



Caregiver Affidavit & Health Care Emergencies

Board Policy 6-104

Policy

The Governing Board of Wheatland School District affirms that parents and legal guardians have the sole primary responsibility for their children's upbringing, care, and education. The Board is committed to protecting parental rights, ensuring student safety, and preventing harm when students are released from school custody or receive medical care at school.

The Wheatland School District Governing Board recognizes the limited legal authority of a caregiver's authorization affidavit and directs that such affidavits be implemented in strict compliance with applicable law, including the **Family Preparedness Plan Act of 2025 (AB 495)** and **Family Code sections 6550–6552**. A caregiver's authorization affidavit does not transfer legal custody.

The Governing Board further recognizes the limited legal role of a caregiver's authorization affidavit and intends to ensure that such documents are implemented in strict compliance with applicable law, including the **Family Preparedness Plan Act of 2025 (AB 495)** and **Family Code sections 6550–6552**, while preventing misuse, fraud, abduction, trafficking, or unauthorized medical or mental health interventions.

The District shall make every reasonable effort to contact a student's parent or legal guardian and all designated emergency contacts before releasing a student to any individual or relying upon a caregiver's authorization affidavit for medical or other school-related decisions.

The Governing Board prohibits the release of students or provision of school-related medical or mental health care pursuant to a caregiver's authorization affidavit unless all required safety, verification, and documentation procedures are followed.

The Superintendent or designee shall establish administrative regulations to ensure compliance with this policy, applicable law, and best practices for student safety. All District employees shall receive annual training on parental rights, caregiver authorization requirements, and emergency contact protocols.

Legal References:

Family Code 6550–6552

Probate Code 2353

Education Code 234.7

Health and Safety Code 1797.196

Family Preparedness Plan Act of 2025 (AB 495)



Wheatland School District
Administrative Regulation 6-104
Consent by Caregiver

Definitions

- **Parent/Legal Guardian:** An individual with legal custody as established by court order, birth record, or adoption.
- **Caregiver's Authorization Affidavit:** A document authorized by Family Code sections 6550–6552 that permits a caregiver to enroll a student in school and consent to limited medical care; it does not convey legal custody.
- **Emergency Contact:** An individual designated by the parent or legal guardian in the student's official school records.

Caregiver's Authorization Affidavit

A caregiver's authorization affidavit that complies with **Family Code sections 6550–6552** authorizes a caregiver who is at least 18 years of age and who properly completes and signs the affidavit to:

1. Enroll a minor in school; and
2. Consent to school-related medical care as permitted by law.

A caregiver who is a relative and who completes the affidavit in full shall have the same authority to consent to medical and dental care as guardians under **Probate Code section 2353**, subject to the limitations of law.

Any decision by a caregiver shall be superseded by a contrary decision of the parent or legal guardian, unless the parental decision would jeopardize the life, health, or safety of the student. (Family Code 6550(b))

The affidavit shall be in substantially the form prescribed by **Family Code section 6552** and shall be maintained in the student's cumulative record.

Mandatory Safety Requirements

Under no circumstances shall a student be released or receive school-related medical or mental health care pursuant to a caregiver's authorization affidavit unless all of the following occur:

1. The caregiver's identity is verified using valid government-issued photo identification.
2. The affidavit is reviewed for accuracy, completeness, and proper execution under penalty of perjury.
3. Reasonable and documented efforts are made to contact the parent/legal guardian and all emergency contacts listed in the student's records.

"Reasonable efforts" include, at a minimum, attempts using all available contact methods, including telephone calls, text messages, emails, and other known communication methods.



Procedures for Student Release

School officials shall adhere to the following procedures when determining whether to release a student:

1. Identity Verification

Any individual requesting release of a student shall present valid government-issued photo identification. The name shall be verified against the student's emergency contact information or a valid caregiver's authorization affidavit.

2. Contact Attempts

A student shall not be released solely on the basis of an affidavit without documented attempts to contact the parent/legal guardian and emergency contacts using all known methods of communication.

3. Review and Retention of Affidavit

School officials shall confirm that the affidavit is fully completed, signed, and includes the student's name and caregiver's address. A copy shall be retained in the student's cumulative file.

4. Hierarchy of Release

Release shall occur in the following order of priority:

- Parent or legal guardian
- Emergency contact designated by the parent or legal guardian
- Caregiver presenting valid identification and a valid affidavit, **only after unsuccessful documented contact attempts**

5. Notification

The parent or legal guardian shall be notified immediately following any release of a student pursuant to a caregiver's authorization affidavit.

Medical and Mental Health Care

A student shall not receive school-provided medical or mental health services pursuant to a caregiver's authorization affidavit unless documented reasonable efforts have been made to contact the parent or legal guardian to confirm consent.

Safety Escalation Procedures

A. Questionable Circumstances

If there is doubt regarding the authenticity of the affidavit, or if the student indicates they do not know the caregiver or cannot describe a familial relationship, the student shall not be released. The site administrator shall be contacted immediately, and law enforcement or child protective services shall be consulted as appropriate.



B. Unexplained Absence Following Release

If a student released pursuant to an affidavit is absent without confirmation of transfer or unenrollment:

- **After one school day**, the school shall attempt to contact the parent/legal guardian and caregiver. If the student's whereabouts cannot be confirmed, law enforcement shall be contacted.
- **After three consecutive school days**, if the student's safety remains unconfirmed, law enforcement shall be contacted.

Emergency Contact Information

Parents/guardians shall provide and update emergency contact information, including:

1. Home address and telephone number
2. Business address and telephone number
3. Cell phone number and email address
4. Authorized emergency release contact
5. Local physician information

Schools shall exhaust parental instructions and emergency contacts prior to contacting Child Protective Services, consistent with **Education Code section 234.7(d)**.

Training, Oversight, and Compliance

All District employees shall receive **annual training** regarding caregiver authorization affidavits, parental rights, emergency contact procedures, and applicable law.

School site administrators shall review compliance with this regulation **quarterly**. Any violations shall be reported to the Superintendent and may result in disciplinary action.

Automated External Defibrillators (AEDs)

The placement, maintenance, inspection, training, and notification requirements for AEDs shall be implemented in compliance with **Health and Safety Code section 1797.196** and applicable District procedures.



Wheatland School District
BP/AR 6-104 – Consent by Caregiver Checklist
Student Release & Caregiver Authorization Checklist

A. Student Release Checklist (Affidavit Presented)

This checklist must be completed EVERY time a Caregiver's Authorization Affidavit is presented.

STEP 1 — Verify Identity

- ☐ Obtain **government-issued photo ID**
- ☐ Confirm name matches:
 - ☐ Emergency contact list **OR**
 - ☐ Caregiver's Authorization Affidavit
 - ☐ Record ID type and last four digits (if required by site practice)

STEP 2 — Review Caregiver's Authorization Affidavit

- ☐ Affidavit is fully completed
- ☐ Signed under penalty of perjury
- ☐ Student's full legal name is listed
- ☐ Caregiver's address is listed
- ☐ Caregiver is **18 years or older**
- ☐ Affidavit appears current and unaltered
- ☐ Copy placed in student's cumulative file

STEP 3 — Attempt Parent/Guardian & Emergency Contact(s)

- ☐ Call parent/legal guardian
- ☐ Text parent/legal guardian
- ☐ Email parent/legal guardian
- ☐ Call emergency contact #1
- ☐ Call emergency contact #2 (if applicable)
- ☐ Other attempt(s): _____

- ☐ **All attempts documented** in student record

STOP: Student **may NOT** be released unless all reasonable contact attempts are completed and documented.

STEP 4 — Apply Release Hierarchy

- ☐ Parent/legal guardian available → **Release to parent**
- ☐ Emergency contact available → **Release to emergency contact**

☐ Neither reachable → proceed **ONLY** if:

- ☐ Valid ID verified
- ☐ Valid affidavit verified
- ☐ Contact attempts documented

STEP 5 — Release Student

- ☐ Student released to verified caregiver
- ☐ Time/date recorded
- ☐ Staff initials: _____

STEP 6 — Notify Parent/Guardian

- ☐ Parent/legal guardian notified immediately after release
- ☐ Method: ☐ Call ☐ Text ☐ Email
- ☐ Notification documented

B. Medical / Mental Health Care Checklist

School-provided medical or mental health care may NOT be provided solely on an affidavit.

- ☐ Parent/legal guardian contacted for consent
- ☐ Contact attempts documented
- ☐ Consent confirmed before care provided
- ☐ **If no consent confirmed → care is NOT provided**

C. Safety Escalation Checklist

- ☐ Affidavit authenticity questioned
- ☐ Student does not recognize caregiver
- ☐ Student cannot describe relationship
- ☐ Parent/emergency contacts unreachable

→ **DO NOT RELEASE STUDENT**

- ☐ Contact site administrator immediately
- ☐ Administrator consulted
- ☐ Law enforcement or CPS contacted for guidance
- ☐ Incident documented



***Affidavit And Health Care Emergencies
BP/AR 6-104 Exhibit***

CAREGIVER'S AUTHORIZATION AFFIDAVIT

(Use of this affidavit is authorized by Part 1.5 [commencing with Section 6550] of Division Eleven (11) of the California Family Code).

Instructions: Completion of items **1-4** and the signing of the affidavit is sufficient to authorize enrollment of a minor in school and authorize school-related medical care. Completion of items **5-8** is additionally required to authorize any other medical care.

The minor named below lives in my home and I am 18 years of age or older.

1. Name of Minor: _____
 2. Minor's birth date: _____
 3. My Name (adult giving authorization): _____
 4. My home address: _____
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5. I am a grandparent, aunt, uncle or other qualified relatives of the minor (see back of form for a definition of "qualified relative").
6. Check one or both (for example, if one parent was advised and the other cannot be located):
 - ☐ I have advised the parent(s) or other person(s) having legal custody of the minor of my intent to authorize medical care, and have received no objection.
 - ☐ I am unable to contact the parent(s) or other person(s) having legal custody of the minor at this time to notify them of my intended authorization.
7. My date of Birth: _____
8. California Driver's License or California Identification Card # _____

<i>WARNING: DO NOT SIGN THIS FORM IF ANY OF THE STATEMENTS ABOVE ARE INCORRECT. YOU WILL BE COMMITTING A CRIME PUNISHABLE BY A FINE,</i>

I declare under penalty of perjury, under the laws of the State of California, the foregoing is true and correct.

Dated: _____

Signed: _____