


Surrogate Parent Training
Green River Regional Educational Cooperative





1




Thank you for your willingness to serve as a surrogate parent.

This training is designed to help you understand the legal requirements, rights, and responsibilities of a surrogate parent.


Your support will ensure that a child's special education rights are protected.



2



- All children need an adult to represent their best interests.
- Special education has a lot of rules and regulations that are in place to ensure that children's rights are protected.
- As a surrogate parent, it is important to understand these rules and regulations so that you can advocate for the child you will be supporting as a surrogate parent.
- Let's look at some key terms first.



3

Key Terms

Special Education Services

Special education focuses on helping kids with disabilities learn. Special education is specially designed instruction that addresses the unique needs of a eligible students. Special education is provided at no cost to parents and includes the related services a student needs to access her/his educational program.

Least Restrictive Environment (LRE)

LRE means kids who get special education should be in the same classrooms as other kids as much as possible. LRE isn't a place – it's a principle that guides a child's education program. The LRE for each child may look different because kids are unique.

Related Services

Related services help students meet their IEP goals and include services such as special transportation, speech language, occupational therapy, or physical therapy.

Free Appropriate Public Education (FAPE)

FAPE is a legal requirement that ensures students with disabilities have access to educational services designed to meet their individual needs.

4

Key Terms

Admissions and Release Committee (ARC)

(ARC) is the group of educators and parents who meet to develop a student's IEP and to ensure progress is made. This team is called the IEP Team or the Multidisciplinary Team in other states.


Individualized Education Program (IEP)

An IEP is a written document that lays out the special education instruction, supports, and services a student needs to thrive in school. The IEP is developed by the ARC. It is reviewed at minimum once every year.

Procedural Safeguards (Parents' Rights)

Protects the rights of children with disabilities and their parents/guardians. These rights are explained to you by the ARC and you can refer back to them at any time.


5



Representation of Children

School districts must make sure that each student is represented by a parent or guardian prior to making decisions about the identification, evaluation, or educational placement of a child, or the provision of a free appropriate public education (FAPE). The district does this by verifying the location, legal status, and availability of parents or guardians on a written document that is kept on file.


6




Definition of Surrogate Parent

A school district makes sure the rights of a child are protected by appointing a surrogate parent to make educational decisions for the child if:

- Legal parent cannot be identified
- Whereabout of parent cannot be determined
- Child is ward of the state
- Child is unaccompanied homeless youth




7




Assignment of Surrogate Parent

A school district has procedures in place to determine whether a child needs a surrogate parent and to assign a surrogate parent to the student. The surrogate parent has the same rights that biological or adoptive parents have to make educational decisions for the student.




8




Assignment of Surrogate Parent

- Cannot be an employee of the Kentucky Department of Education, the school district, or any other agency that is involved in the education or care of the student;
- Cannot have any personal or professional interest that conflicts with the interests of the student; and
- Must have knowledge and skills that ensure adequate representation of the student.




9




Surrogate Parent Rights

- Have access to all written records related to the student's education
- Consent or refuse to consent to individual evaluation of the student
- Receive written and verbal interpretations of the IEP
- Participate in the development of the student's IEP or 504 Accommodation Plan
- Consent or refuse consent to the student's special education placement
- Request an independent or new evaluation, if desired
- Initiate a due process hearing or the appeals process
- Receive progress reports of the student's program




10




Surrogate Parent Rights

You also have the right to ask the school to help you understand any of these rights. They are there to help you!




11




Surrogate Parent Responsibilities

Act in the best interest of the student by:

- Becoming acquainted with the student's educational background and educational needs.
- Being accessible to the student and school personnel as needed.
- Representing the student in the educational decision making process.
- Reviewing the student's educational records.
- Complying with state and federal laws in the areas of confidentiality of information.




12




Surrogate Parent Responsibilities Continued...

- Review and monitor the student's educational program.
- Participate in ARC or 504 meetings, placement meetings, and other parent/school conferences.
- Respond with approval or disapproval to request for educational assessment.
- Initiate requests for assessment and reassessment.
- Act as the student's advocate by requesting or expressing concerns regarding special education services.




13



Discontinuation of Surrogate Parent Assignment

Schools may discontinue a surrogate parent assignment for the following reasons:


- Student changes schools or district
- Student reaches the age of 18 and can represent himself or herself
- Student status changes and he/she no longer needs a surrogate parent
- The district determines the surrogate parent has not adequately represented the student's best interests




14

Special Education Disability Categories

<ul style="list-style-type: none"> ● Autism ● Deaf-Blindness ● Developmental Delay (DD) ● Emotional-Behavior Disability (EBD) ● Hearing Impairment (HI) ● Mental Disability (MMD or FMD) ● Multiple Disabilities (MD) 	<ul style="list-style-type: none"> ● Orthopedic Impairment (OI) ● Other Health Impairment (OHI) ● Specific Learning Disability (SLD) ● Speech or Language Impairment (SLI) ● Traumatic Brain Injury (TBI) ● Visual Impairment (VI)
--	--




15




Notice of Meeting

A written notice will be given to you as the surrogate parent for the following reasons:


1. To discuss a referral for an individual evaluation
2. To discuss the results of an individual evaluation and develop an IEP, if eligible
3. To develop, review, and/or revise the student's IEP and make placement decisions
4. To discuss post-secondary transition needs and/or services
5. To determine reevaluation needs
6. To discuss disciplinary action
7. Anytime you want to meet to discuss the student's educational program




16



The Process







17

The Process

- Step 1: Referral
- Step 2: Evaluation
- Step 3: Eligibility
- Step 4: Individual Education Program Planning
- Step 5: Placement
- Step 6: Implementation and Progress Monitoring
- Step 7: Review
- Step 8: Re-evaluation






18

Referral → A written request for an individual evaluation to determine if the student has an educational disability and needs specially designed instruction and related services.

Evaluation → A process of gathering information about the student's educational needs and abilities through individual tests, review of school work and school records, behavioral observations, interviews and rating scales.

Eligibility → Reviewing the complete evaluation to determine if the student has an educational disability that has an adverse impact on the student's educational performance.




19

IEP → Individual Education Program - Developing a plan to meet the unique needs of the student.

Placement → Deciding where the student will receive instruction and/or related services during the school day.


Implementation and Progress Monitoring → Carrying out and collecting progress data on the IEP goals for the student.




20

Review → Reviewing the student's IEP and the services being provided; and making needed changes in the IEP or placement to meet the student's identified needs. Annual determination or as needed.

Re-evaluation → Re-determining eligibility based on a new evaluation of the student at least every three years.




21




Helpful Tips

- Surrogate parents should thoroughly review copies of all assessments and integrated reports to fully understand the student's current needs, functioning levels, strengths and areas of concern.
- Attend academic conferences, etc. (such as parent/teacher conferences).
- Review on-going communication about the student's progress and placement.
- Be an equal partner with school personnel in planning the IEP and during all ARCs.




22




Family Educational Rights and Privacy Act (FERPA) and Confidentiality

- Surrogate parents are not given access to all the personally identifiable information about the child's family or background.
- Surrogate parents are required to follow FERPA regulations to keep any confidential information they gather from student records and or participating in the educational processes.
- All written copies of documents must be returned to the school district if a surrogate chooses to no longer act in this role or if they are determined to be ineligible to serve. [Procedural Safeguards](#).




23




Resolving Disagreements

1. Talk with the student's teacher, principal, and Director of Special Education
2. Request an Admissions and Release Committee (ARC) meeting
3. Meet with the superintendent of schools
4. Request a mediator
5. Formal Complaint
6. Mediation
7. Request a due process hearing
8. Appeal to Kentucky Department of Education (KDE) for a review of the hearing officer's decision.
9. Prepare a civil suit




24




Thank you again for your willingness to serve as a surrogate parent.

This training is designed to help you understand the legal requirements, rights, and responsibilities of a surrogate parent.

Your support will ensure that a child's special education rights are protected. 

25



Acknowledgements

"Your Child's Education," a document prepared by KDE
[Kentucky Parent Guide for Special Education Educational Representative](#)

26