

### Staff/Student/Parent Relations\*\*

The Board encourages parents to be involved in their student's educational activities and, unless otherwise ordered by the courts, an order of sole custody on the part of one parent shall not deprive the other parent of the following authority as it relates to:

1. Receiving and inspecting their student's education records and consulting with staff concerning the student's welfare and education, to the same extent as provided the parent having sole custody;
2. Authorizing emergency medical, dental, psychological, psychiatric or other health care for the student if the custodial parent is, for practical reasons, unavailable.

It is the responsibility of the parent with sole custody to provide any court order or parental plan that curtails the rights of the noncustodial parent at the time of enrollment or admission to ESD programs or any other time a court order is issued. The ESD will comply with the terms of the most recent court order.

In the case of joint custody, the ESD will adhere to all conditions specified and ordered by the court.

The ESD will use reasonable methods to identify and authenticate the identity of both parents.

END OF POLICY

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\*\*As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300-125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.

**Legal Reference(s):**

[ORS 107.154](#)      [ORS 107.101](#)  
[ORS 109.056](#)      [ORS 107.102](#)  
[ORS 163.245 to -163.257](#)  
[ORS 107.106](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g 2017; Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017). Protection of Pupil Rights, 20 U.S.C. § 1232h (2017); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).

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