



## **PARENTS' RIGHTS IN PRINCE WILLIAM COUNTY PUBLIC SCHOOLS AND RESOLUTION OF CONFLICTS BETWEEN PARENTS OVER SCHOOL ISSUES**

Parents often have questions about their rights to information, decision making, and access in Prince William County Public Schools (PWCS), especially when they are divorced or divorcing. This is a summary of those rights, which apply to all parents including legal guardians (persons who have been awarded legal custody of the child by court order or who hold a power of attorney recognized by state or federal law giving them authority for educational decision making) and natural parents who are married, separated, divorced, or have never been married. For more information, consult the following PWCS regulations:

- Regulation 794-1, "Resolution of Parental Conflicts Over School Issues"
- Regulation 794-2, "Court Orders Affecting Custody or Issued for the Protection of the Child"
- Regulation 794-3, "Enrolling and Withdrawing the Child"
- Regulation 794-4, "Completion of the Student Emergency Card"
- Regulation 794-5, "Parents' Rights Regarding Information About the Student"
- Regulation 794-6, "Resolution of Conflicts Between Parents Regarding Release of the Child"
- Regulation 794-7, "Access to the School, School Conferences, and School Activities"
- Regulation 794-8, "Participation of Nonparents in the Child's Education"

All PWCS policies and regulations may be found on the School Division's website ([www.pwcs.edu](http://www.pwcs.edu)) by selecting the blue "Parents" tab in the upper righthand corner. They are listed under "Rules." If you do not have access to the internet, you may ask for a paper copy of the regulation from a staff member in the main office of your child's school. You may direct questions concerning these regulations to the school principal or to the Office of Student Services.

Please note that this document is intended as a general overview of your rights as described in the PWCS regulations. Please refer to the specific regulation governing the issue in dispute for more complete information. In the event of any conflict between this document and the applicable regulation, the regulation controls.

### **Right to Student Information and Records**

Any parent, regardless of whether he or she has custody, and regardless of whether the other parent objects, has the right to review or have copies of records about his or her child. The parent may make a request for copies of student records to the PWCS Records Office at [FERPAofficer@pwcs.edu](mailto:FERPAofficer@pwcs.edu) specifying the student records he or she wants. Requests will be denied only if there is a court order that specifically limits or denies the parent's right to school records or if the requested records are exempt from disclosure under applicable laws.

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*Director, Office of Student Services*

When parents have separate residences, PWCS will provide a copy of school communications to the parent with primary physical custody of the child as defined by Regulation 794-1. It is the responsibility of the parent with primary physical custody to share such communications with the other parent.

You can learn a great deal about your child's academic program and about school activities through the PWCS website and the website of your child's school. Custodial parents are also entitled to have a ParentVUE account (formerly, Parent Portal) that permits them to view information about their child's bus and class schedules, grades, attendance information, and more. Read about establishing a ParentVUE account at the PWCS website by selecting the blue "Parents" tab in the upper righthand corner. It is listed under "Parent Resources."

#### Right to Visit the Child at School and to Participate in School Activities

Any parent, regardless of whether he or she has custody, and regardless of whether the other parent objects, has the right to attend school events open to parents generally such as parent lunches, parent-teacher conferences, and assemblies. A parent may exercise this right at any time, not just at times or on days that the parent has visitation with the child pursuant to a visitation schedule. Please note that if a parent is limited to having only supervised visitation with the child, such visitation is not permitted to be held at school or during school activities.

#### Right to Have the Child Released from School

Any parent who has legal custody of the child may have the child released to him or her on request, regardless of whether the other parent objects. A parent with legal custody may exercise this right at any time, not just at times or on days when the parent has visitation with the child pursuant to a visitation schedule. Please note that PWCS assumes that all natural parents have legal custody of their children unless the school has been presented with a valid court order denying the parent that right. In cases of separation, divorce, or other custody dispute, PWCS will consider court orders stating that a parent has sole legal custody or has legal custody in a shared arrangement with the other parent to be confirmation that a parent has legal custody of the child. If the parent has been denied legal custody rights by court order, he or she may not pick up the child from school unless the custodial parent consents in writing.

Either parent with legal custody of the child may provide a written note to the school principal authorizing another adult of their choosing to pick up the child from school in their place.

#### Rights Relating to the Emergency Card

Each child enrolled in PWCS may have only one Emergency Card. A parent with sole legal custody is responsible for completing the card for each child enrolled in the School Division. If parents share legal custody, they are expected to work cooperatively to submit one card for each child. If parents who share legal custody disagree about the information to be included on the card, including the identification of other responsible adults who may be contacted in the event of an emergency and may pick up the child from school, the parent with primary physical custody shall complete the card.

Both parents regardless of custodial status have the right to be included on the child's emergency card even if the other parent objects unless a court order provides otherwise. If the parent is noncustodial, being listed on the card means that a parent may be notified and provided information about an emergency. A noncustodial parent, however, may not pick up the child from school without the written consent of the custodial parent (see "Release" section above).

### Rights to Make Educational Decisions

A parent with sole legal custody or who has been deemed the parent with final decision making authority over school matters by a court order has the sole authority to make educational decisions for the child.

If parents share legal custody of the child, school staff shall presume that a decision communicated by one parent represents the wishes of both unless the other parent provides the school principal and the other parent with written notice of disagreement. In that event, the parents are expected to consult each other and to reach consensus. In the event that disagreement continues, school staff shall follow the direction of the parent with primary physical custody.

### Additional Limitations

If a parent is on the sex offender registry as a sex offender or has been ordered by a court to stay away from the school, that parent will not be allowed in the school or on school grounds at any time. Additionally, the principal, the level associate superintendent or the Office of Risk Management and Security Services may ban from school grounds any person, including a parent, who is disruptive or presents a safety concern, regardless of the parental rights that person may otherwise have.

In situations where a parent is not allowed on school grounds, but retains rights to participate in their child's education, the principal will make alternate arrangements that do not require the parent's presence on school grounds, such as arranging for parent-teacher conferences to be held by telephone.

### Your Objections or Concerns about the Other Parent's Participation in your Child's Education

Principals cannot limit one parent's right to participate solely on the basis of the other parent's objection. The objecting parent must present the school with a court order that does one of the following: denies the other parent legal custody, prohibits the other parent from coming to the child's school or having contact with the child, restricts the other parent to supervised visitation, limits the other parent's access to school records, or denies the other parent any role in educational decision making. Without such a court order, school staff will assume a parent has full participation rights.

**Please note that when one parent believes the other is violating a court order or presents a danger to the parent or the child, the parent should seek relief from the courts, the police, or an appropriate social services agency, such as Child Protective Services.**

### Your Obligation to Ensure that Current Custody and Other Relevant Orders are Provided to the School Principal

Parents have the responsibility to ensure that **current** copies of custody orders or other court orders that limit a parent's rights as described in the section above have been provided to the principal of the school the child attends. Please note that state law specifically requires that if a court makes a custody determination that affects school enrollment or prohibits a party from picking the child up from school, it is the responsibility of the parents to provide the school at which the child is currently enrolled a copy of such custody order within three business days of receipt.