

## Hamilton County Board of Education

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|---|--|---------------------------|--------------------------|
| Monitoring:<br>Review: Annually<br>in April | Descriptor Term:<br><b>Child Custody/Parental Access</b> | Descriptor Code:<br>6.209 | Issued Date:<br>12/16/04 |
|   |  | Rescinded:                | Revised:<br>10/17/19     |

The Board presumes that the person who enrolls a student in school is the student's custodial parent. 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. <sup>1</sup> 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 of the student's educational records including but not limited to the student's cumulative file and the student's special education file, if applicable. <sup>2</sup>

No school official 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. <sup>3</sup>

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 school.

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### Legal References:

1. 20 U.S.C. § 1232g  
(Family Educational Rights and Privacy Act of 1974)
2. TCA 49-6-902
3. TCA 36-6-105

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### Cross References:

Student Records 6.600-604