

Hawthorn School District 73

841 West End Court • Vernon Hills, Illinois 60061 • Phone (847) 990-4200

Dr. Youssef Yomtoob
Superintendent

TO: Parents

FROM: Dr. Youssef Yomtoob, Superintendent

SUBJECT: Custody Information

In cases of separation or divorce where one parent or guardian has custody of the children the schools sometimes receive special requests or instructions regarding the children. In order to clarify the legal regulations and to prevent any misunderstandings the following information is offered. While most parents are aware of the appropriate rules and regulations in this matter, it has been our experience that some parents have not been informed as to the rights of non-custodial parents.

According to Public Law 93-380, The Family Educational Rights and Privacy Act (FERPA) and Illinois Public Act 85-1389:

"In the case of divorce or separation, a school district must provide equal access to both natural parents, custodial and non-custodial, unless there is a legally binding document that specifically removes that parent's FERPA rights. In this context, a legally binding document is a CERTIFIED court order or other legal paper that prohibits access to education records, or removes the parent's right to have knowledge about his or her child's records. A certified court order would also be required if restrictions were placed on when and where a parent might contact or visit the child at school."

This information is provided because parents often give special information regarding their child's custody which the school district can not utilize legally. A hand written note, a telephone call or comments on the registration card are not in accordance with the law. The school must have a copy of certified court orders noting any restrictions. These are kept in the student's folder. Should you have further questions, please call me or your school office. Any legal action or information regarding court orders may require the assistance of your attorney or the courts.

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