

MIDDLETON-CROSS PLAINS AREA SCHOOL DISTRICT

Administrative Policy and Procedure Manual

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CHILDREN OF DIVORCED / SEPARATED PARENTS

Policy

The District shall maintain neutrality between parents who are involved in an action affecting the family, unless otherwise directed by court order. It is the responsibility of the parent(s) to notify the District of any such court order.

The parent enrolling a student in school shall be considered to be the custodial parent and that parent's residence shall be considered the student's residence for school purposes, unless a court order or other satisfactory documentation is presented which specifies otherwise.

The visitational parent of any student enrolled in a school subject to District control may be provided all report cards, notices of school activities, disciplinary reports, conference appointments or summaries, or other student records which are provided to the custodial, unless otherwise expressly curtailed or restricted by a provision of a court order which has been provided to the principal. The visitational parents may also participate in all activities, including conferences. The school generally will conduct only one meeting for parents at appropriate times in which both parents will be permitted to participate.

A student enrolled in the District may be released from school to either the custodial or visitational parent, unless the custodial parent has presented a court order or other legally binding document which prohibits such a release.

Procedure

- A. For the purposes of this procedure, the following terms have the meanings indicated:
1. Action affecting the family means an action for divorce legal separation, annulment, custody, military service, prison, or child support, whether pending or completed.
 2. Court order means any order or applicable portion of any order, adjudication, or decree, temporary, interlocutory, or permanent, entered by a judge or court commissioner of competent jurisdiction within Wisconsin or any other state as a result of an action affecting the family. Any court order or applicable portion of any court order which appears to be certified as a true and accurate copy of the original shall be presumed to have been signed by a judge or court commissioner of competent jurisdiction.
 3. Custodial parent means the natural or adoptive parent having physical custody of a student by virtue of a court order.
 4. Visitational parent means a non-custodial parent or joint custodial but non-residential parent who has visitation rights and privileges by virtue of a court order.

B. Enrolling Parent to Provide Certified Copy of Court Order

In the event any enrolling parent advises the building principal that the most recent court order in effect curtails or restricts the rights and privileges of the visitational parent with respect to such parent's right to be kept informed of the student's school progress and activities, or participate therein, the enrolling parent shall be requested to provide the building principal with a certified copy of that portion of the most recent court order reciting such curtailment or restriction.

C. Visitational Parent May File Certified Copy of Court Order

In the event a custodial parent of any student enrolled in a school subject to District control fails to provide the building principal with a certified copy of the portion of the most recent court order dealing with custody or visitation of the child of such parent, or fails to provide the address of the visitational parent, the visitational parent may file a certified copy of such court order or the address of the visitational parent, or both, as the case may be. The building principal shall notify the custodial parent of such filing, and shall thereafter provide to such visitational parent all grade reports, notices of school activities, disciplinary action or teacher or principal conference appointments or summaries which are provided to the custodial parent, and allow the visitational parent to participate in all school activities, including conferences, in which the custodial parent is permitted to participate, unless such action is expressly prohibited by the provisions of the most recent court order on file with the building principal.

D. Visitational Parent May File More Recent Court Order

In the event a visitational parent provides the building principal with a certified copy of the portion of a more recent court order dealing with custody and visitation of such student than that filed by the other parent, the terms of the more recent court order shall control.

E. Failure to Advise Building Principal of Action Affecting Family; Failure to File Certified Copy of Court Order

In the event neither parent to an action affecting the family notifies the building principal of the existence of such action, neither parent shall be deemed to have rights superior to the other parent with respect to any minor student. If the building principal is advised of the existence of an action affecting the family of a student enrolled in a school of the district, but neither parent to such action provides the building principal with a certified copy of the applicable portion of the most recent court order in such action, the parent enrolling a student in a school of the district shall be deemed to be the custodial parent and the other parent shall be deemed to be the visitational parent with no restrictions on the visitational parent's right to be kept informed of the student's school progress and activities and participate therein.

F. District Employees to Follow Court Orders

No employee of the district shall disobey or disregard any provision of a court order relating to any student enrolled in a school subject to District control, upon receiving notice of the contents of a certified copy of such order. Receipt by the building principal of a certified copy of the applicable portion of such order shall be deemed notice to all building employees of the contents of such order.

G. Promulgation of Policy and Procedures

The building principal shall provide a copy of the "Report to Parents of Children of Divorced Households" who requests that the school alter their usual communication with enrolling parents due to parental separation/divorce.

LEGAL REF: Sections 118.125(2)(m) Wisconsin Statutes
767.245

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