

ATTACHMENT B:
Proposed Form 20

In re the Matter of:

Petitioner/Parent A

v.

Respondent/Parent B

CASE NO. _____

**SOLE LEGAL DECISION-MAKING
EDUCATION ORDER**

(FORM 20)

THE COURT FINDS AS FOLLOWS:

1. The parties have the following minor child(ren) (hereinafter the “minor child(ren)”):

Name: _____ Born: _____

Name: _____ Born: _____

Name: _____ Born: _____

Name: _____ Born: _____

Name: _____ Born: _____

Name: _____ Born: _____

2. An order regarding legal decision-making and/or parenting time in the best interests of the minor child(ren) (also referred to as a “Parenting Plan”) was entered by this Court on (insert date) _____ .

3. A.R.S. § 25-401 defines two different types of legal decision-making. “Joint legal decision-making” means both parents share decision-making and neither parent's rights or responsibilities are superior except with respect to specified decisions as set forth by the court or the parents in the final judgment or order. “Sole legal decision-making” means one parent has the legal right and responsibility to make major decisions for a child. In this case, the Court has awarded **sole legal decision-making** to one parent.

4. It furthers the best interests of the minor child(ren) for this Court to enter the following school-specific order that reflects relevant provisions under the Parenting Plan. This order serves to supplement, but not modify or replace, the provisions set forth in the Parenting Plan. If there is a conflict between this order and the current Parenting Plan, the Parenting Plan controls. For purposes of this order, the terms shall apply equally to schools, pre-schools, and institutional childcare providers.

5. This order is binding upon the parents, who are responsible for complying with its terms and the terms in the parenting plan. It is not binding on a school but is provided as guidance for the child(ren)’s schools.

Based thereon,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Delivery to School.

The parents are required to provide a copy of this order to the minor child(ren)'s school(s).

2. Sole Legal Decision-Making.

Sole legal decision-making authority has been awarded to (insert the name of the parent with sole legal decision-making):

As it relates to this Education Order, legal decisions include school selection, enrollment/withdrawal, and special services (IEP/504 Plans).

3. School Selection.

Only the parent with sole legal decision-making authority has the authority to select the minor child(ren)'s school. However, enrollment of the minor child(ren) in a particular school is subject to the school's policies or rules, space availability, enrollment restrictions set by the school or school district or its authorizer (if a charter school), and state law.

4. Special Services.

If the minor child(ren) is/are eligible for or being considered for a 504 Plan, an Individualized Education Program (IEP), an Individualized Service Plan (ISP), or other special services, only the parent with sole legal decision-making has the authority to consent to evaluation and/or the child(ren)'s participation in special education and related special services.

Both parents are entitled to attend all meetings with school officials that parents are permitted to attend. Both parents are authorized to have access to all special services records and testing results.

5. Parenting Time and Child Pick-Up.

The school should not use the parenting schedule as a basis to deny either parent access to their minor child(ren), nor shall either parent instruct the school to limit contact, unless otherwise ordered. Each parent may pick up the minor child(ren) from school and each may

authorize other individuals to pick up the minor child(ren), unless there are limitations under the terms of the current Parenting Plan or other court order.

6. Contact Information.

Each parent's home address, e-mail, cell phone and any other contact information must be provided to the school and listed by the school as the contact information for the minor child(ren). Additional emergency contacts may be listed, but in the event of a dispute between the parties, the school must list any person requested by either parent until the parents reach an agreement or secure a court order to the contrary. In the event of an emergency, either parent may make decisions for the minor child(ren)'s immediate care.

7. Access to School Grounds.

Subject to the policies of the school, or any provisions set forth in the Parenting Plan or other order of the court, there are no restrictions on either parent's right to participate in school activities or events, or engage in any parent volunteer activities, that parents are generally permitted to participate in.

8. Access to School Records and Parent Portal.

Both parents are entitled to equal access to the minor child(ren)'s school records. Neither parent may restrict the other parent's access to information. Further, each parent is individually responsible for contacting the school and requesting to be included on any mailing or distribution list.

Both parents are entitled to access the school's student information system or online parent portal(s) (e.g. ParentVUE, Google Classroom, Infinite Campus, etc.). Unless the school allows each parent to have an individual login account, the parents must create a joint login ID and password, which will not be changed or modified without the consent of the other parent.

9. Parent-Teacher Conferences.

Each of the parents shall have the equal right to confer with teachers and counselors concerning the minor child(ren)'s education and other activities. The parents may request joint or separate parent-teacher conferences, and the school may or may not accommodate the request.

10. Future Litigation.

The parties must make best efforts to agree upon the admission of school records or communications without the need for foundational testimony or agree upon the submission of an affidavit from the custodian of records to authenticate the records in lieu of testimony, whenever possible. If a teacher or school official is required for substantive testimony, the scheduling of such testimony will, when possible, be set at a time that is least disruptive to the

school, its other students, and its operations. Presumptively, accommodations will be made to allow virtual appearances by the teacher or school official.

11. **Additional Education-Related Orders:**

Signed this _____ day of _____ 20_____.

By: _____

Judicial Officer

Superior Court of _____ County