



## 5030.1 Rights of Noncustodial Parent Policy

**Effective Date: June 5, 2020**

**Approved by: Board of Directors**

### **Policy:**

Noncustodial parents generally retain the same rights as custodial parents unless a court order restricts the rights of the noncustodial parent. These rights include but are not limited to accessing his/her child's student records, participating in school activities, and visiting the child at school. If a completed or pending legal action curtails the noncustodial parent's rights, the parent/guardian with custody shall provide evidence of this action to the Executive Director or designee.

Notwithstanding any other provision of law, access to records and information pertaining to a minor child, including, but not limited to, medical, dental, and school records, shall not be denied to a parent because that parent is not the child's custodial parent.

Note: Pursuant to Education Code 49061, noncustodial parents do not have the right to challenge the content of student records, provide a written response to student records, or consent to their release to third parties.

### *Legal Reference:*

#### EDUCATION CODE

49061 Definitions

49069 Absolute right to access

#### FAMILY CODE

3025 Parental access to records

(9/90 6/95) 10/95

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