

CAREGIVER AUTHORIZATION AFFIDAVIT

Effective as of April 14, 2009, Massachusetts adopted a new law permitting parents to designate a “caregiver,” who will have a concurrent right, with the parent or other legal custodians, to make educational decisions. This new law cannot be used to:

- Circumvent state or federal law solely for the purpose of attendance at a particular school;
- Confer rights to persons who have lost their decision making rights by a court of law; or
- Remove, or relinquish the parent’s or other legal custodian’s rights.

If a parent or other legal custodian decides to appoint a caregiver, that caregiver will have the right to stand in for the parent or other legal custodian with respect to educational policies, obtain educational records, represent parent or other legal custodian in “enrollment, disciplinary, curricular, special education or other education matters, signing permission slips for school activities, and any other decision that facilitates the minor’s education experience.” The parent or other legal custodian retains the right to make educational decisions and has an overriding vote if the parent or other legal custodian disagrees with the designated caregiver.

LEGAL REF.: M.G.L. Chapter 201F

Agawam Public Schools 2009 - 2010

Approved by the School Committee on November 24, 2009, by a vote of 6 – 0 – 1 absent.