

What We Know

ARTICLES & INSIGHTS

ABOUT THE AUTHOR

No Child Left Behind – Part One

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[By Leslie Marion](#)

I come from a long line of educators. My mother, grandmother, and several of my aunts and cousins all work in education. My grandmother, who just turned 74, still works as a kindergarten teacher assistant and has no intention of retiring anytime soon. Over her career, she has witnessed the unintended consequences of protracted child custody cases and the enormous pitfalls that result when schools are forced to make critical child welfare decisions without the guidance of a custody order.

WHO IS PERMITTED TO ATTEND THE CHILD'S EXTRACURRICULAR ACTIVITIES?

WHO IS AUTHORIZED TO PICK UP THE CHILD FROM SCHOOL?

WHO CAN ACCESS THE CHILD'S SCHOOL RECORDS?

WHO SHOULD THE SCHOOL CONSULT REGARDING EDUCATIONAL DECISIONS ON BEHALF OF A MINOR CHILD?

If a court-ordered custody agreement or separation or parenting agreement is in place, it's important for the divorcing parents to provide their child's school with the most up-to-date copy. It is equally important for parents to contemplate all possible situations and circumstances that might arise and include those provisions in the custody agreement. Since school officials can only abide by the terms of the order or agreement for any given situation, school administrators will have very little guidance to go by if the situation isn't outlined. Thus, it's imperative to include specifics. For example, parents of a special needs child might include how decisions will be made regarding their child's daily care. Other parents might specify which parent has signing authority to approve their child's classroom field trips or before-school or after-school modes of transportation, or which parent the school should notify when there's a disciplinary incident. If divorcing parents live or will be living in different school districts, custody orders should outline the school district of choice, as well as how those decisions will be made going forward.

It is important for divorcing parents to note that their child's school has no choice but to follow the custody order on file with the school, even if the custody order on file is outdated. While custody orders are generally helpful, a serious lag time between a previous custody order and a newly revised custody order can put a child at risk of being left behind.

If you have any questions or would like more information on this topic, please contact attorney Leslie Marion at 919.250.2239 or by email at lm Marion@smithdebnamlaw.com.

CONTACT US

919.250.2000
mail@smithdebnamlaw.com

RALEIGH OFFICE

The Landmark Center
4601 Six Forks Road, Suite 400
Raleigh, NC 27609

Phone: 919.250.2000
Fax: 919.250.2100

CHARLESTON OFFICE

171 Church Street
Suite 120C
Charleston, SC 29401

Phone: 843.714.2530
Fax: 843.714.2541