

ACCESS TO STUDENTS DURING SCHOOL HOURS

Background

As partners in education, parents and legal guardians are welcome in our schools. Parents/legal guardians are permitted to attend at school in accordance with school rules and direction. All parents/legal guardians follow the check in and check out process established for each school prior to accessing the school or removing a student from class.

Custody disputes between parents/legal guardians can arise and may require attention from school administrators. This procedure aims to provide guidance for school administrators and other school personnel related to parents/legal guardians relaying information, concerns or making decisions respecting a student attending at the school.

Parents/legal guardians' attendance at a school should be done in the least disruptive manner possible with a view to minimizing impact on student learning and the school environment.

In all cases where there is uncertainty surrounding parents/legal guardians' authority to provide information or make decisions respecting a student at the school, the school administrators must act in the best educational interest of the student and the school. In the event of conflicting information or decisions, the school administrators must refer the matter to the Assistant Superintendent of Learning Services or Director of Early Childhood Education and Learning Support Services, who may in turn seek legal counsel.

Procedures

1. Subject to accessing the school in accordance with school rules, each parent or guardian is permitted to make school related decisions on behalf of their child subject to any limitations imposed by legislation or court order.
2. Upon registration, it is the legal responsibility of the parent or legal guardian registering the child to declare all guardians on the registration form.*
3. With respect to an access to information request, if a person claims to be a parent or a guardian of a student enrolled in a Division school but is not listed on the student registration form or in the student information system, the request for information will be referred to the Division's FOIP Coordinator.

4. Any parent or guardian claiming there is a limitation imposed by law on the authority of another parent or guardian to make decisions respecting a student or restricting access to the student has the onus to provide proof of the limitation to the Division. In the absence of written proof of a limitation, parents or guardians listed in the registration form have full parenting rights, are entitled to information about their child, and subject to school rules, are able to make school related decisions for their child.
5. In the event of conflicting direction from parents/legal guardians on a particular issue, the school administrators will inform the Assistant Superintendent of Learning Services or Director of Early Childhood Education and Learning Support Services and a decision will be made based on the best educational interests of the student.
6. When a parent or legal guardian presents the school with a court order outlining parenting time, custody or access to a student, it is the parent's responsibility to adhere to its terms and conditions. Parents will not use the school as an avenue to extend or increase parenting time beyond what is outlined in the court order. In no circumstance shall the school administrators or other school staff members be responsible to enforce visitation schedules or be a referee in guardianship or access disputes between custodial parents. In circumstances where custodial parents cannot agree and become disruptive at the school, the school administrators may request assistance from the RCMP and Division Services Centre administration.
7. If a court order specifies which parent has parenting time for the day in question, school administrators will endeavour to respect the court order. In the event that a parent or legal guardian claims the parties have deviated from the court order, the parent that has parenting time as provided for in the court order must authorize in writing, the other parent or guardian to exercise parenting time on the day in question. Parents will not use the school as an avenue to extend or increase parenting time.
8. In the event that multiple court orders are presented to the school respecting parenting time and orders, school administration will attempt to determine which order is relevant to the parenting time for the day in question, which often will be the order that was most recently issued.
9. The school administrators and school staff shall, within reason and subject to any limitations imposed by legislation or a court order, comply with a court order or an agreement with respect to the allocation of powers, responsibilities and entitlement of guardianship among the parents or guardians of a student.

*The Alberta Education Act defines a parent in sections 2 & 3. A guardian is defined in sections 20 and 23 of the Family Law Act and Part 1, Division 5 of the Child, Youth and Family Enhancement Act. A parent/legal guardian is someone who has the right and responsibility to care for and make decisions on behalf of the child. Unless authorized by court documentation, all parent/legal guardians with parenting rights and responsibilities

should be listed as a parent/legal guardian. If there are questions regarding who is a parent/legal guardian pursuant to legal definitions, please contact the school principal.

References:

[Education Act](#)

[Family Law Act](#)

[Child, Youth and Family Enhancement Act](#)

Implemented: April 24, 2024