

LIMITED POWER OF ATTORNEY - RESIDENT

NOTICE: THE POWERS GRANTED BY THIS DOCUMENT ARE BROAD AND SWEEPING. THEY ARE EXPLAINED IN THE DURABLE POWER OF ATTORNEY ACT, CHAPTER XII, TEXAS PROBATE CODE. IF YOU HAVE ANY QUESTIONS ABOUT THESE POWERS, OBTAIN COMPETENT LEGAL ADVICE. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE MEDICAL OR HEALTH-CARE DECISIONS FOR YOU. YOU MAY REVOKE THIS POWER OF ATTORNEY IF YOU LATER WISH TO DO SO.

I, _____, am the parent, legal guardian, or managing conservator of the below-named child(ren). I have been informed by the administration of the Azle Independent School District (“Azle ISD” or the “District”) that, in order for a person under the age of 18 years to establish a residence, for the purpose of attending the public free schools, separate and apart from his/her parent, guardian, or other person having lawful control of him/her under an order of a court, it must be clearly established by documentation that his/her presence in the school district is not for the primary purpose of participating in extracurricular activities, and the Board may adopt reasonable guidelines for making a determination as necessary to protect the best interest of students. Texas Education Code Section 25.001(d); Azle ISD Board Policies FD (Legal), FD (Local). Factors and documentation evidencing the student's purpose shall include, but shall not be limited to, the following reasonable guidelines:

1. Parents are in the process of a divorce or are separated pending court action on custody of student (court order).
2. Child abuse, neglect, abandonment, desertion (Texas Dept. of Protective & Regulatory Services).
3. Student to reside with non-custodial natural parent (divorce decree).
4. Parents cannot financially provide for student (Texas Dept. of Protective & Regulatory Services/Welfare).
5. Illness of parent prevents proper support and supervision of the student (physician).
6. Parent(s) incarcerated (law enforcement agency).
7. Military assignment (military order).

1. Appointment:

I hereby appoint _____, an adult resident of Azle Independent School District, as my true and lawful attorney-in-fact to take responsibility for the following minor students in all school-related matters for the _____ school year only.

<u>Name</u>	<u>Birthdate</u>	<u>Grade</u>	<u>Former School</u>	<u>District Use Only: School Assigned</u>
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I hereby declare that the above-mentioned child(ren)'s presence in the Azle Independent School District is not for the primary purpose of participating in extracurricular activities. I understand that presenting false information or false records for identification is a criminal offense under Texas Penal Code § 37.10. I further understand that in addition to the criminal penalty, a person who knowingly falsifies information on a form required for enrollment of a student in a school district is liable to the district if the student is not eligible for enrollment in the district but is enrolled on the basis of false information, under Texas Education Code § 25.001(h). The person is liable, for the period during which the ineligible student is enrolled, for the greater of:

- (1) the maximum tuition fee the District may charge under Section 25.038; or
- (2) the amount the District has budgeted for each student as maintenance and operating expenses.

2. Scope of Authority

I hereby authorize my attorney-in-fact to do any and every act, and exercise any and every power that I might or could do or exercise with regard to the following:

- (1) the right to have physical possession of the above-mentioned child(ren), to direct educational, moral and religious training, and to establish legal domicile;
- (2) the duty of care, control, protection, and reasonable discipline of the child(ren);
- (3) the power to consent to all expected or unexpected medical, dental, or surgical treatment, and hospitalization from the date of this Power of Attorney until it is revoked as provided below. Tex. Fam. Code § 32.002.
- (4) the duty of support, including the provision of clothing, food, shelter, and education;
- (5) the power to consent to marriage and to enlistment in the armed forces of the United States;
- (6) the power to represent the child in legal actions and to make other decisions of substantial legal significance concerning the child including, except when a guardian of the child's estate or a guardian or attorney ad litem has been appointed for the child, a power as an agent of the child to act in relation to the child's estate if the child's action is required by a state, the United States, or a foreign government;
- (7) the power to receive and give receipt for periodic payments for the support of the child and to hold or disburse these funds for the benefit of the child(ren);
- (8) the right to the services and earnings of the child(ren);
- (9) the right to make decisions concerning the child(ren)'s education, including, but not limited to the following:
 - (a) the right to receive and discuss the child(ren)'s class work with District personnel;
 - (b) the right to examine and receive copies of the child(ren)'s student records and all other rights afforded to parent(s) under the Family Educational Rights and Privacy Act, 20 USC § 1232g;
 - (c) the power to give permission for the child(ren)'s participation in various activities such as, but not limited to, field trips and team travel;
 - (d) the power to give permission for any disciplinary actions involving the child(ren) by District personnel;
 - (e) the power to give consent or any other rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act afforded a parent(s) for the assessment, placement, or services in the District's special education programs; and
 - (f) the power to perform any other duties, responsibilities, and privileges normally afforded to the parent(s) of students in the District;

I hereby assign full responsibility for the conduct of the child(ren) to the above-named District resident, and appoint said District resident as the party that may be given notification for all purposes by the Azle Independent School District, including, but not limited to notice of grades, school disciplinary action, or medical attention.

THIS POWER OF ATTORNEY IS EFFECTIVE IMMEDIATELY AND WILL CONTINUE UNTIL IT IS REVOKED.

3. Disability

This Power of Attorney is not affected by my subsequent disability or incapacity.

4. Revocation

This Power of Attorney may be voluntarily revoked only by me, at any time, by my written revocation. Revocation of this Power of Attorney is, however, not effective as to the District until the District receives actual notice of the revocation. I hereby agree to indemnify the District for any claims that arise against the District because of reliance on this Power of Attorney.

5. No Bond Required

No attorney-in-fact shall be obligated to furnish bond or other security.

6. Compensation

My attorney-in-fact shall be entitled to reasonable compensation for services rendered and reimbursement of all expenses incurred in the care of my child(ren).

7. Confirmation of Acts of Attorney-in-Fact

I hereby ratify and confirm all that my attorney-in-fact shall lawfully do or cause to be done by virtue of this Power of Attorney and the rights and powers granted herein.

8. Indemnification of Acts of Attorney-in-Fact While Carrying Out Authority

I hereby bind myself to indemnify my attorney-in-fact who shall so act against any and all claims, demands, losses, damages, actions and causes of action, including expenses, costs and reasonable attorneys' fees which my attorney-in-fact at any time may sustain or incur while carrying out the authority granted in this Power of Attorney.

9. Power of Attorney-in-Fact to Indemnify Third Parties

I hereby authorize my attorney-in-fact to indemnify and hold harmless any third party who accepts and acts under this Power of Attorney.

IN WITNESS WHEREOF, I hereunto set my hand this _____ day of _____, 20____.

SIGNATURE OF PARENT, MANAGING
CONSERVATOR, OR LEGAL GUARDIAN

PRINTED NAME

ACKNOWLEDGMENT OF ATTORNEY

I am a resident of the Azle Independent School District. I hereby acknowledge the assignment of these rights and accept the fiduciary and other legal responsibilities for the above-named child(ren). The above statements by the parent or legal guardian are true and correct to the best of my knowledge and I agree to notify the Azle Independent School District if the child(ren) move(s) from my residence.

IN WITNESS WHEREOF, I hereunto set my hand this _____ day of _____, 20____.

SIGNATURE OF AZLE ISD RESIDENT/
ATTORNEY-IN-FACT

Address: _____

Phone: _____

WITNESSES:

ADDRESSES:

THE STATE OF TEXAS §
COUNTY OF _____ §

THIS INSTRUMENT was acknowledged before me on this ____ day of _____, 20____, by _____, Parent or Legal Guardian.

My Commission Expires: _____

Notary Public, State of Texas

Printed Name: _____

THE STATE OF TEXAS §
COUNTY OF _____ §

THIS INSTRUMENT was acknowledged before me on this ____ day of _____, 20____, by _____, Azle Independent School District resident and Attorney-in-Fact.

My Commission Expires: _____

Notary Public, State of Texas

Printed Name: _____

THE STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, a notary public, on this day personally appeared _____ and _____, known to me to be the persons whose names are subscribed as witnesses to the foregoing instrument of writing, and, after being duly sworn by me, stated on oath that they saw the parent or legal guardian execute the foregoing instrument, subscribe the same, and that they signed the same as witnesses at the request of the person who executed the same; and that each of the witnesses was then at least 18 years of age.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 20____.

My Commission Expires: _____

Notary Public, State of Texas

Printed Name: _____