



Title: **Custodial and Non-Custodial Parent Rights and Responsibilities**

Code: KBBA

Section: Section K: School/Community Relations

School officials presume that the parent who enrolls a student in school or who files a choice application is the student's custodial parent. Unless a currently effective Colorado court order specifies otherwise, the custodial parent shall be the one whom the school district holds responsible for the education and welfare of the student.

In the event the child resides with both parents for equal periods of time during a normal school week, either by splitting time equally between the parents during a normal school week or by residing with each parent on alternating school weeks, and if parents do not agree concerning an educational decision, the superintendent or designee shall determine which parent's instruction to follow regarding the matter in dispute on an interim basis until the parents either reach agreement regarding the disputed matter or the school officials receive a valid Colorado court order or decree that resolves such dispute. Such interim determination shall be within the sound discretion of the superintendent or designee.

If the rights of a non-custodial parent are restricted by a Colorado court order, the custodial parent shall provide the school with a certified copy of the currently effective court order curtailing these rights. Unless informed through the submission of such a court order, the school district assumes there are no restrictions regarding a non-custodial parent's rights, including the right to access the student's educational records. The student shall not be permitted to visit with or be released to anyone, including the non-custodial parent, without the approval of the custodial parent or a court order stating otherwise.

Adopted/Approved: February 24, 2007

Reviewed: June 25, 2021

Revised: June 7, 2012

April 24, 2023

Legal References:

20 U.S.C. §1232g (Family Educational Rights and Privacy Act of 1974)

20 U.S.C. §1401 et seq. (Individuals with Disabilities Education Improvement Act of 2004) (IDEIA)

34 C.F.R. §99.1 et seq. (FERPA regulations)

34 C.F.R. § 300.30 (b)(2) (IDEIA regulation)

C.R.S. §14-10-123.8 (access to school records)

Cross References:

JLIB, Student Dismissal Precautions

JRA/JRC, Student Records/Release of Information on Students

KFA, Public Conduct on School Property

Adopted: **February 24, 2007**

Last Revised: **April 24, 2023**

Attachments

[KBBA Custodial and Non-Custodial Parent Rights and Responsibilities.pdf](#)