

Policy 5021: Noncustodial Parents

Status:
ADOPTED

Original Adopted Date: 04/12/2017 | **Last Reviewed Date:** 04/23/2025

The Board of Education recognizes the right of parents/guardians to be involved in the education of their children and desires to balance that right with the district's need to ensure the safety of students while at school.

The parent/guardian who enrolls a child in a district school shall be presumed to be the child's custodial parent/guardian and shall be held responsible for the child's welfare.

School officials shall presume that both parents/guardians have equal rights regarding their child, including, but not limited to, picking the student up after school or otherwise removing the student from school, accessing student records, participating in school activities, or visiting the school. When a court order restricts access to the child or to his/her student information, a parent/guardian shall provide a copy of the certified court order to the principal or designee upon enrollment or upon a change in circumstances.

In the event of an attempted violation of a court order that restricts access to a student, the principal or designee shall contact the custodial parent and local law enforcement officials and shall make the student available only after one or both of these parties consent.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Description

Ed. Code 48204

[Residency requirements](#)

Ed. Code 49061	Definitions; directory information
Ed. Code 49069.7	Absolute right to access
Ed. Code 49091.10-49091.19	Parental review of curriculum and instruction
Ed. Code 49408	Student emergency information
Ed. Code 51100-51102	Parent/guardian rights
Ed. Code 56028	Definition; parent for special education
Fam. Code 3002	Joint legal custody; definition
Fam. Code 3006	Sole legal custody; definition
Fam. Code 3025	Parental access to records
Fam. Code 6550-6552	Caregivers
Gov. Code 6205-6210	Confidentiality of addresses for victims of domestic violence, sexual assault, stalking, human trafficking, child abduction, and elder or dependent adult abuse
Gov. Code 810-996.6	Government Claims Act

Management Resources

Description

Website	CSBA District and County Office of Education Legal Services
Website	California Association of Supervisors of Child Welfare and Attendance

Website [California Department of Education](#)

Website [CSBA](#)

Cross References

Code	Description
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5111.1	District Residency
5111.1	District Residency
5125	Student Records
5125	Student Records
5141	Health Care And Emergencies
5141	Health Care And Emergencies
5142	Safety

