

## **CUSTODIAL AND NONCUSTODIAL PARENT RIGHTS AND RESPONSIBILITIES**

Centennial BOCES officials shall presume that the parent who enrolls a student in a Centennial BOCES school/program is the student's custodial parent. Unless a currently effective Colorado court order specifies otherwise, the custodial parent shall be the one whom Centennial BOCES holds responsible for the education and welfare of the student. Where the court order specifies that the parents shall share custody and jointly make decisions relative to the care and education of their child, Centennial BOCES officials shall consult with both parents regarding educational matters affecting the child. Where the parents disagree in such matters and the court order does not provide a mechanism for resolving their differences, Centennial BOCES officials shall follow the instructions of the parent with whom the child primarily resides during a normal school week.

If the rights of a noncustodial parent are restricted by a Colorado court order, the custodial parent shall provide Centennial BOCES with a certified copy of the currently effective court order curtailing these rights. Unless informed through the submission of such a court order, Centennial BOCES assumes there are no restrictions regarding a noncustodial 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 noncustodial parent, without the approval of the custodial parent. Unless otherwise provided by applicable law or court order, education conferences with a noncustodial parent shall be permitted only upon the consent of the custodial parent.

LEGAL REFS.:       20 U.S.C. 1232g Family Educational Rights and Privacy Act of 1974  
                          FERPA  
                          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 regulations  
                          C.R.S. 14-10-123.8 access to school records

CROSS REFS.:       JRA/JRC, Students Records /Release of Information on Students  
                          KFA, Public Conduct on Centennial BOCES Property

Adopted: January 18, 2018  
Centennial BOCES