

Frequently Asked Questions: Delaware Relative Caregivers' School Authorization Affidavit

What is the Delaware Relative Caregivers' School Authorization Affidavit?

The Delaware Relative Caregivers' School Authorization law allows a caregiver raising a relative's child without custody or guardianship to register that child for school. The law requires that the Delaware Relative Caregivers' School Authorization Affidavit be completed in order for the school district to grant this power.

The Delaware Relative Caregivers' School Authorization law applies to all public schools in Delaware without exception.

Where can I get a copy of the affidavit?

A copy of the Delaware Relative Caregivers' School Authorization Affidavit can be [downloaded from this web site](#). Copies of the Affidavit also can be obtained from any public school or school district office.

What responsibilities does the Delaware Relative Caregivers' School Authorization Affidavit place on me?

With this Affidavit completed and approved by your local school district, you are responsible for enrolling the student in school, being the legal contact for the school regarding, but not limited to, truancy and discipline, making school-based decisions, regarding but not limited to special education; and giving medical approval for health care administered by the school.

How long can an Affidavit be used?

The Affidavit can be used for up to two years of school or longer if the school district decides it is appropriate.

What information does the Affidavit require?

The questions on the Affidavit are asking mainly for you to show different proofs. You will be asked to prove your age, if the child is under the care of a custodian or guardian, to show a copy of the part of the petition giving that authority, proof that you are related to the child and proof that you are caring for him or her.

What are some examples of proof of caregiving?

Some proofs of caregiving are medical records showing that a caregiver's authorization to give approval for services such as immunizations was acceptable; a letter from a social worker, lawyer, religious leader, licensed medical, mental health, or behavioral professional or neighbor confirming the child is being cared for by the caregiver, or proof that the child's Social Security Survivor death benefits are received by the caregiver for the child.

Other proofs are hospital, clinic, Public Health or Medicaid records where a caregiver's authorization to give approval for services was acceptable, or Division of Services for Children, Youth, and their Families' records showing that the caregiver is the contact for this child.

What are some examples of acceptable proof of relationship?

An acceptable example of proof of relationship is medical records where a caregiver's authorization to give approval for medical services such as immunizations was acceptable. Such

records must show the relationship between the caregiver and the child. If the caregiver is a grandparent, their birth certificate, their adult child's birth certificate, and the birth certificate of the child being cared for are acceptable.

Other examples are a will, which lists the child and the relationship between the caregiver and child, insurance for the caregiver or child which includes the relationship between the caregiver and child, or a letter from a social worker, lawyer, religious leader, previous school district, licensed medical, mental health, or behavioral professional that verifies the relationship of the child to the caregiver.

Additional proofs are a completed and accepted National School Lunch Program application, hospital, clinic, Public Health, Medicaid, or food stamp records showing the relationship between the caregiver and the child.

Other proofs are Division of Services for Children, Youth and their Families' records specifying the relationship between the caregiver and child or military or veteran's records, which also specify relationship.

What proofs are acceptable for relationship OR caregiving?

Proofs that can be used to show relationship or caregiving are: The child is listed as occupant in an apartment or other housing and his/her relationship to the caregiver is included; the caregiver received a child-only Temporary Assistance for Needy Families (TANF) grant; the child is claimed on the caregiver's Federal Income Tax return, or the caregiver receives Earned Income Tax Credit for the child.

What are some proofs of a caregiver's efforts to contact the parent(s), custodian, or guardian?

If you are raising this child because the parent(s), custodian, or guardian cannot be located, you must show proof that you tried to reach them regarding this Caregivers' School Authorization. You are required to send a certified letter to the parent(s), custodian, or guardian at their last known address. The return notice that the letter was not deliverable because that person does not live at that address is a required proof.

In addition, you must choose from one of the following proofs to show you have tried to contact the parent(s), custodian, or guardian, and describe the results of your attempt:

- You or a person acting in your behalf visits the last known address of the parent(s), custodian, or guardian.
- You or a person acting in your behalf contacts the parent(s), custodian, or guardian's last place of employment, health care providers, or friends.
- You have placed a legal notice of your intention to take educational responsibility of the child in the *News Journal* and the *Delaware State News*.

For more information contact your local school district office whose phone number is in the blue pages of the phone book or [contact the Division of Services for Aging and Adults with Physical Disabilities](#).

https://www.dhss.delaware.gov/dhss/dsaapd/school_affidavit_FAQS.html