

## **I am not the custodial parent of a child who is living with me. Can I enroll the child in the school district where I live?**

Probably. Usually, a child should attend school in the district where the child's custodial parent lives. However, if the child is living with someone else in a different school district, the child may be able to attend school in that district. If the child is living with you because the custodial parent is unable or unwilling to care for the child, you should be able to enroll the child in your district without a court order of custody or guardianship. However, if the child is living with you ONLY so the child can go to school in your district, you will not be able to enroll the child in your district for free. You may have to pay tuition for the child to attend school in your district.

## **How do I enroll the child in my district?**

There is a form call "Custodial Statement and Agreement: Third-Party Custody." You should fill out the sign this form, and the child's parents should sign too, if possible. You can use this form if:

- A child is living with you;
- You are not the child's parent;
- The child's parent has not placed the child with you only so the

child can attend school in your district;

- You are supporting and caring for the child; and
- You want to enroll the child in school.

## **Where do I get the Third-Party Custody form?**

The form should be available at the school office. If it not, contact the Indiana Department of Education at (317) 232-6676, or your local Indiana Legal Services to get the form. You can also get the form at <http://ideanet.doe.state.in.us/legal/>.

## **What should I do when I get the form?**

You need to completely fill out the form, and sign the form. If possible, the child's parent should also sign the form. However, if the child's parent cannot or will not sign, you should turn in the form without the parent's signature. After you have completed and signed the form, give it to the school where you are enrolling the child. Keep in mind that by signing the form, you are swearing everything you have said in the form is true.

## **What will signing the form do?**

By signing the form, you agree to act as the responsible party for the child in the school. You will be taking over the duties and obligations the student's parent would normally have for school purposes only. The form gives the school a responsible party (you) to contact with any questions about the child, or to send information home about the child. The school will have the right to ask you questions to make sure you meet the conditions set out in the form.

## **The school says I need to have a legal guardianship from a court. Do I need this?**

You do not need to get a legal guardianship through a court to get the child enrolled, if you meet the requirements listed above and have filled out the form. Make sure you have filled out the form properly and give it to the school.

## **I filled out the form and gave it to the school, but they still won't let me enroll the child. What do I do now?**

If the school refuses to enroll the child, contact the Indiana Department of Education at (317) 232-6676 or your local Indiana Legal Services for help. The school is required to accept the child

as a student unless there are other reasons for not enrolling the child.

**My ex-wife has legal custody of our children, but they are living with me and I want to enroll them in school in my district. What should I do?**

There is another form, similar to the one discussed above, for the non-custodial parent to use. This form is called “Custodial Statement and Agreement: Divorce, Separation, or Abandonment.” You should fill out the form and sign it, and if possible, your ex-spouse should sign the form too. Give the form to your school. This form should be enough to get your children enrolled in school in your district.

**What if a child is living with me only so he can go to school in my district? How do I enroll that child?**

If you are not the child’s parent, and the child is living with you only to go to school in your district, you may not be able to enroll that child in your district. You will need to pay tuition for that child to attend in your district. Some schools have a limited number of spots for tuition students. The forms discussed above will not help a non-parent get a child enrolled in your district if the only reason the child is with you is to attend school in your district. Even if

you get a legal guardianship was for the student to attend school in your district.

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<b>ILS Office Contact Numbers</b>	
<b>Bloomington:</b> (812) 339-7668 1-800-822-4774	<b>Hammond:</b> (219) 853-2360
<b>Columbus:</b> (812) 372-6918 1-866-644-6407	<b>Indianapolis:</b> (317) 631-9410 1-800-869-0212
<b>Evansville:</b> (812) 426-1295 1-800-852-3477	<b>Lafayette:</b> (765) 423-5327 1-800-382-7581
<b>Fort Wayne:</b> (260) 424-9155 1-888-442-8600	<b>New Albany:</b> (812) 945-4123 1-800-892-2776
<b>Gary:</b> (219) 886-3161 1-888-255-5104	<b>South Bend:</b> (574) 234-8121 1-800-288-8121

# **ENROLLING A CHILD IN SCHOOL WHEN YOU ARE NOT THE CHILD’S CUSTODIAL PARENT**

Prepared by:

**Indiana Legal Services, Inc.**

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