

A PROJECT OF THE DISABILITIES LAW PROGRAM
OF COMMUNITY LEGAL AID SOCIETY, INC.

Transition to Adulthood:
What you need to know as an individual with a disability.

Middle & High School Rights
for Delaware Transition-Age Youth and Their Families

MADE POSSIBLE WITH SUPPORT FROM
THE DELAWARE DEVELOPMENTAL DISABILITIES COUNCIL

SAMPLE – Limited Power of Attorney (POA) for Education

***DISCLAIMER:** This Limited Power of Attorney (POA) has been developed to assist students who would like their parents or other trusted adult to continue to act on for them in connection to their education. However, it is not specifically authorized by federal or state law, thus Community Legal Aid Society, Inc. (CLASI) makes no guarantees that this form will be accepted by your school district. For questions on your specific situation, if your school district will not accept this form, or if obtaining notarization elsewhere would be a hardship for you, you may apply for free legal assistance from CLASI.*

*Visit CLASI on the web at www.declasi.org or
contact us at one of our three office locations:*

New Castle County
302-575-0660
302-575-0696 (TTY/TDD)

Kent County
Dover, DE 19904
302-674-8500 (TTY/TDD Also)

Sussex County
302-856-0038 (TTY/TDD Also)

DETATCH THIS COVER PAGE FROM THE POA DOCUMENT!

LIMITED PERSONAL POWER OF ATTORNEY

NOTICE TO PRINCIPAL

As the person signing this durable power of attorney you are the Principal. The purpose of this power of attorney is to give the person you designate (your "Agent") broad powers to handle your property, which may include powers to sell, dispose of, or encumber any real or personal property without advance notice to you or approval by you.

This power of attorney does not authorize your Agent to make health-care decisions for you.

Unless you specify otherwise, your Agent's authority will continue even if you become incapacitated, or until you die or revoke the power of attorney, or until your Agent resigns or is unable to act for you.

You should select someone you trust to serve as your Agent.

This power of attorney does not impose a duty on your Agent to exercise granted powers, but when powers are exercised, your Agent must use due care to act for your benefit and in accordance with this power of attorney.

Your Agent must keep your funds and other property separate from your Agent's funds and other property.

A court can take away the powers of your Agent if it finds your Agent is not acting properly.

The powers and duties of an Agent under a durable power of attorney are explained more fully in Delaware Code, Title 12, Chapter 49A, § 49A-114 and §§ 49A-201 through 49A-217.

If there is anything about this form that you do not understand, you should ask a lawyer of your own choosing to explain it to you.

I have read or had explained to me this notice and I understand its contents.

_____, Principal

Date

AGENT'S CERTIFICATION

I, _____, have read the attached limited power of attorney and I am the person identified as the Agent or identified as the Agent for the Principal. To the best of my knowledge this power has not been revoked. I hereby acknowledge that, when I act as Agent, I shall:

Act in accordance with the principal's reasonable expectations to the extent actually known to me and, otherwise, in the Principal's best interest;

Act in good faith;

Act only within the scope of authority granted in the limited power of attorney; and

To the extent reasonably practicable under the circumstances, keep in regular contact with the principal and communicate with the principal.

In addition, in the absence of a specific provision to the contrary in the limited power of attorney, when I act as Agent, I shall:

Keep the assets of the Principal separate from my assets if the Principal acquires any assets applicable under this limited power of attorney;

Exercise reasonable caution and prudence; and

Keep a full and accurate record of all actions, receipts and disbursements on behalf of the Principal.

Agent

Date