

Custodial Issues [TDSB & OIPCO, FAQ #6; Divorce Act, 1985](#)

There are several families in my school coping with separation or divorce. How can I maintain balancing privacy, confidentiality and access with being caring and compassionate?

Understanding how the Education Act and MFIPPA apply in these situations may help, although these acts may be overridden by other legislation such as the Child and Family Services Act, the Children's Law Reform Act and the Divorce Act. Unless the court orders otherwise, a spouse who has granted access to a child of the marriage has the right to make inquiries, and to be given information, as to the health, education and welfare of the child. The Education Act gives the parent/guardian the right to examine personal student information contained in the OSR. MFIPPA permits the parent/guardian to obtain access to all of his or her child's personal information, including non-OSR records such as field trip permission forms, class lists, marks from weekly tests, etc. Most parents exercise their right under the Education Act, but MFIPPA may be exercised if the individual is under the age of 16, by a person who has lawful custody of the individual.