



# ADMINISTRATIVE PROCEDURE

## CUSTODIAL AND NONCUSTODIAL PARENTS IN THE SCHOOLS

1351  
Procedure No.

February 12, 2024

Date

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- I. **PURPOSE:** To provide information about the rights and responsibilities of custodial and noncustodial parents of students attending Prince George's County Public Schools.
  
- II. **INFORMATION:** Prince George's County Public Schools recognizes each parents' right to participate in and receive information about his or her child's education. This right, however, must be balanced with the school system's need to maintain a safe and orderly learning environment for all students. Parents will be asked to support schools by complying with the procedures described below.
  
- III. **DEFINITIONS:**
  - A. Legal Custody - The right and obligation to make long range decisions involving education, religious training, discipline, medical care, and other matters of major significance concerning a child's life and welfare.
    1. Joint legal custody - both parents have an equal right to make major decisions and neither parent's rights are superior to the other.
    2. Sole legal custody – one parent has the right to make major decisions regarding a child's education, health, and welfare.
  
  - B. Physical Custody – the right and obligation to provide a home for the child and to make the day-to day decisions required during the time the child is actually with the parent having such custody.
  
  - C. Shared Physical Custody – the child resides with each parent at least 35% of the overnights each year.
  
  - D. Visitation – the right of a noncustodial parent to have the child with him or her, as specified in a Court Order or separation agreement.
  
- IV. **PROCEDURES**
  - A. Documentation Required from Parents:
    1. Parent must provide his or her child's school with a copy of the child's birth certificate or legal document showing the names of the biological parents, adoptive parents or guardians.



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2. A man who is not identified as the father on the child's birth certificate may establish that he is the father by providing the school with a copy of a signed Paternity, Custody or Child Support Order identifying him as the child's father. A man may also establish that he is a child's father by providing the school with his written acknowledgement of paternity. The acknowledgement must be validated, in writing, by the child's mother. If the mother disputes paternity, in writing, the man must provide the child's school with a Paternity Order or Custody Order to be recognized as the child's father.

### B. Rights of Parents

Unless there is a valid Court Order or formal separation agreement expressly stating otherwise, the following rights apply to a student's parents, regardless of which parent has legal custody of the student:

1. School staff shall presume that a student's mother and father, as described in paragraph A. above, have equal rights and responsibilities.
  - a) The school system does not recognize less formal documentation, such as notarized statements or informal agreements.
  - b) Parents and guardians shall be obligated to provide the school with any amendments to the original Court Order or formal agreement. Custody Orders shall not be accepted by the school system as effective after an expiration date contained within the Order.
2. Each parent, regardless of whether they have physical custody or legal custody of the child, has a right to inspect and review the child's education records.
3. The decision whether to allow a noncustodial parent to visit the child or pick up the child from school will be addressed on a case-by-case basis.
4. Noncustodial parents may participate in the child's education program to the same extent as the custodial parent, including, but not limited to:
  - a) Receiving login credentials in order to access the Student Information System (SIS) family portal;
  - b) Meeting with their child's teacher and other school staff;



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- c) Inspecting or obtaining a copy of school records;
  - d) Chaperoning field trips at the school's discretion; and
  - e) Arranging to receive parental communications from the school.

- 5. The school system may, but is not obligated to, notify the custodial parent anytime the noncustodial parent requests information from or asks to meet with school employees or participate in school activities.
- 6. Step-parents, grandparents, and other individuals have no direct right to receive information about a student or discuss a student with school employees, unless they have legal guardianship or written permission from the parent or guardian. Additionally, grandparents and step-parents may not register or withdraw a student unless they have legal guardianship, but may participate in any school meetings held with the custodial or noncustodial parent, at the parent's request.
- 7. Parents or guardians must secure a Visitor's pass from the school office before visiting a child during school hours.
- 8. The parent who has primary physical custody of a child during the school year has the right to make day-to-day decisions for the child, such as emergency card information, who picks up the child from school, or whether the child can participate in a field trip.

### C. **Disagreements Between Parents:**

- 1. The school system, and its employees, shall remain neutral in parental disputes involving children attending PGCPS schools.
- 2. If parents share custody and decision-making authority for their child, they must resolve any major disagreements regarding educational decisions for the child through a Court Order or formal agreement.
- 3. The school system is not responsible for enforcing visitation or custody schedules. In the absence of an acceptable schedule and full cooperation by parents, the school system will expect that, upon the end of the school day, the child will return to the location where he or she came from that morning, and any visitation or other arrangements shall occur off school grounds.



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4. Disruptions at school regarding custody or visitation arrangements will not be tolerated and may result in a parent or guardian being prohibited from visiting school property.
  - V. **RELATED PROCEDURES:** COMAR 13A.08.02.30; Administrative Procedure 0500 (School Visitors); Administrative Procedure 5111 (Registration and Withdrawal of Students); Administrative Procedure 5117 (Early Release during the School Day); Administrative Procedure 5125 (Individual Student School-Based Records).
  - VI. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** These procedures originate with the Office of General Counsel and will be updated as needed.
  - VII. **CANCELLATIONS AND SUPERSEDURES:** This Administrative Procedure cancels and supersedes Administrative Procedure 1351, Custodial and Noncustodial Parents in the Schools, dated August 20, 2014.
  - VIII. **EFFECTIVE DATE:** February 12, 2024.

Distribution: 1, 2, 3, 4, 5, 9 and 10