the parent from exercising the right to inspect and review the student's education records. (Authority: 34 CFR Part 99.10, 99.11).

Unless the School District has been provided with evidence that there is a court order, state statute or legally binding document relating to such matters as divorce, separation, or custody

that specifically revokes the right, consistent with FERPA either parent may provide consent for the records of the student to be released to a third party.

DUPLICATE COPIES OF REPORTS

When the parents of a student do not reside at the same address, upon written notification and request from a parent, duplicate copies of report cards, progress reports and other mailings will be generated and mailed to the residence of the parent with whom the student does not reside. It will be the responsibility of the parent with whom the student does not reside to provide the School District in writing at the start of each school year with a current address. The School District will only mail duplicate copies of documents that are mailed to the parents with whom the student lives. It shall be the responsibility of both parents to obtain directly from the student information that is disseminated through announcements at school and flyers or handouts given to the student. These documents will not be mailed to either parent. An appropriate form or providing duplicate copies to a parent shall be photocopies of the original documents.

RELEASING STUDENTS FROM SCHOOL

In the first instance, unless the School District has been provided with court orders or other legally binding documents, as set forth above, a student will return at the close of the school day to the residence of the parent/guardian from which the student has come that morning. If the School District has been provided with court orders or other legally binding documents relating to divorce, separation or custody the School District will follow the current orders that are in place. In a situation where there is joint or shared physical custody or joint legal custody with one parent being the primary physical custodians and one parent having physical custodial rights, students will be released into the care and custody of the person who has physical custodial rights during the period of time in question. The student may also be released to a third party whom the parent who has physical custodial rights during the period of time in question has designated in writing as the appropriate party to release the children to. The School District will recognize and honor the decision and instructions of the parent who has physical custodial rights of the child at the time in question unless there is an emergency health or safety reason not to do so. (For example if Parent A has by court order physical custodial rights of the student from Wednesday at 2:00PM until Saturday at 6:00PM, Parent A may pick up the children at school on Wednesday, Thursday and Friday or may designate in writing that the children be released to their current spouse, or a daycare provider, etc.)

SCHOOL MEETINGS AND ACTIVITIES

Both parents are welcome and encouraged to attend school meetings scheduled with regard to their child and other school activities. Either parent may elect to have a spouse, advocate, and/or other persons who have knowledge or special expertise regarding the child, attend scheduled meetings with them. If court orders prohibit both parents from being present together at a meeting, the School District will take appropriate alternate measures to apprise the non-custodial parent of what has occurred at a meeting and to allow their participation. With regard to parent-teacher conferences, the School District shall retain the option of meeting separately with each parent, (and their current spouse, advocate or other persons designated by them) if in the opinion of the School District such meetings are less disruptive and more conducive to the intended purposes of the meeting.

Legal Reference:
RSA 193:12

LONDONDERRY SCHOOL BOARD

Adopted: July 11, 2000
Amended: August 25, 2015