

## FAMILY LAW MATTERS AFFECTING SCHOOLS

Family law matters arise in state schools from time to time so it is important staff know how to handle a situation. A new policy – Family Law Matters Affecting State Education Institutions - was implemented on 9 July 2012 which encourages minimal involvement of state schools to reduce the impact family law matters may have on administration staff.

### DID YOU KNOW

- Parental disputes should not be carried out at school. Principals are not to help intervene or enforce a court order even if a parent asks for assistance.
- Principals have the responsibility to ensure the safety and wellbeing of members of the school community while on school grounds by minimising the impact of family matters on the school.
- Students must be enrolled under the name on their birth certificate. If a different name is requested by a parent make them aware it can be used only on internal documents such as a class roll and not on items such as a semester report
- Parents who do not live with their children are still acceptable applicants to be volunteers at the school unless prohibited by a court order
- Requests concerning the location of a student should be referred to regional office

### THE FINER POINTS OF THE PROCESS

#### On enrolment

- Ensure that enrolment processes conform with Enrolment in State Primary, Secondary and Special Schools (<http://ppr.det.qld.gov.au/education/management/Pages/Enrolment-in-State-Primary,-Secondary-and-Special-Schools.aspx>)
- Ensure the school has a copy of CURRENT family court orders and parenting plans registered with the Family Court
- Orders made overseas are not officially recognised in Australia unless registered in an Australian court.

#### Temporary child protection orders

- Confirm the identity of the person producing the order and request a copy for regional office
- Enrol that child under the temporary custody of the Chief Executive, Department of Communities, Child Safety and Disability Services. The Chief Executive will be treated as the 'parent'.

#### Parents communicating with their child during school hours

This should be limited to where it is necessary (ie – NOT for the purpose of facilitating access to remedy a family law dispute):

- To facilitate the education or welfare of the child; because there has been an accident or emergency; to enable the child to attend a medical or other appointment; to facilitate school disciplinary action; or for parent-teacher interviews

#### Requests for a report or letter concerning a student for the purpose of a court hearing

- All requests from parents or lawyers for letters or reports concerning students should only be granted with the consent of the school principal
- These requests should be treated as a request for a report and dealt with under s. 62 of the Education (General Provisions) Regulation 2006 (Qld)  
<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducGenPrR06.pdf>

Find the entire policy here:

<http://ppr.det.qld.gov.au/corp/governance/Pages/Family-Law-Matters-Affecting-State-Educational-Institutions.aspx>

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