



ADMINISTRATIVE GUIDELINE

Title: Custody Protocol

Effective Date: September 27, 1999

Responsibility: Superintendent of Program and Schools

The following protocol has been developed to assist school administrators and staff to deal with issues related to the custodial rights and responsibilities of parents.

1.0 Where no Court Order exists:

- 1.1 Principals are required to inform all parents that where a court order exists, it is their responsibility to provide the most recent copy of the court order to the school for inclusion in the student(s) Ontario School Record file.
- 1.2 If the parent does not provide a copy of the order, the Principal must assume that no order exists.
- 1.3 Both parents are assumed to have equal access to the child(ren), the child's teacher, support workers, and any records pertinent to the progress of the child including copies of the child's report card and or progress reports.
- 1.4 Where a dispute arises between parents with respect to any issue outlined in 1.3, the Principal should inform the parents of their responsibility to resolve the dispute and to inform the Principal of the agreed upon resolution.
- 1.5 Where the parents can not come to resolution of the issue, the Principal will at all times act in the best interest of the child and where the child appears to be placed in a situation of jeopardy, request intervention of the appropriate agency.
- 1.6 Where intervention of an agency is required, Principals should inform the appropriate Superintendent of Program and Schools of the action taken.

2.0 Where a court order exists:

- 2.1 Where a court order exists, it is the responsibility of the parents or the custodial parent to provide the Principal with the most recent Court Order for inclusion in the students Ontario Student Record File.
- 2.2 The directions of the court order must be strictly adhered to. It is the responsibility of the Principal to ensure appropriate staff are aware of the details of the Court Order and that the actions of staff strictly adhere to the Court Order.
- 2.3 The Principal should also inform all staff of the confidential nature of the information in the Court Order.
- 2.4 Where a dispute between the custodial parents arises specific to the interpretation of the Court Order, the Principal will inform the parents that it is their responsibility to resolve the dispute outside of the school setting.
- 2.5 The Principal will not attempt to interpret the Court Order where there is a dispute between the custodial parents.
- 2.6 The Principal will inform the appropriate Superintendent of Program and Schools of the dispute and a determination will be made regarding the need for the Superintendent of Program and Schools to seek advice from the Board's legal advisor.
- 2.7 The Principal shall not contact legal counsel, or support workers for either parent.
- 2.8 Where a decision is required by the Principal in the absence of a clear interpretation, actions must always be taken to ensure the safety and well being of the child.
- 2.9 Where action by the Principal is required, the Principal will advise the appropriate Superintendent of Program and Schools of the action and keep a detailed written record of the action and reason for the action.
- 2.10 Where the child(ren) is in jeopardy, the Principal shall contact the appropriate agency Example: The Children's Aid Society, Police and notify the appropriate Superintendent of Program and Schools of the action.