

## **Non-Custodial Parent's Rights to Education Records/Information**

### **Policy/Approach**

It is our policy to honor the rights and responsibilities accorded by law to non-custodial parents of Southern Oregon Head Start children. In most circumstances, we seek to engage non-custodial parents in the child's educational experience, unless otherwise prohibited by law, since involvement of both parents is associated with children's healthy development and learning.

#### **Head Start Program Performance Standards:**

**ORS 107.154** Unless otherwise ordered by the Court, an order of sole custody to one parent shall not deprive the other parent of the following authority:

- A. To inspect and receive school records and to consult with school staff concerning the child's welfare and education, to the same extent as the custodial parent may inspect and receive such records and consult with such staff.
- B. To consult with any person who may provide care or treatment for the child and to inspect and receive the child's medical, dental and psychological records, to the same extent as the custodial parent may consult with such person and inspect and receive such records.
- C. To authorize emergency medical, dental, psychological, psychiatric or other health care for the child if the custodial parent is, for practical purposes, unavailable.

### **Unverified Parent Request**

When a non-custodial parent wants to participate at the center or access the child's records, and their legal relationship to the child is unverified, assure the parent that parents and guardians are welcome at Southern Oregon Head Start, that children's safety is our first concern and that we must first verify their status in the child's life. Until the parent's legal relationship is verified:

- Staff must not confirm or deny that a child is participating in any Southern Oregon Head Start program. Do not divulge any personally identifiable information. Do let the requesting parent know that staff will look into their request. Information needed:
  - Requesting parent's full name and contact information to follow up at a later time.
  - Child's full name and date of birth.

## A. Verification Process

If the child is enrolled at your center, review the following information. (*If you do not have Shine access, your Site Manager or Family Advocate will support*):

- Does the requesting parent have documentation (court documents, birth certificate) and ID to verify that they are a legal parent?
- Review information in Shine:
  - Emergency tab, including the E-Card, custody paperwork/legal orders, etc.
  - Enrollment tab- guardian section
  - Family tab- Case Notes that mention the requesting person and their relationship to the child.
- Notify custodial parent of the request and verify that the documentation on file is current and up to date. If outdated, or no documentation is on file, request new paperwork from custodial parent.
  - If we do not have documentation of existing court ordered restrictions, inform the custodial parent of the non-custodial parent's rights to information and educational records.
- After reviewing information with the Site Manager, inform the custodial parent of what information and involvement SOHS will be providing (or not providing) to the non-custodial parent, while ensuring not to share private information with either household.
- Notify the center team (FA/T/SM and Site Manager Lead) of the outcome.
- Family Advocate will add detailed information in a Family Background Case Note in Shine.
- Follow up with the requesting parent with the determination of what information and involvement SOHS will be providing (or not providing) to them, while ensuring not to share private information with either household.

If the Child is NOT enrolled at your center – the Main Office will work through the verification process.

Center staff will:

- Let the requesting parent know that all requests for records are processed through our Main office. They can email their request directly or you can support them by sending the following information to [soheadstart@socfc.org](mailto:soheadstart@socfc.org):

- Requesting parent's full name and contact information to follow up at a later time.
- Child's full name and date of birth.

ERSEA will verify enrollment and placement and connect with the appropriate center team if the child is enrolled elsewhere.

- Center team will follow up on the request by following the verification process outlined above.
- If the child is not enrolled in the program, ERSEA will notify the requesting parent.

### **B. Verified Non-Custodial Parent- No Legal Restrictions to Access**

Family Advocates and teachers can provide support to either or both parents to facilitate their attendance at Southern Oregon Head Start functions, their participation in the Family Partnership process, and conferences with the teacher and/or other parent.

If there are no legal restrictions to accessing educational information, the non- custodial parent is entitled to:

- Know their child is in our program and where,
- To observe their child in the classroom,
- To volunteer in the classroom, attend parent meetings, family days, etc.
- Non-custodial parents may receive newsletters, flyers and notifications of meetings and conferences for their child.
- Is entitled to access their child's records, including medical, dental and psychological records, through the "[Child and Family File Parent Request for Copy of Student's Education Records](#)" procedure.

### **C. Verified Non-Custodial Parent: With Legal Restrictions to Access**

If there are verified restrictions to a parent accessing either information and/or contact with the enrolled child, Family Advocate/Teacher will email Family Services & Site Manager for guidance and will CC the Site Manager Lead.

Family Services and Site Manager will review documentation/request and will consult with center team (FA/T).

\*For questions regarding parental pick up, refer to [Emergency Information Card & Child Pick Up Policy & Procedure](#).