
**RIGHTS OF PARENTS, GUARDIANS, LEGAL REPRESENTATIVES AND OTHERS
REGARDING VISITATION AND REMOVAL OF STUDENTS**

The following sets forth the policy of the Bangor School Department regarding the removal from school of students, and the visitation of students during school hours by persons other than law enforcement officers and Department of Human Services workers. The policy and guidelines of the Bangor School Department regarding law enforcement officers and Department of Human Services workers are described in Regulations JFA and KNAG, respectively.

The rights of visitation and removal during school hours depend on whether or not the person is the “custodian” of the child. Section 1 below defines custodians for purpose of this policy and Sections 2 and 3 set forth the rights of persons who are custodians and persons who are not custodians, respectively.

1. Custodians Defined - Parents, Guardians, Other Representatives

The principal’s office or guidance office of each school maintains a record of the parent or parents or other persons who are registered as the custodian or custodians of the enrolled student. Unless ordered otherwise by court decree, both natural parents are considered the custodians of their child and have equal responsibilities and rights with regard to their child. A court judgment as the result of a divorce or other separation proceeding, however, may order custody to only one parent, or may order joint custody (custody for both parents). A child may also be placed in foster care and a custodian/legal representative of the child may be designated.

Generally, the persons who are said to be the responsible parents or guardians when the student is enrolled in the school will be the persons who the school will consider as maintaining custody of the child. The School Department will recognize that other persons have custody only if presented with a properly authenticated court decree. In addition, the legal custodian may designate another person to act as a representative for him or her. In cases of such proper designation, the School Department will treat such representative as if he or she were the legal custodian.

2. Rights to Visit and Remove Students From School By Custodians

Generally, custodians have the right to take children from school during the school day or to visit with the pupil during the school day. Removal of a student and visitation, however, must occur through coordination with the principal’s office. A custodian, however, may not go directly to the room or other area where the student is located for the purpose of a visit or removal of a student, unless authorized or permitted by the principal or assistant principal or during authorized parents’ days.

3. Removal or Visitation by Persons Who Are Not Custodians

Unless there has been authorization by the custodian, persons who are not the custodians are prohibited from removing a pupil from school. The only exception to this rule concerns visits and removal by law enforcement officers and Department of Human



Services workers. Regulations JFA and KNAG should be reviewed when considering visitation and removal by law enforcement officers and Department of Human Services employees.

Where the principal has made the determination that visitation by such other persons of a student at school would not impede the educational process and not be unduly disturbing to the student and/or the school, such other persons may be permitted to visit the student at places determined by the principal/assistant principal. All such visits must be approved by the principal/assistant principal and must be closely monitored by the principal's office.

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