

Grandparent Caretaker Policy

A grandparent with a grandchild living with them may enroll the grandchild in the School pursuant to the School's admissions and lottery policies. Such grandparent must provide either a Power of Attorney or a Caretaker Authorization Affidavit, as well as any additional documentation required by the local Clerk of Courts, if applicable.

A. Power of Attorney

A Power of Attorney is created by a parent, guardian or custodian of any student of the school, and grants to the grandparent of the child with whom the child is residing any of the parent's, guardian's or custodian's rights or responsibilities regarding the care, physical custody, and control of the child, including the ability to enroll the child in school, to obtain from the school district educational and behavioral information about the child, to consent to all school-related matters regarding the child, and to consent to medical, psychological, or dental treatment for the child. A Power of Attorney does not convey legal custody of the grandchild to the grandparent and does not affect the rights of a parent, guardian, or custodian in any future proceedings.

B. Caretaker Authorization Affidavit

A Caretaker Authorization Affidavit may be executed by a grandparent who has made reasonable attempts to locate and contact both of the child's parents or the child's guardian or custodian, but has been unable to do so or otherwise prevented from doing so due to an executed custody order that prevents contact between the child and the parent. The Caretaker Authorization Affidavit gives the grandparent the authority to exercise care, physical custody, and control of the child, including authority to enroll the child in school; discuss with the school the child's educational progress; consent to all school-related matters regarding the child; and consent to medical, psychological, or dental treatment for the child.

The execution of a Power of Attorney or Caretaker Authorization Affidavit for the purpose of enrolling the child in a school or school district so that the child may participate in the academic or inter-scholastic athletic programs provided by the school or school district is prohibited. Such falsification is a first degree misdemeanor and voids the Power of Attorney or Caretaker Authorization Affidavit.

The Power of Attorney will terminate on the occurrence of any of the following events:

- Revocation in writing by the person who created it, and that person gives written notice of the revocation to the grandparent designated as the attorney in fact and to the juvenile court with which the power of attorney was filed;
- The child ceases to reside with the grandparent;
- By court order;

- The death of the child; or
- The death of the grandparent.

An executed Caretaker Authorization Affidavit shall terminate after the occurrence of any of the following:

- The child ceases to reside with the grandparent;
- The parent, guardian, or custodian of the child acts to negate, reverse, or otherwise disapprove an action or decision of the grandparent, and the grandparent either voluntarily returns the child to the physical custody of the parent, guardian, or custodian or fails to file a complaint to seek custody within fourteen (14) days after the delivery of written notice of negation, reversal, or other disapproval;
- By court order;
- Death of the child; or
- Death of the grandparent.

If a parent, guardian, or custodian gives either written notice of revocation of power of attorney or written notice of negation, reversal, or disapproval of an action or decision of the grandparent under a caretaker authorization, the grandparent may, within fourteen (14) days of the notice, file a complaint with the juvenile court to seek a determination of custody if the grandparent believes it is in the best interest of the child. The grandparent may retain custody of the child until the fourteen (14) day period for filing a complaint has expired, or if the grandparent files a complaint, until the court orders otherwise.

R.C. 3109.52; 3109.53; R.C. 3109.59; 3109.60;3109.65; 3109.66; 3109.72; 3109.76

See Appendix 298-A Caretaker Authorization Affidavit and Appendix 298-B Caretaker Power of Attorney.