

Custody and Access: Who Makes Education Decisions for the Student?

Parents Live Together

No

Yes

Is there a custody order or access agreement?

Both parents can make decisions.
Both parents have access rights.

Yes

- Sole Custody and No Access Agreement
- Sole Custody and Access Agreement
- Joint Custody

Both make decisions and both have access rights.

If parents disagree.

- An issue at one point in time, school division should accept permission the primary caregiver at time when a decision takes effect.
- An ongoing disagreement, parent providing permission is required by school division for something offered by the school division (i.e. counselling).
- Program decisions to be made by school division based on best interests of the student.

No

Is there an informal custody agreement?

Yes.

Decisions made by person with primary care.

No.

*All access to student's information is subject to not being against the privacy rights of the student (i.e. never releasing counselling notes).

*Students over the age of 18 must provide school division with permission to release information to parents.