

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 phone number, and email to follow up at a later time.
 - Child's full name and date of birth.
 - Photo ID
 - Any documentation that confirms this person's relationship to the child (ex: birth certificate, custody paperwork, etc.)

A. Verification Process

If the child is enrolled at your center, review the following information in the child's file (If you do not have access to the child's electronic records, partner with the Site Manager or Family Advocate for support.):

- Verify the requesting parent's legal relationship to the child by reviewing documentation provided (such as court documents, birth certificate, or other applicable records) and confirming identity.
- Review available child and family records, including:
 - Emergency contact information, custody documentation, and legal orders.
 - Enrollment tab- guardian section Enrollment information identifying parents/guardians.
 - Relevant notes or documentation regarding the requesting person and their relationship to the child.
- Notify the custodial parent of the request and review any documentation regarding legal guardianship, custody, or restrictions to confirm the information on file is current and accurate. If documentation is outdated, unavailable, or the custodial parent reports a change, request updated documentation before making a determination.
 - 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, determine who will communicate the outcome with each parent. Inform the custodial parent of what information and involvement SOHS will be providing (or not providing) to the non-custodial parent, while ensuring private information is not shared between households.
- Notify appropriate center team members of the outcome.
- Family Advocate will document the request, verification process, and outcome according to current documentation procedures.
- Follow up with the requesting parent regarding the determination of what information and involvement SOHS will be providing (or not providing), while ensuring private information is not shared between households.

If the Child is NOT enrolled at your center – the ERSEA department will support the verification process.

The staff member receiving the request will:

- Let the requesting parent know that the request will be forwarded for verification.

- Send the following information to ERSEA: 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](#).