

Policy 3 Visitation and other rights of Non-residential Parent

Unless otherwise specifically agreed by the parties or ordered by the Court the following shall govern the rights and responsibilities of parents or minor children.

3.01 Parental Access to Day Care, School, Medical and Other Information, Facilities and Activities

3.01(A) Day Care and School Information

The Residential Parent shall take the necessary action with day care providers, school authorities or the school or schools where the child is enrolled to:

1. List the Non-Residential parent as a parent of the child.
2. Authorize the school or day care to release to the Non-Residential parent any and all information concerning the child.
3. Insure that the non-Residential Parent receives copies of any notices concerning the child.

3.01(B) Meetings and Activities

The Residential Parent shall promptly transmit to the Non-Residential Parent any information received concerning meetings between the parent and the teacher or day care provider, school club meetings, school programs, athletic schedules and any school or day care activities in which the child may be engaged or interested.

3.01(C) Grade and Progress Reports

The Residential Parent shall promptly, after receiving the same, furnish to the Non-Residential Parent a photocopy of the child's grades or reports, or copies of any report concerning the child's status or progress.

3.01(D) Parent Teacher Conferences

The Residential Parent shall, when possible, arrange appointments for parent-teacher or other like conferences at a time when the non-residential parent can be present. Whenever possible such conferences shall be attended by both parents.

3.01(E) Notification and consultation - Injury or Illness

The Residential Parent shall promptly inform the Non-Residential Parent of any illness of the child which requires medical attention. Elective surgery shall only be performed after consultation with or a good faith effort to contact and consult with the Non-Residential Parent. Emergency surgery necessary for the preservation of life or to prevent further serious injury or condition shall be performed without consultation, provided however, if time permits, the Non-Residential Parent shall be consulted and in any event the Non-Residential Parent shall be informed as soon as possible.

The Non-Residential parent shall have access to medical information on the child to the same extent as the Residential parent.

3.01(F) Communication

The Residential Parent shall encourage frequent communication between the child and the Non-Residential Parent. The Residential Parent may reasonably limit long distance calls charged to the Residential Parent's account. The mail between the child and the Non-Residential Parent shall be strictly confidential between them and shall not be opened or read by the other parent. This rule applies equally to the Non-Residential Parent when the child is on extended visitation with the Non-Residential Parent.

Neither parent shall listen in or otherwise monitor phone conversations between the other parent and the child.

3.01(G) Criticism

Both parents shall refrain from criticizing the other parent in the presence of the children.

3.01(H) Religious Practice

Neither parent shall attempt to modify the religious practices of the child without first having consulted each other.

3.01(I) Extracurricular and School Activities

The Non-Residential Parent may attend and have contact with the child at any school or day care event, athletic or other activity to the extent the Residential Parent may do so.

3.02 Standard and Long Distance Visitation Rights of Non-Residential Parent

Absent a showing that the following would not be in the child's best interest, or unless otherwise agreed to by the parties, this schedule shall apply to all children.

The STANDARD VISITATION RULES shall apply to parents who live in Washington County, Ohio, and to those who live outside Washington County, Ohio, but not more than three hours apart (one way). Where one or both parents live outside of Washington County, Ohio, and the parents live more than one hour apart (one way) the Non-Residential Parent may elect to have visitation under the Long Distance Visitation Rules and not under the Rules of Standard Visitation.

The LONG DISTANCE VISITATION RULES shall apply where one or both parents live outside of Washington County, Ohio, and the parties live more than three hours apart (one way). The LONG DISTANCE VISITATION RULES also apply at the choice of the Non-Residential parent where the one or both parents live outside Washington County, Ohio, and they live more than one hour apart (one way).

Visitation does not mean picking the children up and then leaving them with someone

else, except that visitation with grandparents or other family members with or without the presence of the Non-Residential Parent shall be permitted so long as it is reasonable under the circumstances and is done at times during which the Non-Residential Parent is permitted visitation under these rules.

3.02(A) Standard Visitation

(A)(1) Children Under Two Years of Age

Children younger than two shall visit in the home of the Non-Residential Parent with the Non-Residential Parent one day per week from 9:00 a.m. to 7:00 p.m. This visitation shall alternate Saturday and Sunday unless otherwise agreed by the parties. If the parties live less than 30 miles apart, the Non-Residential Parent shall also have visitation from 5:30 p.m. to 8:30 p.m. one evening per week. Unless the parties otherwise agree, this visitation shall occur on Wednesday evening. All transportation shall be the responsibility of the Non-Residential Parent.

(A)(2) Children Two Years of Age and Older

The following Standard Rights of Visitation shall apply:

(a) Weekend.

The Non-Residential Parent is granted visitation with the minor children every other weekend from Friday at 6:00 p.m. to Sunday at 6:00 p.m.. The beginning and ending times may be varied to accommodate the parties work schedules and travel times. It is the responsibility of the Non-Residential Parent during visitation to the extent possible to provide or arrange transportation to school events, sports practice and games, and lessons and other activities normally attended by the children.

(b) Mid Week.

Where parents live in the same school district, or in different districts but less than 30 miles apart, then the non-residential parent shall have visitation one evening/night during the week. During the school year this visitation shall commence immediately after school to 8:30 p.m. for children in elementary and Junior High or Middle School and overnight for children in Senior High School.

Transportation to the Home of the Non-Residential Parent where the children are in school, to the extent permitted by the school, may be by bus to the home of the Non-Residential Parent if the Non-Residential Parent so chooses. If the Non-Residential Parent elects to pick the children up, the Non-Residential Parent may collect the children either from school, day care or the home of the Residential Parent. If the Children are being picked up by the Non-Residential Parent from the home of the Residential Parent the visitation will start at 5:30 p.m.

Preschoolers, Elementary students, and Junior High or Middle school students shall be returned to the home of the Residential Parent, bathed and ready for bed, if the standard bed time so indicates, and with home work completed.

If High School Students do not spend the night they shall be returned to the home of the Residential Parent by 9:30 p.m. with homework completed. Senior High Students who do spend the night may return to school on the following day by bus if permitted by the school, otherwise they shall be delivered either to the home of the Residential Parent or to the School in a timely fashion by the Non-Residential Parent.

MidWeek Visitation may be overnight with all children (preschool, elementary, Junior High, Middle School and High School) during the summer vacation. Such summer midweek visitation shall commence at 5:30 p.m. In the morning it shall be the responsibility of the Non-

Residential Parent to return the children timely to the home of the Residential Parent or to the day care provided by the Residential Parent. If the parents are unable to agree on a day for such visitation, the visitation shall be on Wednesday.

(c) Holidays.

Visitation, except Christmas, shall be alternated as to each holiday and each year. The Mother shall have the children on Mother's Day; the Father shall have the children on Father's Day. The children's birthdays are to be shared or alternated by the parties. Visitation for holidays, except Christmas, that occur on a weekend or which are part of a three day weekend shall be for the entire weekend.

Christmas school vacation shall be divided so that each parent has the opportunity to celebrate the Christmas holiday with the child. If the parents are unable to agree on a division, one half of the school break shall be spent with each parent, provided further that the children shall spend Christmas Eve from noon to midnight with one parent and Christmas Day from midnight of Christmas Eve to 10:30 p.m. with the other. The parents shall alternate first and second half of Christmas School vacation each year and shall alternate Christmas Eve and Christmas Day each year. If the parents do not otherwise agree, New Years day and New Years Eve shall be spent with the parent who has the second half of the School break.

In the event the parties are members of a religious group that does not celebrate Christmas, the provisions related to Christmas Eve and Christmas Day shall not apply, but the parents shall divide or alternate their major religious celebration days, and each shall be entitled to have the children for one half of the Christmas School break.

The following are holidays to which the above rules apply: Martin Luther King Day,

President's Day, Easter, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving, Christmas Eve, Christmas Day.

If a holiday visitation conflicts with a weekend visitation, the holiday visitation takes precedence over the weekend visitation. The weekend visitation shall be rescheduled.

(d) Vacation.

The Non-Residential Parent is granted summer vacation with the children for a period of four weeks. The vacation shall be scheduled so as to permit each parent to have the children for two consecutive weeks during that parent's vacation time, if any. If day care is required for the children while visiting and day care is normally paid for by the Residential Parent, the children shall continue in the same day care setting, if possible, at the cost of the Residential Parent to the extent of normal expenditure. If the child is enrolled in summer school necessary for the child to pass to the next grade, school must be attended.

The Non-Residential Parent shall notify the Residential Parent 30 days before the commencement of summer vacation of the weeks desired. If the schedule presents a conflict with the plans of the Residential Parent then the parties shall attempt to resolve the conflicts through voluntary rescheduling. If the conflicts cannot be resolved by voluntary adjustment of their summer vacation schedules, the vacation shall be scheduled as follows: The Non-Residential Parent shall select two weeks, the Residential Parent shall select two weeks, the Non-Residential Parent shall select one week, the Residential Parent shall select one week, the Non-Residential Parent shall select one week and the Residential parent shall select one week.

A vacation week shall have precedence over a scheduled holiday, or regular weekend visitation with the other parent. If a regular visitation would occur immediately before or after a

visitation then the Non-Residential Parent may have the child for the regular weekend visitation period as well.

The children shall be returned to the home of the Residential parent at least 3 days before the commencement of school.

(e) Transportation.

The Non-Residential Parent shall call for the children at their place of residence and return them to that location, unless otherwise specifically permitted in this policy or agreed by the parties.

If the Children are residents of Washington County, Ohio, the Non-Residential Parent shall not remove the children from the State of Ohio, or Wood County and Pleasant County, West Virginia, other than to travel to the residence of the Non-Residential Parent and counties contiguous thereto, without the consent of the Residential Parent, which consent shall not be unreasonably withheld. If the Children are not residents of Washington County, Ohio, the Non-Residential Parent shall not remove the Children from the State of their residence other than to travel to the residence of the Non-Residential Parent and into counties contiguous thereto, without the consent of the Residential Parent, which consent shall not be unreasonably withheld.

(f) Child Support not abated.

The obligation to pay Child Support shall not abate during the period the children are with the Non-Residential Parent.

(g) Other Times and Places.

Visitation may occur at such other times and places as the parents may agree.

3.02(B) Long Distance Visitation

(B)(1) Children Under Two Years of Age

Visitation with Children under the age of Two will be determined on a case by case basis, having in mind the need for contact between very young children and the non-residential parent and the practical difficulties posed by geographical distance and the particular circumstances and financial position of the parties.

(B)(2) Children Two Years of Age and Older

Where minor children are two years of age or older and one or both parents live outside of Washington County, Ohio, and more than three hours apart the following visitation schedule shall apply:

(a) School Vacation periods.

The Non-Residential Parent is entitled every year to one half of the Christmas School Vacation, the Spring School Vacation, and one half of the Summer Vacation. The Non-Residential Parent shall have visitation every other Thanksgiving vacation.

The Christmas school vacation shall be divided in half and the parents shall have the first or second half of the school vacation so that Christmas Day is alternated annually.

(b) Transportation Costs.

Unless otherwise ordered, the Non-Residential Parent shall arrange for and pay the cost of transportation for the children to the Non-Residential Parent's home at the commencement of Visitation. Unless otherwise ordered, the Residential Parent shall arrange for and pay the cost to transport the children home at the end of the visitation.

(c) Scheduling of Summer Vacation.

Each Parent shall notify the other of the making of summer plans for the children involving either the scheduling of vacation time from work or the planning of any lengthy or important summer event or the payment of significant non-refundable, non-transferable vacation travel expenditures. Plans shall not be made that make it impossible for the other party to have one half of the summer. The other parent shall be notified as soon as possible so that the other parent can plan around the scheduled events, or notify of potential conflicts. The Non-Residential Parent shall notify the Residential Parent of the proposed vacation schedule 60 days before the end of the school year. The Residential parent shall notify the Non-Residential Parent of any conflict between the proposed schedule and the Residential parent summer vacation plans within 7 days. If the conflicts cannot be resolved by voluntary adjustment of their summer vacation schedules, the following shall have precedence in the following order provided the parent has notified the other parent of the plan: non-modifiable summer vacation time from work; payment of substantial non-refundable, non-transferable travel expenses; participation in important family celebrations or events; other travel plans without substantial prepayment; other parental vacation time. The party who has scheduled and notified the other parent of such an event shall have the child for the half of the summer in which that event occurs. If there is no priority scheduling event then the Non-Residential Parent may select either the first or second half of the summer. If the visitation occurs in the second half of the summer vacation then the children shall be returned at least three days prior to the commencement of the next school year.

(d) Notification.

At the commencement of the school year the Residential Parent shall notify the Non-Residential Parent of the schedule for the spring, Christmas and Summer Vacation for the school

district where the child lives, and shall timely supplement this information in the event there are changes that effect the dates of school vacations. The Non-Residential Parent shall notify the Residential Parent 30 days before the commencement of Christmas, Spring and Thanksgiving vacations of the travel arrangements for the children for those vacations (date, time and mode of travel)

(e) Additional Visitation - Residential Parents Area.

The Residential Parent, upon getting one weeks notice from the other parent, shall give the Non-Residential Parent visitation when the Non-Residential Parent is in the area of the Residential Parent's home.

(f) Additional Visitation - Non-Residential Parent's area.

The residential parent upon getting one week's notice from the Non-Residential Parent shall give the Non-Residential parent visitation in the area of the home of the Non-Residential Parent one weekend a month, provided that transportation time shall not exceed three hours each way. Transportation to be provided by the Non-Residential Parent.

(g) Change from Standard to Long Distance Visitation.

In the event the parties were following the Standard order of visitation and one parent moves so as to make Long Distance Visitation Rules applicable, then the parent remaining shall have the half of the Christmas School Vacation that includes Christmas.

3.02(C) Visitation where Each Parent is a Residential Parent of a Different Child

Unless otherwise agreed by the parties, the above rules apply where custody is split with

the further provision that visitation with the parents shall be alternated so as to maximize the time the children spend with each other.

3.02(D) Notice of Intent to Relocate

Unless otherwise ordered by the Court, a residential parent intending to move shall notify the Washington County Child Support Enforcement Agency using the Oblige Information form approved by the Court and appended to all Support Notices. Unless a motion to prohibit notifying the Non-Residential Parent has been filed or an order prohibiting the notification of the Non-Residential Parent has been filed, the Child Support Enforcement Agency shall send a copy of the Oblige's notice to the Non-Residential Parent.