

Schools and Management

of Information

In recent years, with the Family Law Act shift and an increase in divorce rates the number of families in conflict over the parenting of their children has escalated. Schools have a duty to ensure students are safe when under their care and rely heavily on parent support, legal documentation and government agency advice to make appropriate decisions for what is best for a child.

In order for a school to support the best interests of all children we are required to do the following:

Laws- Consult the Family Law Act, the School Act and the Divorce Act for guidance.

Be neutral- employees at the school are responsible for not taking sides in a parental conflict.

Best interests of the student- there are times when the school is faced with having to make a difficult decision to involve Child Protection Services, Lethbridge Police or another party safety for a child is a concern.

The Order Rules- the school is required to only respond to court orders that are **officially stamped and signed by the courts** and these must be in the school's possession to respond accordingly.

The onus is on parents to parent- when joint custody (guardianship) is in place, it is up to the parents (not the school) to honour parent custody schedules and duties that the court has determined, if an agreement cannot be reached the parent(s) is obligated to take their concerns to the Lethbridge Police or Family Court.

Guide for Divorced or Separated Parents *Court Orders and Protection Guidelines*

This pamphlet has been developed to support families who wish to understand how best to manage a challenging marital situation and support their children to be successful in school.

Separation and Divorce

The process of ending a relationship is challenging for parents and families. It can impact different individuals in different ways such as; feelings of grief, loss or relief, changing of living arrangements, and making legal decisions in the best interests of your child. Once the relationship has ended separated/divorced parents must work through the stages of loss, reclaiming self, resolving resentment, dealing with change in relationship and finance while being available for your child while they also live this experience.



Division of Instructional Services

DIVORCED OR SEPARATED PARENTS

Court Orders and Protection Guidelines

Lethbridge School Division

433 15th Street South
Lethbridge, AB T1J 2Z4
403 380-5200 (phone)
403 327-4387 (fax)

Morag Asquith,
Associate Superintendent,
Instructional Services

Questions & Answers

Q: How do guardians determine visitation rights when children are in Foster Care?

A. It is the responsibility of the courts and Child Protection Services to determine what the visitation schedule is for other guardians involved who are legally entitled to see the children and under what conditions they are entitled to see the children. The school is not responsible for managing or establishing visitation schedules or the rights of parents. If a guardian/parent is uncertain of when they are entitled to visitation they must consult court documents and/or Child Protection Services (the social worker) to determine what their schedule is.

Q. What do I do if I am a divorced/separated parent and I have concerns about my child's education?

A. Please book a meeting with your son or daughter's teacher to discuss your concerns. If there are other professionals who work with your child the teacher can arrange a meeting with those other professionals. The more that you can also include your child's other parent in the teacher's feedback, the more beneficial this will be for your child's education. Some separated/divorced parents are able to meet together with their child's teacher to discuss progress.

Q. What do I do if I am having a hard time communicating with my ex-spouse/partner who is the parent of my child and they have custody?

A. Some parents involve a third party (a neutral body) who communicates back and forth on behalf of the parent's and in the best interest of a child. Schools do not act as a third party when there is conflict between two parents, the school will place the responsibility of communicating between parents back on the parents. There are times when a lack of communication between parents becomes problematic. It is at this time that we encourage the parent to go back to the courts to find a solution to this challenge as it is in the best interests of the child(ren).

Questions & Answers

Q. What do I do if my ex-spouse/partner is acting unsafely and placing my child in harm's way?

A. If there are immediate safety concerns for your child you must report this directly to the Lethbridge Police. There may be times when your child reports neglect or abuse to you and it is your responsibility to report this to Child Protection Services. The school directly follows the Lethbridge Police, Child Protection Services and court directions and decisions.

Q. What do I do if my ex-spouse/partner is not honouring the court ordered arrangement for visitation/schedule?

A. It is you and your ex-spouse/partner's responsibility to arrange an appropriate and consistent schedule of visitation that respects the courts decisions for your child. If your ex-spouse/partner is not honouring those decisions it is your responsibility to take these concerns back to court or report these concerns to the Lethbridge Police.

Q. I do not like my ex-spouse's new partner being involved in our child's school activities. What can I do?

A. The school is responsible for ensuring a child's education and focus is on their learning. From time to time parents/guardians of their child volunteer to assist or supervise in a school activity. If you do not wish for a step parent to participate in the day to day school activities of your child we encourage you to first try to solve this problem with your ex-spouse. Depending upon the parental/guardian role the step parent has on court documents we may or may not be able to facilitate a resolution. We reinforce that if this situation is placing undue stress on the child and impacts their learning the school may need to make a decision on behalf of the best interests of the child.

Questions & Answers

Q. My ex-spouse has a partner, however they are not a legal guardian can they receive information about my child?

A. It is the school's obligation to inform legal parents/guardians about the day to day learning of a child. Some court documents involving custody agreements may articulate that only one of the parents are responsible for the day to day education responsibilities. It is the school's responsibility to ensure that if both parents are legal guardians that both parents receive information related to a student's learning and progress. The legal parents/guardians of the child are listed in our student information system as "primary contacts". It is up to both parties (parent/guardians) to agree on other emergency contacts to be added to a child's contact page. Adhering to laws related to privacy of student information, it isn't appropriate for schools to release information regarding students to a non-parent or third party.

Q. I wish for my partner to attend a school meeting about my child, can they come?

A. Advocates and supports are always permitted to attend student meetings alongside parents. It is recommended that both parents agree to meeting participants prior to the meeting, and that the primary participants in the meeting are the parents of the child. If a meeting gets heated and the tone impacts the ability for positive conversation to happen, a principal or designate may suspend the meeting and reschedule when both parties are able to cordially participate at a different time.



If you have any further questions please contact your child's school or Morag Asquith, Associate Superintendent, Instructional Services at 403-380-5300.