

COLCHESTER SCHOOL DISTRICT

POLICY: SCHOOL RELATIONS WITH ATTORNEYS AND THE COURTS IN CHILD CUSTODY CASES

DATE ADOPTED: June 6, 2023

POLICY STATEMENT

Colchester School District strongly supports the participation of parents and guardians in their child's educational program and believes that it is essential to ensure a child's academic success. Colchester School District recognizes that the relationship between the teacher and parents/guardians is a partnership that depends on allowing the teacher to maintain a central focus on the child's academic performance. The district is also aware that family issues around separation, divorce and custody may impact that child's ability to learn effectively. At times, students may approach a teacher, counselor, nurse and/or an administrator because they may need help. Disclosing said information may compromise the relationship with the student. (It should be noted that in cases of abuse or neglect, school personnel are mandated reporters.) In those times, it is essential that school personnel remain neutral and focused on maintaining a healthy learning environment for the child.

It is the policy of the Colchester School District that school staff shall refrain from providing an attorney(s) representing either parent/guardian any information regarding the student in connection with an adversarial proceeding where the other parent/guardian is an opposing party, other than directory information, unless directed to do so by an order of the court, or pursuant to a lawfully issued subpoena.

If school personnel are asked to provide additional information voluntarily by the attorney representing either parent/guardian in preparation for a custody case, then the employee is directed to decline the request. If the employee is served by a subpoena requesting such information, the employee shall promptly inform the superintendent, who may, through the school attorney, move for a protective order from the court or otherwise seek to protect the student's and/or district's interests.

Legal References:

Family Educational Right and Privacy Act (FERPA)

Last Adopted: May 21, 2019
Date Warned: May 12, 2023
First Reading: May 16, 2023
Second Reading: June 6, 2023