

## POLICIES AND PROCEDURES

# DIVORCED/SEPARATED PARENTS POLICY

### 1.1 Regulations

The corresponding regulations will be followed at all time. In general, in the absence of a written legal notification from any of the parents about a separation between them of any type, divorce or any other situation that may mean a family conflict, the actions of any type made by both parents, individually or together, must be considered that they pretend to be beneficial for their child.

### 1.2 Terminology

- **GUARDIANSHIP AND CUSTODY:** It would be that set of measures and decisions that the parent, in whose care the minor remains, must be taken to guarantee the daily development of the child. Today it is about Custody being Shared for the good of the children.
- **CUSTODY AND MONOPARENTAL CUSTODY:** In case of divorce, whatever the cause of it, the judge gives custody to one of the parents, conferring on the other the right of visits and the payment of alimony.
- **GUARD AND SHARED CUSTODY:** It is the legal situation by which, in the event of marital separation or divorce, both parents exercise legal custody of their minor children, under equal conditions and rights over them.
- **PARENTAL AUTHORITY:** These are the rights and obligations of parents towards their children. In separations or divorces, it is established by default that the PARENTAL AUTHORITY will be SHARED by both FORMER SPOUSES. Depriving a parent of parental authority means protecting the minor, ceasing to act as a father / mother.

On very rare occasions, a parent is deprived of parental authority. For this, there must be very serious circumstances, it must be taken exceptionally, and will be taken by a Judge in Sentence, although it can be granted again if the circumstances that originated the withdrawal have changed. It can be total or partial deprivation.

### 1.3 Admission

It must be done with the complete data of the father and mother, or legal guardians, regardless of their marital status, for which the parent who carries out this procedure must be required to provide documentary evidence of parental authority and custody. Only a single instance will be admitted for each student, which must necessarily include the signatures of both parents or legal guardians.

Both in the event that there is no agreement on the centre they are demanding for their children, and when one of the parents has not been able to sign the application for some reason (absence, illness, etc.), the requesting parent must sign a "declaration sworn" indicating the reasons for this omission and agreeing to inform the absent parent of the decisions taken in the academic field.

### 1.4 Enrolment

- a) At the time of enrollment of the student in the school, the circumstance that the parents are separated or divorced must be pointed out, giving the school a copy of the Regulatory Agreement and Judicial Judgment. Any change in judicial measures must also be communicated to the Centre immediately.
- b) At the time of enrolment of the student, the student will be included from the administration in the list of students with separated parents with the pertinent information on collections and authorisations. Any change in the judicial measures will be recorded in said list. This list will be provided to all the teachers and the dining room coordinator for their knowledge. will introduce a post-it in the level folder, in the specific student, for the teacher to go to the address and consult said sentence and action protocol. The Student remains under the "Custody of the Centre" from the time it is delivered by the parent until the centre delivers it to the corresponding parent upon departure. Always as established in the Judicial Sentence. The Centre should be provided with a list of the people authorised by the parents (both) to pick up the student and they must also identify themselves when picking them up. (See administration model).
- c) The School will have the telephone numbers and emails of both parents.
- d) A folder of incidents will be registered in the Directorate where the performance with the specific student will be collected (at the student's pick-up when leaving school).

### **1.5 Extraordinary measures by both parents**

- a) The option for subjects that affect religious or moral training.
- b) Enrollment of the student in the school cafeteria service.
- c) The withdrawal of the student from the centre and the processing of the transfer of the file.
- d) Change from ordinary educational modality to special educational needs.
- e) In general, any decision that exceeds ordinary decisions.
- f) Long-duration excursions that correspond to school and non-school hours.

### **1.6 Right to receive information-both parents**

Both parents have the right to receive the same information on the circumstances that concur in the child's educational process, which obliges the Centre to guarantee the duplication of information related to the educational process of their children.

*The following criteria will be followed:*

- The non-custodial father or mother must request this information in writing to the centre, accompanying a reliable copy of the judicial resolution (judgement or order) or agreement. When there is no judicial resolution or agreement, the information will not be denied, unless the custodial parent provides a judicial resolution or reliable agreement in a different sense.
- The request and the copy of the judicial resolution or agreement provided will be transferred to the parent who has the minor in their custody, for the sole purpose that they can provide, where appropriate, a resolution within ten days subsequent judicial review, and you will be informed of your right to provide all the documents and allegations that you deem appropriate.
- If the last judicial resolution provided does not establish deprivation of parental authority or some type of criminal measure prohibiting communication with the victim or her family, the centre must duplicate the documents related to the student's academic evolution.
- In no case are complaints, claims, extrajudicial claims of any kind, or any other document that does not consist of a judicial resolution or agreement between the parents that is recorded in the public document.
- This regime will be maintained as long as neither parent provides relevant information that appears in subsequent verifiable decisions or agreements.

*Such information will include:*

- a) The right to receive school grades and verbal information.
- b) The information provided by the tutors, so both the tutoring hours must be provided to both.
- c) The school calendar and the program of school and extracurricular activities such as excursions, visits to museums, farm-school stays, etc. It is convenient that both parents authorise any activity at the beginning of the course so that the normal functioning of the Center is not altered.
- d) The calendar of parties and celebrations to which the attendance of non-Center personnel is authorised.
- e) In case of accidents and illnesses, the father and mother must be called.
- f) The list of absences, reason for these and justification, if they request it. Both for school hours and for school canteen if they go to the service.
- g) The medical treatment that he may be receiving at the school.
- h) The school cafeteria menu.
- i) The right to know in what hygienic, physical, and nutritional conditions their children arrive at school.
- j) The calendar of elections to the School Council.

### **1.7 To take into account**

- a) Always and only comply with what is ordered in court decisions (in case of doubt, you can contact the Court to confirm its authenticity or check if it is the latest court decision). Lawyers' documents have no value.
- b) The information and documentation of an academic nature about the minor will be provided exclusively to parents, judges and prosecutors, as they include data regarding the privacy of their children to which only parents have access. Therefore, if this information is requested by the lawyer of one of the parents, a copy of the power of attorney granted by the represented parent must accompany their written request. The judicial decisions that are delivered in the tutoring must be sent to the Directorate of the Center and if they are delivered in the Directorate, the tutors and level teachers must be informed.
- c) Any internal modification of the sentence that the parents give us must be signed for both. The father or mother deprived of parental authority over their child does not have the capacity to intervene in the educational process of the minor, so they do not have any right to be informed. Not to be confused with not having custody and custody.
- d) The authorisations of the Center must be endorsed by the parent who has the guardianship and custody of the minor.
- e) Unless there is an express judicial decision, the parent who has to pick up the minors can delegate the pick up to another person and the other parent cannot always refuse. Only a real reason of danger to the minor could justify the refusal to surrender to a person other than the parent. The refusal to surrender the minors could be the subject of a complaint, since the relationship of the minors with that parent is being hindered.

At the request of the father or mother for a NON-ACADEMIC report on their child TO PROVIDE IT TO LAWYERS OR TRIALS The tutor is not obliged to make any type of report about the student, only if that information is requested from us by a court.

The express written authorization of the parent who has custody and custody is mandatory, so that the other non-custodial parent can visit their child at the school headquarters or proceed to pick them up at the time of departure (THE DAYS THAT DO NOT CORRESPOND TO THOSE MARKED IN THE JUDGEMENT OR THOSE COMMUNICATED BY THE PARENT WHO OSTENTE THE GUARD AND CUSTODY.)

### **1.8 When both parents are separated but the custody is shared**

- In individual tutorials, both parents must be notified.
- Both parents have the same rights.

- Any change in the sentence must be communicated by both.
- Circular doubles.
- Double report cards.

### **1.9 When a parent does not have the parental authority**

- It must be specified in the judicial sentence that is delivered to us in the School of this situation.
- In these cases, the centre does not have to facilitate or communicate in any situation with the parent who has withdrawn parental authority. (Moreover, we should protect the student from the parent who does not have it since they can pose a danger to their meeting or communication).