

Guide for Separated Parents/Guardians*

Hamilton-Wentworth District School Board maintains strict neutrality between parent(s)/guardian(s) who are separated or divorced. We want to promote the best interests of each of our students by working in partnership with both parent(s)/guardians(s), unless directed otherwise by a Court Order of separation agreement.

It's important to know a school can only comply with a Court Order or separation agreement if it is properly notified and has received a copy, and only to the extent that it relates to the school. In the event the school is not informed of the existence of a Court Order or separation agreement, both parent(s)/guardians(s) will have rights to the information.

We encourage parents to notify their child's school as soon as possible when there is a change in family circumstances.

Whenever possible, staff will be informed of any changes in family circumstances so support can be offered to your child.

We recognise the sensitivity of some situations and will maintain the level of confidentiality requested by parent(s)/guardian(s) as much as possible.

Language in Court Orders and separation agreements is not always clear for all situations. When a disagreement on interpretation arises between the parent(s)/guardian(s), school personnel will provide their interpretation of what the Court Order or separation agreement states. If either parent/guardian disagrees with this interpretation it is the responsibility for that parent/guardian to produce an updated Court Order or separation agreement that clearly states the desired outcome.

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Unless a parent/guardian's rights are limited by a Court Order or separation agreement, both individuals have equal authority to visit or remove a child from school grounds under school policies.

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Parents are encouraged to resolve issues without involving the school directly.

*For the purpose of this document the term “guardian” means a relationship established by the Court where one person acts for the benefit and protection of child.

Access to School Records and Related Information

Parent(s)/guardian(s) are provided with direct access to information from school regarding their child’s education, health and welfare. Access to information includes your child’s Ontario School Record (OSR) as well as a parent’s ability to attend school events or speak to their child’s teacher or principal. It also includes other forms of communication such as school notices, school assessment and evaluation information, and individualized programming information.

Can I deny my ex-spouse access to our child’s report card?

No. In the absence of a Court Order or separation agreement, each parent/guardian will have equal access to their child’s records.

My ex-spouse is not allowed to contact our child. How can I make sure she is denied access to school communication?

There must be specific limiting language in a Court Order or separation agreement before schools can restrict a parent/guardian’s access to information. Schools are required to follow the most recent Court Order or separation agreement.

We have parent-teacher interviews coming up and I don’t want to attend with my ex-partner. How can I ensure we have separate interviews?

Generally, there will be one parent/guardian - teacher interview per child scheduled during the reporting period but we understand these situations may be challenging for some families. Please contact the principal if you require a separate time slot.

Physical Contact with Your Child at School:

There are times when a parent/guardian may need to visit their child at school. It is important to note that unless a parent/guardian’s rights are limited by a Court Order or separation agreement, both individuals have equal rights to visit or remove a child from school grounds under school policies.

Before visiting or removing your child from school, you should notify the school to ensure as minimal disruption as possible. Schools are not obligated to allow parent(s)/guardian(s) to visit children during school hours as this can be disruptive to the learning environment.

If my ex-spouse only has access to our child one day a week, can they still remove my child from school?

In situations where a Court Order or separation agreement is in place, access to the child can only occur on those days where access is permitted.

My child lives with my parents, can I still take my child from school on occasion?

When a child lives with a grandparent or other relative, the parents have the right to remove the child from the school grounds or visit with the child while at school unless otherwise restricted by a Court Order or separation agreement.

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Unless a parent/guardian's rights are limited by a Court Order or separation agreement, both individuals have equal authority to visit or remove a child from school grounds under school policies.

Access to Information by Others:

Your child may have many people involved in their lives. In the absence of a Court Order or separation agreement, a parent/guardian determines who may have access to information about their child.

How can I ensure my new spouse has access to information about my child?

Parent(s)/guardian(s) must provide written consent if they want other individuals such as a step-parent, common-law partners and grandparents to have access to information about their child.

I want my parents to have information about my child. How can I make sure the school shares information on an ongoing basis?

Either parent/guardian may provide for the release of information on an ongoing basis to another person such as a common-law partner, step-parent or grandparent, outlining the type of information to be shared. The parent/guardian is encouraged to provide a signed consent to the school during registration if they want information shared with others on a regular basis.

Do I need to keep informing the school every time I want information shared with my new spouse?

No. It is not necessary to obtain a new authorization every time information about a student is released, unless it differs from the type of information you initially granted access to.

I don't want my ex-spouse's new partner to have any information about my child. How can I prevent this from happening?

If your ex-spouse has provided written permission for their new partner to access information on your child, it will be necessary for you to provide a Court Order or separation agreement prohibiting the release of the information.

Physical Contact by Others at School:

There are times when a parent/guardian authorizes a step-parent, common-law partner, grandparent, babysitter or a relative to pick up their child from school. A parent determines who may have access to physical contact with their children.

I don't want my ex-spouse's new partner to be able to pick up my child from school. Can I stop this from happening?

In the absence of a Court Order or separation agreement, a parent determines who may have access to physical contact with their children.

How can I make sure my new spouse can pick my child up from school?

Parents must provide the name of the individual who is picking up their child, whether on a daily basis, incidentally or in the event of an emergency, to school personnel.

School staff will require children to be picked up and signed out of the office when arrangements vary from the daily routine. Personal identification must be shown to school staff to verify who the child is being released to.

Parental Decision-Making Authority:

There may be times when getting the consent of both parent(s)/guardian(s) is not possible or preferred, even if both parents have equal responsibility. If this is the case, the school has the right to accept the authority of only one parent/guardian.

This will only occur after the Principal has engaged in due diligence to ensure that the best interest of the child will be served by accepting the consent of one parent/guardian.

Should you have any questions regarding the information contained in this material, please contact the Principal at your child's school.

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involving the school directly.***

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