

449 RIGHTS AND RESPONSIBILITIES OF DIVORCED/SEPARATED PARENTS/GUARDIANS AND PARENTS/GUARDIANS NOT SHARING THE SAME HOUSEHOLD

It is the goal of the Williams Bay School District to work in the best educational interests of each student while working in partnership with the student's parents/guardians. The District recognizes that while the parents of some students may be divorced, separated, or otherwise not sharing the same household unless otherwise provided by a court order or other legally required reason, both parents have a right to be informed of and involved in their child's educational program.

To maintain a collaborative relationship with both parents/guardians, the District will maintain strict neutrality between parents/guardians who are involved in an action affecting the family, unless otherwise directed by court order, a parenting plan, subpoena, or other court documents. District employees, in their official capacities, will not voluntarily participate in family law court proceedings or related matters.

It is important for the District to have the information necessary to make appropriate decisions regarding the student's school programs and the parent's/guardian's involvement with the schools, particularly where the parents/guardians have been involved in family law matters. Upon enrollment or when issued by a court or agency, the parents/guardians shall provide the District with:

1. The most recent court-related documents that provide information on residency, legal custody, physical placement arrangements, educational decision-making authority, and other matters relevant to the District so that the District may abide by those decisions and orders;
2. Any legal action affecting the family that might have an impact on parent involvement and participation in the schools; and
3. Any court order that may define or restrict a parent's rights concerning children enrolled in the District.

Parents/guardians who share legal custody may each make educational decisions for their students. Unless the parent/guardian has been denied periods of physical placement with the child or court order, parenting plan, or other court document or law provides otherwise, parents/guardians may view their child's school records, receive school progress reports and mailings, attend parent/teacher conferences, and visit their child at school and remove their child from school grounds.

When initially enrolling a student in the District, the parent/guardian completing the enrollment process must designate the primary household in which the student will reside. In circumstances where divorced, separated or parents/guardians not residing within the same household share physical custody (50% with one parent/guardian and 50% with the other parent/guardian), one parent/guardian's household must be designated as the primary household. Once designated, the student's primary household shall remain as originally designated unless altered by a court order indicating that the student's primary household has changed to the other parent/guardian.

Each parent/guardian is individually responsible for observing his/her respective parenting rights, obligations, and restrictions in all of the parent/guardians' interactions with the District. The following guidelines shall apply to the enforcement of such rights, obligations, and restrictions:

1. As a general rule, if one parent believes that the other parent is acting in a manner that is inconsistent with such rights, obligations, or restrictions, his/her primary method of obtaining recourse is to seek enforcement of applicable laws, court orders, and agreements by involving law enforcement and/or the courts.
2. If parents/guardians disagree with one another about their respective rights, obligations, or restrictions, it is the responsibility of the parents to obtain appropriate clarifications of, or modifications to, any applicable agreements or court orders through the family court system.
3. The District will not be responsible for monitoring, interpreting, and/or enforcing any physical placement order/schedule. If a dispute occurs on District premises regarding physical placement, the District will contact law enforcement authorities to assist the parents/guardians in the dispute.

If the parent/guardian advises the District that a court order restricts parental rights concerning students enrolled in the District, the parent should provide the District with the court order providing such restriction(s). The District may also ask the other parent/guardian to provide the court order if the parent/guardian asserting that a court order restricting parental rights exists fails to provide the court order to the District. Any relevant information from a court order restricting parental rights shall be entered in the student's records and shared with the student's classroom teacher(s) and other relevant staff. Should neither parent/guardian provide the District with a copy of a court order restricting parental rights, neither parent/guardian shall be deemed to have rights superior to the other concerning any student enrolled in the District or concerning parent/guardian participation in school-related activities.

Absent a court order setting forth restrictions on parental rights, both parents/guardians will be presumed to have the ability to visit their student(s) at school. If the District has received a court order clarifying parental rights and privileges and any restrictions on parental rights, the following shall apply:

1. A custodial parent/guardian or joint custodial parent/guardian or a parent/guardian with physical placement rights may visit their student(s) at school during school hours following the District's visitor policy, unless the visitation is prohibited by a court order provided to the District, without the written authorization of the custodial or joint custodial parent/guardian. Unless expressly prohibited by court order, it is not a violation of District policy for such a parent/guardian to, for example, volunteer in his/her child's class, eat lunch with his/her child, or chaperone a school field trip on a day when the parent does not have physical placement of the student.

2. Under the District's visitor policy, the District may prohibit either parent/guardian (regardless of custodial status and the language of a court order) from entering the school during school hours, or otherwise participating in school-sponsored activities, if the parent/guardian disrupts the educational environment or the parent/guardian's presence is detrimental to the health, safety, academic learning or productivity of students or others at school.
3. A parent/guardian who has been denied physical placement with the child is not permitted to remove a child from school grounds. Where a parent/guardian who has been denied periods of physical placement attempts to remove a child from school, the school shall contact law enforcement.
4. Any person who is prohibited from having contact with a student of the District under a court order is prohibited from entering onto school grounds or into school buildings where the student/child may be present.

LEGAL REFERENCE: Wisconsin Statutes, Sections 118.125, 767.41

APPROVED: February 22, 2021