

Southwest Vermont Regional	CUSTODIAL, JOINT CUSTODIAL AND	Policy #1004C
Technical School District	NON-CUSTODIAL PARENTAL RIGHTS	
	AND RESPONSIBILITIES	

It is the policy of the Southwest Vermont Regional Technical School to recognize the value of providing information concerning a student's school participation and progress to both parents where the parents are separated, estranged, or divorced. In such cases, the School Boards and its employees will respect the legal rights of both parents with respect to involvement in their child's education, including access to records, educational decision-making, and notice and participation in school meetings and activities, as and to the extent provided by State and Federal law.

When the whereabouts of both parents is known to the school, school staff will afford equal rights of authority or access to each parent. Only when the school is provided with a court order (such as a divorce decree or child custody order), statute or similarly binding document that curtails or limits one parent's rights with regard to the education of the child will the school modify its equal rights practice.

While both parents may visit or observe the child at school, generally only the parent with physical responsibility for the child will have the authority to remove the child from school property. Where physical responsibility or right to parent-child contact is shared, both parents generally have this authority. If a parent wishes to have the school limit this general rule, the parent must provide to the school a copy of a Court order or similarly binding document expressly requiring such limitation.

If a parent with sole physical responsibility wishes to allow the other parent to remove the child from the property, permission must be provided to the school in writing. If school personnel anticipate or suspect student abduction (whether by a non-custodial parent or any other person), law enforcement personnel are to be notified immediately.

The parent with sole physical responsibility and each joint custodial parent has the responsibility to keep the school office informed (a) of his/her address (residence) and phone number, and (b) of a means of contacting the parent at all times. When a student turns 18:

Under Vermont Law a student reaches the age of majority upon his/her 18th birthday.

Under Federal law, the parents' rights to access information contained in education records transfer to the 18 year old student. The above school districts will allow the parents of a dependent student continued access to such records as permitted (but not required) by law. (The term "dependent student" is defined by section 152 of the Internal Revenue Code of 1954). An 18 year old student who wishes to block parental access to his or her educational records must file a written request to that effect with the CDC Director.

Student's rights under IDEA:

Procedural rights of students who are eligible for special education under the Individuals with Disabilities Education Act (IDEA) also transfer from the parent to the student at the time the student turns 18. Thereafter, as required by law, the parents shall have a continued right to receive copies of required notices, but otherwise all procedural rights shall be the child's. Under the law special rules apply if the court has appointed a legal guardian for the student, or the child has been determined to be unable to provide consent with respect to his/her educational program under State procedures.

Parental Rights: Special Education and Section 504: In addition to the above parental rights and responsibilities, parents of children who have been found to be eligible for special education services under the IDEA, or who have been determined to be protected under Section 504 of the Rehabilitation Act of 1973, have additional rights. Copies of written statements of parental rights in special education are available from special education staff at the CDC, and rights with respect to Section 504 are available through the Director/Superintendent.

	Date Warned	Date Adopted	Replaces Policy
Southwest Vermont Regional Technical School District	2/16/04	3/15/04	1004