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Child Guardianship Policy for Schools - in cases of Divorced and Separated Parents



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Introduction

Divorce is bitter for most couples but when the couples are 'parents' then there is the added issue of child custody that can create stress for all involved. It is important for parents to understand that when they divorce, they are ending the husband and wife relationship and not that of being parents of their child!

Despite all your best efforts, your child will likely be aware of the fact you and your spouse are fighting for custody of your child. And, for many children, the only thing they understand is that you're fighting about them—not that you are trying to protect them. Children exposed to custody battles might feel guilty about "causing" the fight, or feel forced to take sides, both of which are detrimental to their mental health.

It is important for parents to work towards making their divorce less stressful for their children and to not ask them to take sides, remember, you are divorcing your spouse, your children are not divorcing their parents!

Schools must also be aware of child custody laws and policies in order to support both parents during their legal procedures. Many a times, schools are clueless and end up unconsciously supporting incorrect practices and make the custody battle more prolonged.

School staff are generally confused about who to handover the child's report card or what to do if both parents want a copy or whom to handover the child to or whether both have visitation rights to the child in school.

This booklet is a much needed document by ECA-APER in association with Child Rights Foundation for schools to understand the rights and responsibilities of both parents and the school regarding custody of children during a divorce or separation process.

I urge all school Principals to go through this booklet and train their staff to understand the legal and emotional aspects of child custody and how to handle both parents and their needs (and sometimes demands!) while upholding the law of the land and the child's emotional and mental health needs. The forms given in this booklet will aid schools to keep the child's rights at the centre of it all!

I thank Mr. Jatin Katira and Child Rights Foundation for the immense work that they have done on streamlining child custody laws in this country and to ensure that alienation of any one parent is not practised by the other. Children have a right to both their parents and it is not correct legally or morally to brainwash or alienate the child from the other parent.

Dr. Swati Popat Vats
President
Early Childhood Association
Association for Primary Education and Research

About Child Rights Foundation

www.childrightsngo.com

Child Rights Foundation is a NGO driven by Zeal in the interests, love and passion for the children. It is a creative revolution set up to take up issues relating to the rights of the child and family welfare by invoking the constitutional remedies available under the law.

It is a non-profit voluntary organization involved in providing logical solutions to promote, ensure, highlight and protect the rights of the child.

Some of Our Work:

- ◆ To protect basic fundamental rights of men, women, children and create awareness about it.
- ◆ To protect child rights and maintain marital and family harmony which will enable us to build a strong nation.
- ◆ To focus on the fundamental rights of the child to be loved, guided, cared and nurtured by both the fit and willing parents even after their divorce or irrespective of their marital disputes.
- ◆ Saving the institution of marriage and promoting shared parenting and joint custody of children so that the children are brought up in a healthy environment.
- ◆ Pursue amendments / reforms in existing laws and legal procedures so that all sections of society enjoy equal rights for justice, irrespective of their race, age, gender, religion. To promote gender equality and reduce gender discrimination.
- ◆ To help State and Central Government by giving suggestions, implications about existing and new related laws in proposal state. Suggesting new ways, guidelines and means to Government to reduce exploitation of laws.
- ◆ To collaborate with different sections of society, other organisations which are working towards similar goals, child organisations, NGO's, Forums, Government bodies, legal authorities etc for the betterment of Indian Society.

Founder Members :

Adv Y.R.Singh: Practising Advocate at Family, High court and Supreme Court of India, He is also Founder Member of Child Rights Foundation, Researcher and Author for 'Child Access & Custody Guidelines Along with Parenting Plan' which have been appreciated by various courts across our nation. He has been instrumental in conducting conferences at Judicial Academies and a guiding force for the NGO.

Jatin Katira : Founder Member of Child Rights Foundation, He is an avid reader and researcher and has been instrumental in formulation of 'Child Access & Custody Guidelines Along with Parenting Plan' and conducting multiple conferences with Judicial academies and participant at International conferences on Parental Alienation & Shared Parenting, and making representations to various state parties, NCPCR, Law Commission of India to protect Rights of children to be ensured with love and affection of both their Parents.

The Need for a Policy on Child Guardianship

The numbers of divorce cases are rising, particularly in the last decade, more and more couples have been approaching family court for divorce, resulting in rise of bitter child custody battles.

Often, the innocent children are used as tools of vengeance by vindictive parents who inflict severe emotional and psychological abuse on the child thereby seriously affecting the child in the later part of his/her life.

- ◆ Innocent children undergo emotional trauma in the process of custody litigation and parent separation due to lack of love and affection from one of their parent.
- ◆ The parental separation / divorce issue has also burdened schools as each year many parents have been approaching the school to refuse sharing the child's school related records (like calendars, report cards etc.,) and activities with child's other parent as well as many parents making request to change child's name in contrary to birth certificates and/or granting of school leaving certificates.
- ◆ Many of the child's other parent (often, the non-custodial parent) approach school for sharing of child's school related records as well as participation in Parent-Teachers-Meet, Sports day functions, Annual day functions, and requesting copies of communication / correspondence related to their child.
- ◆ Further, innocent children undergo emotional trauma in the process of parental disputes and custody litigation. It is often found that, these children are psychologically / emotionally manipulated by one of their parent to reject or refuse contact with their other parent and immediate family members without any reasonable cause or justification. And, sometimes children are found to make preferred statements / choices beyond their age and level of maturity. Such attempts of a parent to damage a child's relationship with their another parent is called parental alienation.

In the absence of any specific court order, it is extremely difficult for school authorities to comply with any such requests especially when parents are in disagreement and make unreasonable demands. Sometimes parents misbehave with school authorities and staff. Schools are also served with legal notices and unnecessarily dragged into litigation by warring parents who are unable to resolve their own disputes. Such acts by parents burdens the school with additional expenses towards legal / professional consulting.

Therefore, a serious need is felt by schools to devise a mechanism by way of clear Guidelines & Parenting Plan to assist parents make sound decisions about school matters related to their children under such circumstances. This helps decision-makers make better decisions and streamline particular processes according to a set procedure or sound practice in a disciplinary manner, to make the actions more predictable without any interference, and presumably in the larger interest of all the stakeholders such as parents, children, teachers, and school authorities. It is also important to recognize that schools have powers to frame their own rules and/or policy and may amend them as may be required due to changing times and circumstances.



The Impact of Parental Alienation on children

According to research published in the International Journal of Adolescent Medicine & Health, Parental Alienation has a negative impact on a child's mental health (Dr. Leo Sher, 2015)

- a) Parental alienation negatively influences mental health of children and adolescents who are victims of parental alienation. Alienated children / adolescents display guilt, sadness, and depressed mood; low self-esteem and lack of self-confidence; distress and frustration; lack of impulse control, substance abuse and delinquent behaviour; separation anxiety, fears and phobias; hypochondria and increased tendency to develop psychosomatic illness; suicidal ideation and suicide attempt; sleep and eating disorders; educational problems; enuresis and encopresis;
- b) Parental alienation negatively affects the mental health of adults who were victims of parental alienation when they were children and/or adolescents. Long-term effects of parental alienation include low self-esteem, depression, drug/alcohol abuse, lack of trust, alienation from own children, divorce, problems with identity and not having a sense of belonging or roots, choosing not to have children to avoid being rejected by them, low achievement, anger and bitterness over the time lost with the alienated parent;

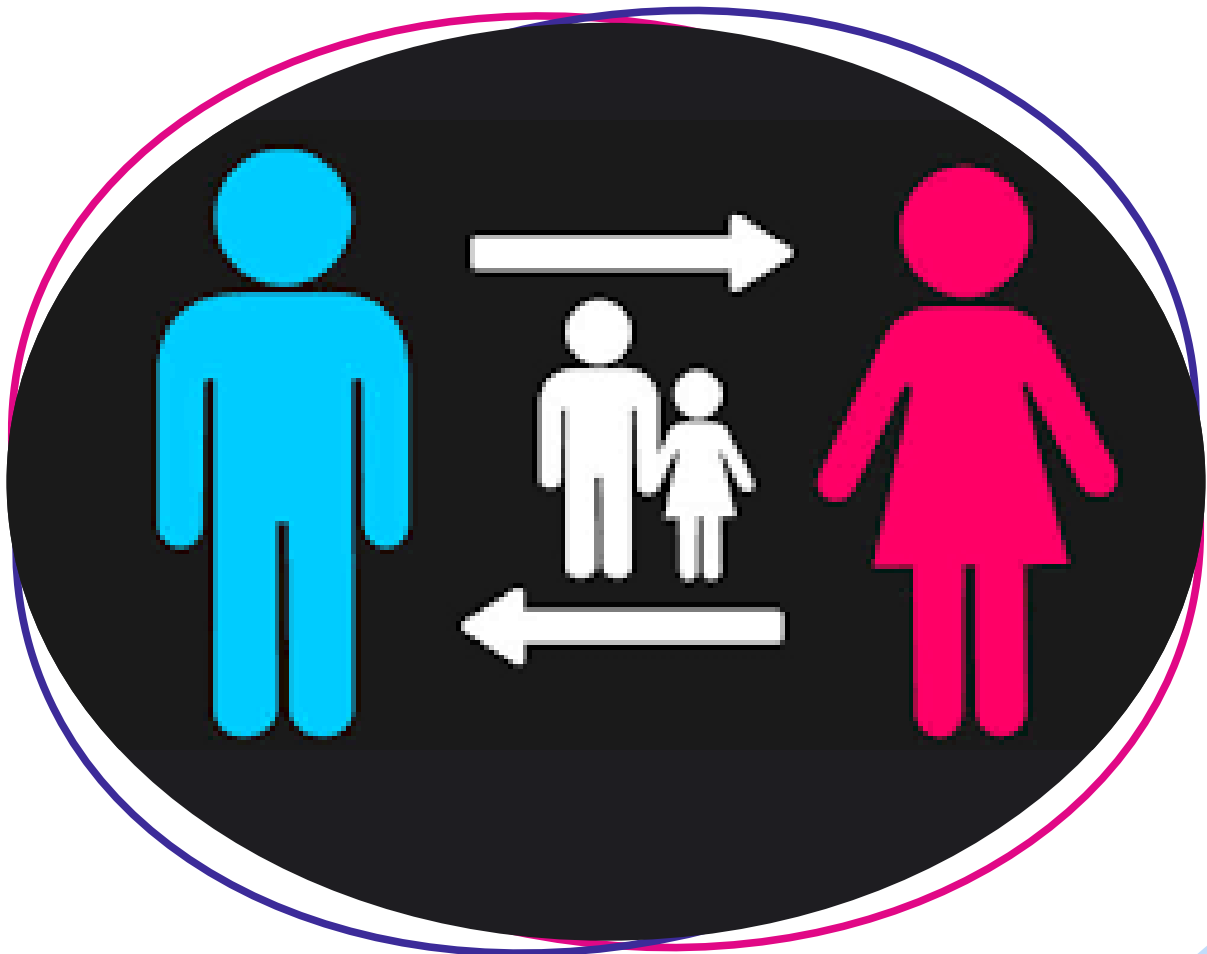
According to Research published in the American Journal of Family Therapy, 33:289–302, 2005 titled, “The Long-Term Effects of Parental Alienation on Adult Children: A Qualitative Research Study” by Amy J. L. Baker, Center for Child Welfare Research, The Children’s Village, Dobbs Ferry, New York, USA, states : Parental Alienation has long term consequences among children even when they grow up as adults . Research Results revealed seven major areas of impact: (1) low self-esteem, (2) depression, (3) drug/alcohol abuse, (4) lack of trust, (5) alienation from own children, (6) divorce, and (7) other.

According to a Research in Sweden "Fifty moves a year: is there an association between joint physical custody and psychosomatic problems in children?" published by British Medical Journal (BMJ), February 2015doi:10.1136/jech-2014-205058) Data from 150000 Children in joint physical custody were compared with those living only or mostly with one parent and in nuclear families. It was concluded that, Children with non-cohabitant parents experience more psychosomatic problems than those in nuclear families. Those in joint physical custody do however report better psychosomatic health than children living mostly or only with one parent.

However this can be avoided as pointed out in a research by Linda Nielsen (2018) that indicates children in shared parenting arrangements have better outcomes in all measures such as academics, cognitive, fewer behavioural problems, better physical and mental health, and better quality of relationship with both parents independent of parenting factors, family income, or the level of conflict between parents.

In a research by Social Science and Parenting Plans for Young Children in 2014, 110+ of the world's most respected child psychiatrists, psychologists, sociologists, family therapists reviewed previous research and material on this topic and have unanimously recommended, "Shared Parenting, i.e. >35% of time with either parent, should be the norm for parenting plans for children of all ages, including very young children."

Parental involvement can influence children's study options. According to Research (Portland US) by sociologist Ned Tilbrook and Dara Shifrer published in the Social Science Research Journal : It is found that, students whose parents had a bachelor's degree in Science / Technology / Engineering / Mathematics (STEM) are more likely to choose a STEM major than students whose parents had no background in STEM. It is suggested that, parents passed it in to their children by engaging in activities or conversations on scientific topics, fostering a home environment that values STEM and thereby ingraining the values, attitudes, and academic work habits needed to succeed in STEM fields and encouraging their kids to participate in maths and science focused extra curricular activities. What happened at home then had an impact on their experience at school with teachers rewarding them with more challenging work, leading to good grades and degrees.



Avoiding Parental Alienation

When parents take steps to divorce / separate, the default arrangement for children should be shared parenting. Parents need to put the child first and adopt Doctrine of Friendly Parent. Good co-parents make it a point to put the children first, set aside anger, see the other's point of view, and foster the children's relationship with the other parent.

Parents need to work out a detailed Parenting Plan in the larger interest of their children covering all the aspects and various factors related to their child's developmental issues. When children know that their parents have talked about what's best for them, and know that a plan is written down, they are likely to feel cared for and safer. Children can predict the shape of their lives and know that parents will keep the adult issues between adults (the allegations and arguments between the couple entering the parenting plan would be at minimum), children will be able to manage the stresses and fears of the separation much better.

Some certainty about the future is also very important for everyone. A written parenting plan, worked out between parents, will help clarify the arrangements needed by the parents to put in place to care for the children. It will help everyone involved to know what is expected of them and it will be a valuable reference as time passes and circumstances change.

Clear Guidelines by the school, supported by a Parenting Plan allows parents to avoid future conflicts in dealing with responsibilities relating to the children. Without specific agreements around these responsibilities disputes can arise and litigation may be needed to resolve these issues. Parenting Plan is still a workable solution for parents in dispute who do not wish to come into direct eye contact with each other and yet want to responsibly and actively remain involved in their child's life.

Rights of a Child

Both Parents recognize child's / children's right to:

- ◆ Emotional and physical safety, stability and security.
- ◆ Feel loved by both parents and significant family members.
- ◆ Know and be cared for by both parents and significant family members.
- ◆ Develop independent and meaningful relationships with each parent.

Child Guardianship School Policy

Introduction and Important Points

The school believes in policy of Equality and Non-Discrimination. The school believes that, every child has a right to a family. Children have Right to Both Parents and recognize that both parents have common responsibility in rearing their children. The mutual enjoyment of parent-child relationship falls within the sphere of Right to Family life even when parents separate or divorce.

The school recognizes that, all children have a right to be protected against neglect, maltreatment, injury, and trafficking, sexual and physical abuse of all kinds, corporal punishment, torture, exploitation, violence and degrading treatment. Legal action can be taken against those committing such violations against children even if they are the legal guardians of such children.

The school recognizes Right to Equality, Freedom of Expression, Freedom to Seek and Receive Information, Freedom of Association and Peaceful Assembly. It is our responsibility to ensure that all children are treated equally and without discrimination based on the child's or the child's parents or legal guardian's race, colour, caste, sex, language, religion, political or other opinion, national, ethnic or social origin, disability, birth, political status, or any other consideration. It is also our endeavour to ensure children shall be given every opportunity for holistic development of their personality, including expression of creativity.

The school recognizes Child Friendly Procedures: All matters and procedures relating to children, viz., judicial, administrative, educational or social, shall be child friendly.

Therefore, in case of separated / divorced parents, the school recognizes full rights to either parent unless the school has been provided with evidence that there is a specific court order, state statute, or legally binding document that specifically revokes these rights.

The school is aware that, Parental Alienation is psychological manipulation of children showing into unwarranted fear and/or rejection of a parent and immediate family members without any reasonable cause or justification and Parental Alienation is a form of emotional child abuse having severe psychological impact on a child. Tutoring, brainwashing, mind poisoning, instilling fears and using other variety of methods to alienate a child away from one of their parent and immediate family members is not in the child's best interest.

Research indicates that alienated children are likely to suffer stress, anxiety, panic attacks, suicidal tendencies, behavioural issues, low self-esteem, depression, drug / alcohol abuse, lack of trust, alienation from own children, divorce, and other issues, further their life expectancy is likely to be reduced due to psychosomatic illness.

Parents must therefore, consider rebuttable presumption of Shared Parenting / Shared Responsibilities in the long term best interest of the child. Children in Shared Parenting / Responsibility arrangement have better outcomes in all measures, be it academic, cognitive, behavioural, better physical and mental health, and better quality of relationship with both parents.

The school believes children need to be protected from all forms of harm & abuse including, but not limited to psychological maltreatment, sexual abuse, physical abuse, including abuse of Parental Alienation, neglect, harassment, ill treatment, exploitation, abandonment etc.

Parents are therefore required to act in the best interest of children and any act of child abuse must be reported. The primary aim of mandatory reporting is not to prosecute the caregivers, but rather to provide early interventions by the child welfare experts to help the vulnerable child and prevent further abuse, neglect, and trauma. The identity of the reporter and the contents of the report will be kept confidential and shall be disclosed only to the competent authorities or Court.

Important Points to Note -

- 1. Role of Separated Parents:** In general, the school recognizes Both Parents as Best Parents. Parents must provide the current complete contact details of the child's other parent. Parents still in dispute are required to sign the Parenting Plan / Consent terms and play a positive role in their child's life. They must submit an Affidavit / Undertaking / Indemnity to that effect in the long term best interest of their child. Parents are encouraged to keep adult related issues among themselves and not to involve school in their internal dispute or litigation.
- 2. Payment of School Fees:** The school reserves Right to accept educational fees of the child on first come first basis by a parent. In case if both the separated parents have paid fees for the academic year, the additional fees that is paid shall be adjusted for the next academic year or shall be refunded upon joint consent of both parents or upon receipt of a court order.
- 3. Child's Record:** Both Parents shall be notified, updated, and provided all records of their child unless there is a specific court order restraining child's other parent. Upon written request by a parent, the school may provide records, reports, any correspondence related to the child, update a parent about the same by email, Whatsapp, or post. (No one shall be subjected to arbitrary or unlawful interference with his/her privacy, family, home or correspondence, nor to unlawful attack on his/her honour and reputation). The school does not require prior consent to disclose child related information to a parent or guardian of the child.

In an emergency, school officials are authorised to disclose, without consent, education records, including personally identifiable information from those records, to protect the health or safety of child/children or other individuals.

4. Role of Step-parent / Grandparent : Upon written request, (in the absence of any restraining order) school may allow a step-parent or a grandparent to exercise all record-access rights granted to a parent when the step-parent / grandparent is present in the home on a day-to-day basis, together with the child and a natural parent, while the other parent is absent .

5. Parent-Teacher's Meet & Other Events: Separated parents are required to mutually agree upon the participation of either or both parent in Parent-Teacher's meet and /or other events such as sports day, annual day etc. whereby their child participates. In absence of mutual agreement, both parents are permitted to attend the events subject to maintaining the decorum and respect towards each other. Disputed parents may refrain from coming into eye contact with child's other parent.

School reserves Right to take any disciplinary / suitable legal recourse as the case may be including denial of visits and/or participation, to a parent who has indulged in disrespectful and abusive behaviour towards the child's other parent and /or towards school teachers & staff, or creates scene, nuisance within our premises.

6. Name Change of a Child: Children have Right to Identity and the school and parents are required to preserve that Right (as recognized by Law) without any unlawful Interference, unless the name change is reflected in Government Gazette or there is a specific court order.

A preferred name may not be a legal name, the school is not authorised to change name in the child's official academic record. The school is also not authorised to strike-off a biological parent's name from the school records of the child, unless there is change of name in birth certificate itself or there is specific court order.

Separated / Disputed parents are requested to refrain themselves from making such applications to the school administration in the long term best interest of their child as a name change may also lead to serious psychological consequences on a child whose previous Identity (known to a parent, friends, immediate family members, neighbours, school mates, teachers etc.) will be lost. A child may face severe identity crises and may likely to be a lost child.

If the school receives any such request for amendment / change in name, the school reserves right To notify the child's other parent about the same and may call for a hearing.

- 7. Child Interviews / Child Wishes:** During an ongoing parental conflict, the School reserves the right to reject a parent's request to consider the wishes of a minor child or interview a minor child who may lack maturity and/or may not be able to form an intelligent preference as s/he may be influenced by the other parent. Children's wishes are not to be confused with some pre-prepared statements of the minor children, as a result of tutoring and excessive influence of one parent. Before any decision based upon a child's wish, due regard must be given to the age and maturity levels and the circumstances affecting the child such as the child's perception of his/her welfare, the possibility of tutoring, the dominant position of one parent, and other similar considerations. such wishes should not be the sole consideration as it may not genuinely reflect child's best interests.
- 8. Counselling:** Divorced / Separated parents who are unable to amicably resolve their internal disputes related to child's school activity are required to attend counselling sessions as and when it may be required by school counsellors. The counsellors are authorised by the school to direct such parents to come up with a mutually agreed Parenting Plan or sign consent terms (liable for modification) in the best interest of their children at school. After two free counselling sessions in a year, the school is authorised to charge a reasonable counselling fees per each session.
- 9. Issuing School Leaving Certificate:** In cases of parental separation and child custody / visitation where the litigation is pending before the courts, the parents can either mutually resolve the matter regarding the school in which the child is to study, in the best interest of the child. Parents will be advised to approach the concerned court as only the court can decide with which parent the child will go to and whether the child can be taken to another area. In such cases, the school would have to wait for the court orders regarding any matter related to child.
10. Where the matter is not pending before the courts and the parents are living separately, In such cases, the parents can either mutually resolve the matter regarding the school in which the child is to study in the best interest of the child or to approach a court under the relevant law for obtaining custody of the child, as only the court can decide with which parent the child will go and whether the child can be taken to another area. In such cases, the school would have to wait for the court orders regarding any matter related to the child.
- 11. In case of children in shared custody / joint custody arrangement :** upon submission of a court order / parenting plan / mutual consent terms, the school may allow students with two legal residences because of shared custody of parents to be bused to and from both homes. This provision is also subjected to availability of school bus services in the area where parents may reside.

Additional steps the school may take:

- Ask enrolling parents to provide the school with a copy of any family court order / family violence order or parenting plan existing in relation to a child.
- Take reasonable steps to abide by the conditions of a family court order/family violence order or parenting plan.
- Seek legal / professional advise if it is unclear how a particular situation should be handled.
- May ensure that the quality and presentation of information provided to both parents is identical.
- May ensure that necessary grievance procedures are followed to resolve any concerns or misunderstandings that may arise between the parents and the school.
- Communicate with and involve both parents in their child's education and to lessen the risk of putting children in the middle of parental conflict.
- To take extra care of the children through counselling.
- Request a mandatory Parenting Plan.

Additional Guidelines for separated parents:

Both parents can mutually / individually make an appointment to meet with school authorities at the beginning of the school year to discuss:

- Any relevant court orders or other legal documents relating to the student.
- Their interests in and concerns about parent involvement opportunities.
- Their rights and responsibilities in requesting and receiving school-related documents and mailings.
- How and when they want the school to contact them.
- Create a welcoming atmosphere for the child and other parent.
- Deal with the questions and issues you have, don't use this time to go off on other tangents.
- Remember that you're at school for your CHILDREN.
- Keep an open mind - your child's teacher is a professional. Listen to the suggestions and opportunities offered by the teacher. Take notes, this will encourage the teacher to allow you to be more involved in their education, and may help you to become more included in even the daily / weekly emails or communications / copies of papers or artwork sent home.
- Be calm and patient and do not jeopardize your chances of being at school by creating a scene or nuisance with school authorities or with your child's other parent.
- Don't stay beyond your scheduled time. If you need a follow-up, schedule one.
- Kindly do not misuse any given opportunities by school to gain any leverage on your litigation or over your child's other parent.
- Keep your conflicts confined to court premises and do not discuss adult related issues before children or involve school.
- Complete the parenting plan to ensure clarity for all stakeholders

School Parenting Plan

A Parenting Plan or Mutual Agreement is required by the school and allows parents to avoid future conflicts in dealing with responsibilities relating to the children. Without specific agreements around these responsibilities disputes can arise and litigation may be needed to resolve these issues. It is advisable to keep the children and school away from internal disputes of parents and parenting plan helps in doing so.

Divorce and separation are painful for everyone involved—particularly children. At this challenging time children need support, love and contact with both parents.

Some certainty about the future is also very important for everyone. A written parenting plan, worked out between parents, will help clarify the arrangements needed by the parents to put in place to care for the children. It will help everyone involved to know what is expected of them and it will be a valuable reference as time passes and circumstances change.

A standard Parenting Plan by the School puts the best interests of the child first. It is drawn up in good will with a shared commitment to the children and their future firmly in mind (just like consent terms). It also signifies a written agreement between parents covering practical issues of parental responsibility and is required by school.

The parenting plan below is required to be completed by the parents and school counselors can help the parents mutually draw a suitable and agreeable plan that is acceptable to both the parents and which would cover various aspects related to the educational needs and school related issues in the best interest and welfare of their child.

When children know that their parents have talked about what's best for them, and know that a plan is written down, they are likely to feel cared for and safer. Children can predict the shape of their lives and know that parents will keep the adult issues between adults (the allegations and arguments between the couple entering the parenting plan would be at minimum), Children will be able to manage the stresses and fears of the parental separation much better.

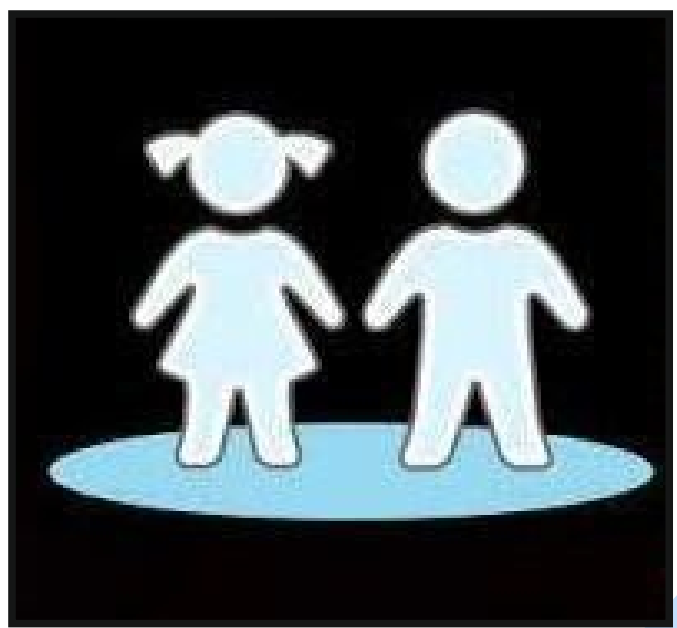
Parenting Plan will detail practical decisions about children's care in areas such as:

- Parenting Arrangement & Parenting Time.
- Transportation and Pick up & Drop Arrangement.
- Decision Making.
- School Visitation & Participation.
- Provision of providing school records & information
- Dispute Resolution process.
- School Fees / Financial support.
- Notices regarding Issue of Name Change, NOC, School Leaving Certificate.
- Contact Information

Parents normally can make variations/modifications to the parenting plan or develop a different custom plan or modify existing plan when circumstances change. In case if parents have already drawn up their own parenting plan or one that is directed by court or any court order is passed, they are required to provide a copy to the school authorities.

If both parents agree on arrangements, the same can be submit as the Parenting Plan giving it a legal effect specifically to school related issues only.

If parents cannot agree on arrangements for children they may need to have the Family Court decide and issue a Parenting Order and a copy be provided to school.



Forms and Undertakings

STANDARD PARENTING PLAN

(Needs to be filled by Divorced / Separated Parents (Custodial and Non-Custodial parent) of the child.)

Name of School & Address: _____ _____		Date : _____ _____
PERMANENT PARENTING PLAN		
<input type="checkbox"/> PROPOSED <input type="checkbox"/> AGREED DATE : _____		_____
FATHER / GUARDIAN (Name: First, Middle, Last) _____ ADDRESS: <input type="checkbox"/> Mother <input type="checkbox"/> Father	MOTHER / GUARDIAN (Name: First, Middle, Last) _____ ADDRESS: <input type="checkbox"/> Mother <input type="checkbox"/> Father	

Parents have responsibilities towards their children to provide a loving, stable, consistent and nurturing environment. Parents / Guardians are requested to be cordial in conduct while interacting with each other at school and with school staff while in the school premises.

A Parenting Plan is a mutual arrangement signed by both parents and required by the school. It allows parents to avoid future conflicts in dealing with school related responsibilities and activities of their children.

The parents agree to the following plan which shall now apply :

Child's Name	Date of Birth
Class :	Roll No:
Academic Year :	Student Code :

Parenting Plan Note:

Tick that is applicable / Strike out-----what may not be applicable.

RESIDENTIAL PARENTING SCHEDULE

A. RESIDENTIAL TIME WITH EACH PARENT

The Primary Residential Parent (Custodial parent) is Mother / Father

B. VISITATION RIGHTS TO OTHER PARENT :

Yes / No _____.

As Per Court Order : Yes / No _____.

Details of Any Court Order :

C. VISITATION RIGHTS AT SCHOOL : Parents Teacher Meet, School Function, Sports Day, Annual Day, Excursions, Any other school etc.

Attendance by Mother on :

Attendance by Father on :

Attendance by Both : Yes / No Jointly : Yes / No

Attendance by both but separately :

D. School Records :

- Child's Report to be provided to:

Mother / Father / Both

- Child's School Calendar to be provided to :

Mother / Father / Both

- School circulars / update / News Letter to be provided to:

Mother / Father / Both

- Child's other school related information to be provided to :

Mother / Father / Both

- Any other school related information to be provided to : _____
Mother / Father / Both
List of required Information by parent Mother / Father :
- Other Issues Agreed / Disagreed :

D. Other agreement of the parents including pick up & Drop of child :

- CHRISTMAS VACATION :
- SUMMER VACATION :
- DIWALI VACATION :

H. TRANSPORTATION ARRANGEMENTS

The place of meeting for the exchange of the child or children shall be:

Other day / arrangements when the child will be picked / dropped to / from school by a parent, _____

I. OTHER following special provisions apply :

MAJOR DECISIONS

Major decisions regarding each child shall be made as follows:

Educational decisions	<input type="checkbox"/> mother	<input type="checkbox"/> father	<input type="checkbox"/> joint
Non-emergency health care	<input type="checkbox"/> mother	<input type="checkbox"/> father	<input type="checkbox"/> joint
Extracurricular activities	<input type="checkbox"/> mother	<input type="checkbox"/> father	<input type="checkbox"/> joint
_____	<input type="checkbox"/> mother	<input type="checkbox"/> father	<input type="checkbox"/> joint

NAME OF THE CHILD & SURNAME: The parents shall not be entitled to change the name or the surname of the child which has been given to the child at birth as per either a ceremony performed for the same or as it appears in the birth certificate without any court order or unless notified in the Government gazette. The school authorities are entitled to notify the child's other parent upon receiving any such application to protect child's right to identity.

REMOVAL OF CHILD FROM DAYCARE OR SCHOOL: A parent intending to remove the child from school shall notify the child's other parent atleast 15 days in advance incase if the child is being removed from the day care or school. The school authorities are entitled to notify the child's other parent upon receiving any such application.

MEDICATION, ILLNESS OR ACCIDENT: If the child becomes ill or is involved in an accident, and treatment by a medical professional is obtained, the parent who has the child at the time of the illness or accident shall notify the other parent as soon as practicable but no later than eight (8) hours after the incident or diagnosis.



FINANCIAL SUPPORT

A. School Fees Payable :

by Father _____ by Mother _____ Jointly _____.

This support / maintenance shall be paid:

directly to the other parent.

to the School

by Bank : _____

Bank for deposit in account no. _____

other: _____

NON-PAYMENT : Non-payment or late payment of School fees by a parent does not entitle a child's other parent to deny school visits or deprive school records to other parent. Parents have option to move court. School appreciates when parents do not manipulate the school to gain leverage over the other parent with regard to visitation at school or providing of records / information or payment of school fees. Parents are required to resolve their disputes (if any) within themselves or obtain a court order and notify school upon final arrangement. In the absence of any payment of school fees, school is entitled to follow its own rules and seek recourse.

B. HEALTH AND INSURANCE

Reasonable health insurance on the child or children will be:

maintained by the mother

maintained by the father

maintained by both

DISAGREEMENTS OR MODIFICATION OF PLAN OR NON COMPLIANCE

Should the parents disagree about this Parenting Plan or wish to modify it, or in case of the non-compliance they must make a good faith effort to resolve the issue by the process selected below or may move Court.

- Mediation by a neutral party chosen by the parents or the Court.
- The Court .
- It must be commenced by notifying the other parent
- by written request / registered mail
- other (specify) : _____

In the dispute resolution process:

- Preference shall be given to carrying out this Parenting Plan.
- The parents shall use the process to resolve disputes relating to implementation of the Plan.
- A written record shall be prepared of any agreement reached, and it shall be provided to school.
- If before court, the Court, upon motion, may pass appropriate order which needs to be provided to school.

Both Parents Undertake :

- To have read school guidelines and other reading material provided by school.
- To keep personal issues between themselves without involving child or school.
- To maintain decorum and be respectful with each other and school staff.
- To attend counseling sessions when required by school.

NOTICE REGARDING ANY NAME CHANGE, NOC OR ISSUING OF SCHOOL LEAVING CERTIFICATE :

If a parent desires to change child's Name /Surname , or obtain any NOC or School Leaving Certificate from school he/she shall send a written notice to the child's other parent in 15 days advance at the other parent's last known address by registered or certified mail. The school is also authorized to intimate / notify the child's other parent about the same upon receiving any such application by a parent.

RIGHTS OF PARENTS

Both parents are entitled to the following rights:

- (1) The right to be free of unwarranted derogatory remarks made about the parent or his or her family by the other parent to the child or in the presence of the child or school staff.
- (2) The right to receive notice and relevant information from the care taking parent as soon as practicable but within eight (8) hours of any event of hospitalization, major illness, accident of the child;
- (3) The right to receive directly from the school any school records, information customarily made available to parents. (The school may require a written request which includes a current mailing address and upon payment of reasonable costs of duplicating.) These include copies of the child's report cards, attendance records, names of teachers, class schedules, and standardized test scores;
- (4) The right to receive notice and relevant information as soon as practicable in any event of request for a name change, issuing of any NOC or school leaving certificate, hospitalization, major illness, accident of the child.
- (5) The right to be given notice and / or information and participation, whenever possible, of all extra-curricular activities, and the opportunity to participate or observe them. These include the following: school activities, athletic activities, and other activities including Parent Teacher's Meet where parental participation or observation would be appropriate.



SHARING EMERGENCY CONTACT NUMBERS

Complete a list of emergency numbers for children.

Father	Mother
Home :	Home :
Cell :	Cell :
Email :	Email :

Relatives	Relatives
Name 1 :	Name 1 :
Relation :	Relation :
Home :	Home :
Cell :	Cell :

The Parents hereto have executed this Parenting Plan the day and year first herein above written.

Sign Mother / Guardian

Sign Father / Guardian

Address:

Address:

Phone / Mobile: _____

Phone / Mobile: _____

Email: _____

Email: _____

APPROVED By School Teacher / Counselor :

Name: _____

Sign : _____

SCHOOL ADMISSION AFFIDAVIT CUM UNDERTAKING

(Needs to be filled and submitted by Divorced / Separated Custodial parent who has child's physical custody.)

ON PLAIN PAPER / STAMP PAPER (optional)

I/We _____

(name of the parent / guardian applying for school admission in (name of school). I am resident of _____

_____solemnly declare and affirm as under:-

a. That I/we am/are the mother/father/parents/guardians of _____
_____ (name of the minor child as per birth certificate / Government Gazette) who is minor and on whose behalf I/we have made an application for admission in school.

b. Signature/consent of Shri/Smt.= _____
(name of the father/mother) who is the father/mother/parent of the child has not been obtained by me for the following one or more reasons:-

- ◆ The father/mother of the minor applicant is travelling abroad/is on sea/travelling in India and unable to file consent; or/and
- ◆ The father/mother is separated and no court case is pending before the court regarding divorce/marital dispute/custody of the child; or/and
- ◆ The father/mother has deserted and the whereabouts are not known; or/and the last known address of the child's other parent is _____
- ◆ There is an ongoing court case for divorce/custody of the minor child and the court has not given any order prohibiting the issue of admission without the consent of father and/or mother.
- ◆ There is a court order for the custody of the minor child with a parent who is applying for the school admission and consent of other parent (who has visitation rights) is not available or s/he is refusing to give consent / the other parent is not availing the visitation rights and his/her whereabouts are not known; or/and (kindly mention any other reasons here)
- ◆ The parents are judicially separated and custody of the minor child has not been defined in the court's decree; or/and (mention any other reason here)

- ◆ The father/mother of _____ (name of minor child) has deserted me after the conception/delivery.
 That _____ (name of minor child) is exclusively under my care and custody since separation/delivery.
- c. That I/we only am/are taking care and day to day needs of the child and solely responsible for child's support & maintenance including school / educational fees of (name of the minor child) and s/he is exclusively in my/our physical custody and I/we undertake the entire responsibility for his/her expenses.
- d. I / We also affirm that in the case of a court case arising due to issue of school admission to the minor child _____ (name of the minor child), I/we undertake to be solely responsible for defending the case and not the school Authority.
- e. I / We undertake and state to notify the child's other parent well in advance incase I apply for change of child's name, and/or apply for any NOC and / or school leaving certificate from school. The school authorities are entitled to notify the child's other parent upon any such application. I indemnify school and undertake sole responsibility for defending the case against school authority arising out of any such event.

I undertake and I state that I have read the school guidelines, policies, rules and other documents. And I have no objection if school, as per their stated policy, provides the child's information and records to child's other parent upon his / her application to school.

I state and believe that the above information provided by me / us is true and to the best of my/our knowledge and belief and that I have not suppressed any material fact. Incase, the school authorities find the above information to be false / untrue, they are entitled to take any suitable action they may deem fit and proper.

Signature of the parent(s)/
Guardian(s) applying for school admission.

Name(s): _____
 Please provide any one of the following -
 Aadhaar Card No: _____
 Voter ID No: _____
 Passport no: _____

Brochures

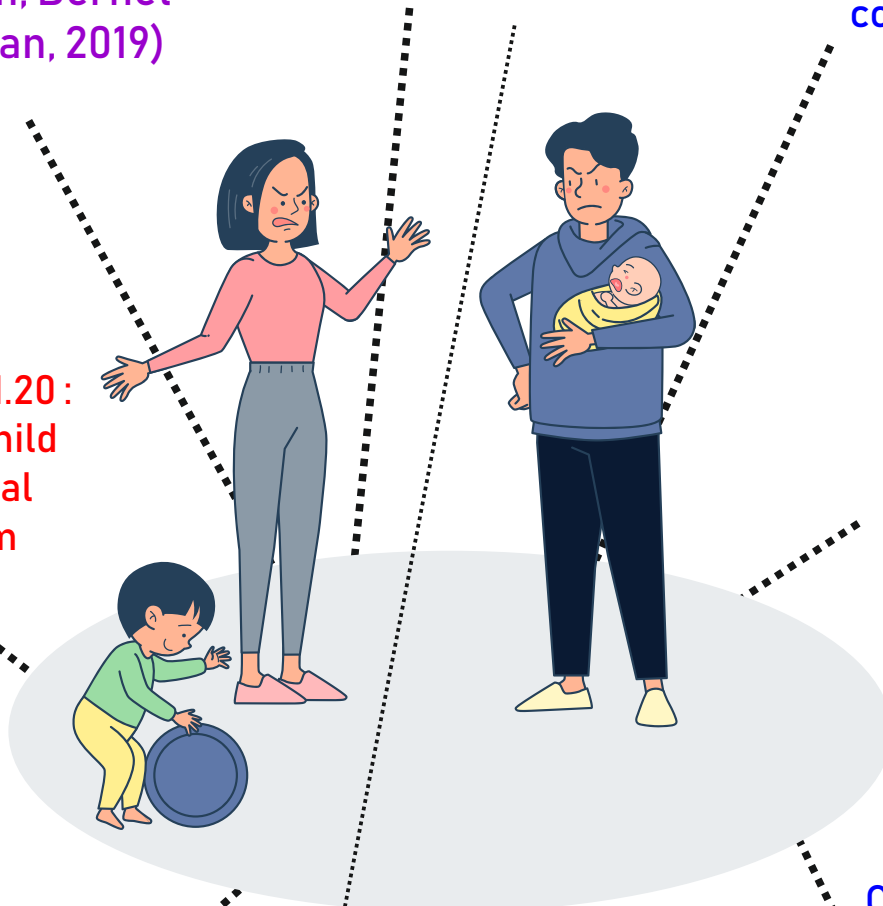
Guide to Understanding Parental Alienation

A serious form of family violence”
(Harman, Bernet & Harman, 2019)

“psychological maltreatment”
(Baker, Asayan, & Lacheen-Baker, 2016)

“psychological abuse”
-DSM-5 of APA code V995.51

DSM 5 : V61.20 :
Parent-Child
Relational
problem



DSM 5 : 309.4 :
Adjustment
Disorder with
mixed
disturbance of
emotions and
conduct.

DSM5 : V 61.29 :
Child affected by
Parental
Relationship
distress

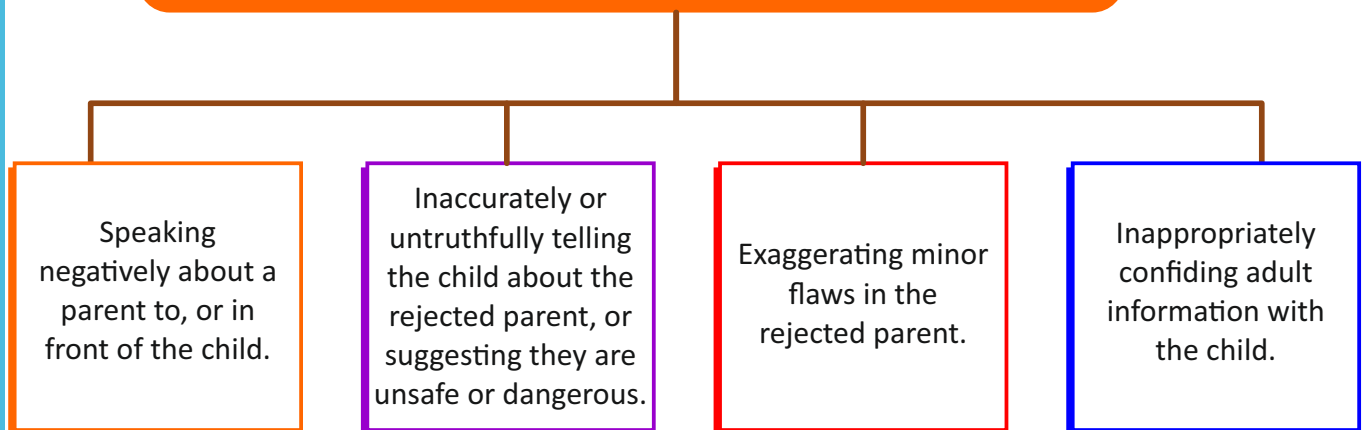
Parents alienation
depression signs
and symptoms on
kids

“...no longer a
custody issue
but a child
protection issue”
(Boch-Galhau 2018)

WHAT IS PARENTAL ALIENATION?

Parental Alienation usually occurs in divorce / separation when deliberate attempt by one parent is made to distance his / her children from the other parent. A conflicted family dynamic that draws a child into siding with one parent, changing a previously good relationship with a now rejected parent in order to do battle. The child may become preoccupied with criticisms of the rejected parent, which are normally inconsequential, exaggerated, or unfounded in reality. Due to constant attempts a child starts believing the lies of alienating parent. A alienating parent may understand the theoretical importance of the other parent in the life of the child, but believes his or her case is the exception.

ALIENATING BEHAVIORS INCLUDE: Badmouthing the rejected parent, such as



Interfering in a child's contact with a rejected parent, such as

- ◆ **Disobeying court ordered visitation.**
- ◆ **Filing false complaints**
- ◆ **Throwing out gifts and letters from the rejected parent.**
- ◆ **Calling excessively during time with the rejected parent.**
- ◆ **Early pickups or late drop off's for time with the rejected parent.**
- ◆ **Forbidding any reference to, or photos of the rejected parent.**
- ◆ **Scheduling activities that compete with time with the rejected parent.**
- ◆ **Monitoring or forbidding communication or time with the rejected parent.**

Manipulating a child to reject a parent, such as

- ◆ **Withdrawing love, inducing guilt for having fun or feeling love toward a rejected parent.**
- ◆ **Undermining child's relationship with the rejected parent, such as**
- ◆ **Asking the child to spy on or keep secrets from the rejected parent.**
- ◆ **Forcing the child to choose between parents.**
- ◆ **Creating conflict between the child and the rejected parent.**
- ◆ **Interrogating the child after time with a rejected parent.**
- ◆ **Providing the child with inappropriate information about finances, marriage or divorce issues.**
- ◆ **Accusing the rejected parent of causing emotional pain to the favored parent that the child should help to heal.**
- ◆ **Giving the child parental decision making authority, ie. whether to visit with the rejected parent.**

Undermining the rejected parent's role in the child's life, such as

Refusing to provide the child's information (medical, educational, etc.), to the rejected parent.

Not inviting / informing the rejected parent of important events. (awards, honors, graduations, etc)

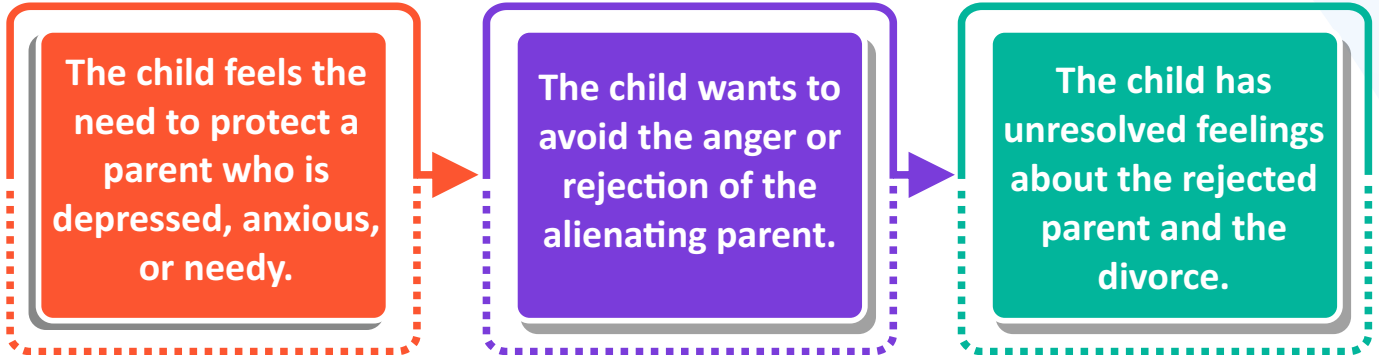
Refusing to provide others with the rejected parent's contact information.

Rewriting history to reduce a rejected parent's role in the child's life.

AN ALIENATED CHILD OF PARENTS IN CONFLICT MAY:

- ◆ **Express relentless, unambiguous hatred toward the rejected parent and their side of the family.**
- ◆ **Obsessively parrots the favored parent without regard for their own historical experiences.**
- ◆ **Refuse to spend time, visit, or communicate with the rejected parent.**
- ◆ **Hold negative beliefs about the rejected parent that are inconsequential, exaggerated, or unfounded in reality.**
- ◆ **May lack the capacity to feel guilty about inconsiderate or cruel behaviors toward the rejected parent, or to forgive any past conflicts.**

ALIENATION - WHY WOULD THE CHILD BELIEVE THE ALIENATING PARENT?



ALIENATED CHILDREN MAY GROW UP TO BECOME ADULTS WHO:

Have inability to handle crisis.

Have trouble trusting others.

Have low self-esteem.

Have difficulty sustaining intimate relationships.

Experience shame for hurting the rejected parent.

Suffer from depression.

Engage in substance abuse to relieve the pain of parental alienation.

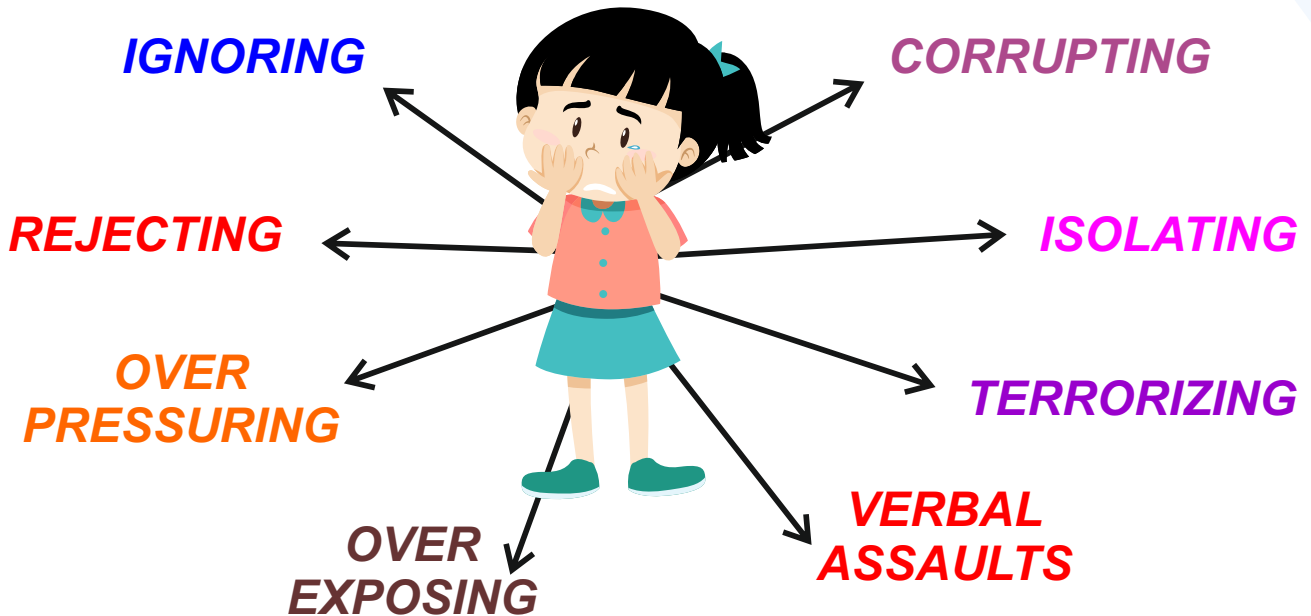
Are more likely to experience divorce.

Are more likely to have difficulty with authority and the law.

Experience the loss of their own children through parental alienation.



WHAT IS PSYCHOLOGICAL ABUSE?



- ✦ Acts of commission OR omission
- ✦ Presence of hostile behavior OR the absence of positive parenting techniques
- ✦ Varies in intensity, from mild to extreme
- ✦ Varies in frequency, from occasional to ongoing
- ✦ May or may not be a conscious act by caregiver
- ✦ Difficult to identify because there are no physical marks & tends to occur in privacy of child's home

Possible indicators of psychological abuse include...

- Reduced cognitive/emotional function.
- Apathy.
- Crying/irritability.
- Awkward social behavior.
- Zoning out for long periods.
- Avoidance of eye contact.
- Flat affect.
- Numb to env stimuli.
- Indifferent to positive feedback.
- Poor self-image.
- Lack normal age-appropriate passive & obedient.
- Slowed language development.

HOW DOES A CHILD LEARN TO REJECT A PARENT ONCE LOVED?

A child is indoctrinated into hating a parent once loved through the use of tactics by an alienating parent that fall into 5 main categories...

#1. ISOLATION*

limiting contact & communication between the child & the targeted parent

#2. FEAR*

poisonous messages to the child about the targeted parent in which he or she is portrayed as unloving, unsafe & unavailable

#3. UNDERMINING AUTHORITY

undermining the authority of the targeted parent

#4. ERASING & FALSE MEMORY IMPLANTATION

erasing & replacing the targeted parent in the heart and mind of the child

#5. ENCOURAGING BETRAYAL

encouraging the child to betray the targeted parent's trust

*isolation & fear are the tactics most prevalent in the school setting



The degree of a child's rejection of a parent depends on the types of tactics used, the groups of those tactics & the amount of time over which the alienating parent used them. If all of these are severe enough, the child will eventually completely reject a parent.

WHAT PARENTAL ALIENATION MIGHT LOOK LIKE IN SCHOOL...

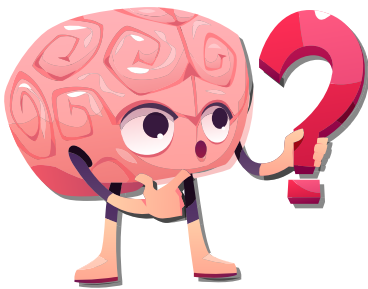
- ✦ Excessive school absences when child is with one parent as compared to the other.
- ✦ The child ignoring/refusing to interact with one parent when both parents are present, for instance, the child may look at the floor the entire time as instructed by the alienating parent.
- ✦ One parent seems to constantly coach child as to what to say.
- ✦ Child does not offer information about one parent EVER.
- ✦ Child seems to parrot/echo what one parent says about the other.
- ✦ Child makes disparaging remarks about one parent but not the other.
- ✦ Homework getting done when the child is with one parent and little to no work getting done when the other.
- ✦ Child apathetic, exhausted &/or zoning out more during the time child is with one parent as compared to the other.
- ✦ Child is “sick” or complains of feeling ill during the time the child is with one parent as compared to the other.
- ✦ Child doesn’t show up for school events.
- ✦ Child being physically “blocked” by one parent when both parents are present.
- ✦ One parent constantly making statements to teachers/school staff stating the other parent is “not allowed” to see child or is “dangerous”.
- ✦ Other family members/friends making statements to school staff trying to reiterate that one parent is “not allowed” to see child or is “dangerous”.
- ✦ One parent constantly changing addresses/contact information of child.
- ✦ One parent deleting other parent’s contact information from records.
- ✦ One parent seemingly trying to recruit school staff to form an alliance against the other parent.



WHEN A CHILD REJECTS A PARENT, THEN WILL EXHIBIT THESE BEHAVIORS...

Please note: these behaviors are specific to parental alienation only

- ✪ There is a campaign of denigration against the target parent, the child becomes obsessed with hatred of him/her.
- ✪ There are weak, frivolous & absurd reasons for the rejection of the target parent.
- ✪ Lack of ambivalence towards alienating parent-one parent, becomes all good while the other is all bad.
- ✪ Child strongly asserts the decision to reject the target parent is his/her “own will”.
- ✪ Absence of guilt about how target parent is treated.
- ✪ Reflexive support for the alienating parent with no interest in hearing target parent’s point of view.
- ✪ Use of borrowed scenarios and ideas adopted from the alienating parent to make accusations against target parent.
- ✪ Rejection spreads to target parent’s entire family including grandparents, aunts, uncles, cousins, etc.



Because of the Damage A Child’s Brain Endures as a Result of Parents Alienation, A child May...

- Live in a persistent state of fear.
- No longer have the ability to regulate emotions & stress.
- No longer reach developmental milestones.
- lack the ability to receive love & positive stimuli.
- No longer have the ability to develop normal social interactions.

HOW SCHOOLS CAN HELP STOP PARENTAL ALIENATION...

- Learn the signs of psychological abuse/parental alienation
- Keep BOTH parents informed of child's grades, absences, upcoming events & all things child related.
- Allow parent-teacher conferences to take place with mothers & fathers separately
- Demand documentation such as court paperwork before making changes to any school contact info
- Demand documentation such as court paperwork before banning a parent from School premises or refusing to provide info to one parent
- Refuse to be part of a parent's campaign against the other parent
- Report psychological abuse to the correct authorities.

Long Term Effects of Parental Alienation in Children May Include...



- low self-esteem
- self hatred
- insecure attachments
- substance abuse
- guilt
- anxiety
- depression
- fears
- phobias
- trust issues

PARENTAL ALIENATION

SIGNS AND SYMPTOMS IN KIDS

- Frequent sadness



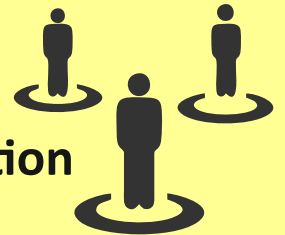
- Abandoning Hobbies



- Loss of energy

- Thoughts of self harm

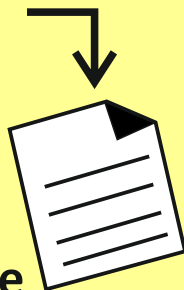
- Hopelessness



- School Absences

- Isolation

- Poor school Performance



- Frequent complaints of illness

- Poor Concentration



- Anger

- Relationship Issues

- Change in Eating or Sleeping pattern

- Talk of or attempt to run away



References

- ◆ United Nations Convention on the Rights of the Child (UNCRC).
- ◆ International Covenant of Civil & Political Rights, (ICCPR).
- ◆ National Charter for Children 2003, (India).
- ◆ NCPCR Guidelines regarding education of children of estranged parents.(Ref : DO 2501/10/2016/NCPCR/Edu/ 57449 dated 30.6.2017
- ◆ “The Long-Term Effects of Parental Alienation on Adult Children: A Qualitative Research Study” by Amy J. L. Baker, Center for Child Welfare Research, The Children's Village, Dobbs Ferry, New York, USA, Research published in the American Journal of Family Therapy, 33:289–302, 2005 .
- ◆ “Fifty moves a year: is there an association between joint physical custody and psychosomatic problems in children?” MalinBergström (Centre for Health Equity Studies, CHES / Karolinska Institute) published by British Medical Journal (BMJ), February 2015doi:10.1136/jech-2014-205058
- ◆ Research by Linda Nielsen (2018) Joint Versus Sole Physical Custody: Children's Outcomes Independent of Parent–Child Relationships, Income, and Conflict in 60 Studies, Journal of Divorce & Remarriage, 59:4, 247-281, DOI: 10.1080/10502556.2018.1454204
- ◆ According to Research published in International Journal of Adolescent Medicine & Health, Nov 2015, titled “Parental Alienation: Impact on Mental Health” by Dr. Leo Sher (MD), Icahn School of Medicine at Mount Sinai, New York, USA PMID: 26565536 DOI:10.1515/ijamh-2015-0083
- ◆ Social Science and Parenting Plans for Young Children: A Consensus Report by Dr. Richard A. Warshak (University of Texas) Psychology, Public Policy, and Law 2014, Vol. 20, No. 1, 46–67 © 2014 American Psychological Association 1076-8971/14/\$12.00 DOI: 10.1037/law0000005



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Child Guardianship Policy for Schools - in cases of Divorced and Separated Parents