



MOSSGIEL PARK PRIMARY SCHOOL

Court Orders Policy

Rationale:

Schools are occasionally confronted with parents disputing custody of, or access to students who are their children. While such issues are often emotionally charged, the school will manage family disputes sensitively, impartially and in accordance with the law.

Aims:

- To develop and implement clear and responsible processes for managing family custody and student access issues at a school level.
- To clearly articulate the school's processes relating to the management of custody issues and family disputes to parents.

Implementation:

- Parents or guardians are required to complete and sign accurate enrolment forms for children for whom they have custody.
- Enrolments must be accompanied by birth certificates or similar that prove a student's name and birth date.
- The school will only enrol a child under the name provided on a birth certificate or more recent legally recognised document that details a name change, or proof that the student is included in a witness protection program or similar.
- It is the responsibility of the principal and staff to request copies of relevant court orders or informal arrangements that are in place.
- Parents, guardians and/or carers are responsible for providing the principal and staff with up-to-date information and documentation relating to relevant court orders or informal arrangements that are in place.
- Any custody or family issues are to be declared, and supported by court issued Parenting Orders, Family Violence Protection Orders, Protection Orders or Parenting Plans, which will be photocopied and retained in the student's individual file.
- The Principal will be responsible for ensuring that the school cooperates with all Family Court Orders, Magistrate Court Orders or similar legal documents including informal arrangements such as a Parenting Plan.
- The school will assume a default position that both birth parents have equal access to enrolled students unless current Parenting Orders or legal documents dictate otherwise.
- Both birth parents will have access to school reports, newsletters, parent interviews, and their children at school unless Parenting Orders or similar legal documents dictate otherwise.
- Parents or guardians who claim custody restrictions but fail to provide documentation will not have their requests met until such time as Parenting Orders or similar legal documents are provided.
- People who have restricted access to students, and whose presence at school or requests for information etc are in breach of Parenting Orders or similar legal documents, will be directed immediately to the principal.

- The police will be contacted immediately if people refuse to comply with the principal's lawful instructions to obey Parenting Orders or similar whilst at school.
- The principal will report any breaches of Parenting Orders to the parent or guardian who has legal custody of the child at the time.
- The police will be contacted if a potentially dangerous situation arises or a protagonist refuses to comply with the principal's instructions to leave the school property.

Evaluation:

This policy will be reviewed as part of the school's three year review cycle.

This policy was last ratified by School Council on the 21st of November 2017