

Marion County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in April	Child Custody/Parental Access	6.209	05/13/24
		Rescinds:	Issued:
		6.209	04/24/01

The board presumes that the person who enrolls a student in school is the student's custodial parent or the person seeking enrollment has been designated as a caregiver with the power of attorney for care of a minor child.¹ Unless a Tennessee court specifies otherwise, the custodial parent shall be the one whom the school district holds responsible for the education and welfare of that child.

Parents or guardians shall have the right to receive information contained in school records concerning their minor child.² The board, unless informed otherwise, assumes there are no restrictions regarding the non-custodial parent's right to be kept informed of the student's progress and activities. If restrictions are made relative to the rights of the non-custodial parent, the custodial parent shall be requested to submit a certified copy of the court order which curtails these specific rights.

Unless there are specific court-imposed restrictions, the non-custodial parent, upon request, shall be given access to all the student's educational records including but not limited to the student's cumulative file and the student's special education file, if applicable.³

No principal or teacher shall permit a change in the physical custody of a child at school unless:

1. The person seeking custody of the child presents the school official with a certified copy of a valid court order from a Tennessee court designating the person who has custody of the child; and
2. The person seeking custody shall give the school official reasonable advance notice of his/her intent to take custody of the child at school.⁴

The individual who has official custody of a child controls access of all other individuals to the child at school unless a court order specifies otherwise. A copy of all court orders, such as a restraining order, which affects access to a child, shall be on file at the school.

Legal References:

1. TCA 49-6-3001; TCA 34-6-302, 303, 304, 305
2. 20 U.S.C. § 1232g
(Family Educational Rights and Privacy Act of 1974)
3. TCA 49-6-902
4. TCA 36-6-105

Cross Reference:

Student Records 6.600-603