

EDUCATIONAL SERVICES AND SUPPORT

Pupil Personnel Services

Surrogate Parent Program Surrogate Parent Procedures

Purpose of the Surrogate Parent Program:

Federal law establishes the right of a free and appropriate public education for all children with disabilities. To ensure that this right is realized for **all** such children, certain procedures are written into the laws to ensure that children with disabilities who are wards of the state, or whose parents are unknown, unavailable, or have had their parental rights legally terminated, have appropriate representation when educational programming decisions are made. This is provided through the recruitment, training, and assignment of volunteer surrogate parents who represent the child during the educational process.

In Pennsylvania, Intermediate Units have been given the responsibility of identifying students in need of surrogate parents and of selecting, training, and assignment surrogate parent volunteers.

Identification of Eligible Children:

Children with disabilities receiving a free and appropriate program of education in a public school, or an approved private school who meet one of the following criteria are eligible for the assignment of a qualified surrogate parent:

1. The child is a ward of the state, or
2. The child's parent(s) or guardian(s) are unknown or unavailable (this includes preschool as well as school-aged children).

To be identified as being in need of a surrogate parent, the preschooler school-aged child must be identified as having a disability, or be suspected of being having a disability and in need of special education services in a district or IU operated program, or enrolled in an approved private school. Students whose parents are simply uncooperative or unresponsive are not eligible.

Qualification for Surrogate Parents:

Surrogate parents must meet the following qualifications:

1. Be of a person of good character,
2. Be at least 18 years of age,
3. Possess reasonable abilities to make decisions regarding a child's educational needs,
4. Be willing to acquaint themselves with the child's educational needs and with the special education system in the Commonwealth of Pennsylvania,

5. Have no vested interest that would conflict with the primary allegiance to the child they are representing. The surrogate parent should not be an employee of the agency responsible for the care of the child,
6. Foster parents may be considered if they meet all other qualifications,
7. Have Act 33 and Act 34 clearances from the Commonwealth of Pennsylvania,
8. Be willing to complete a training program conducted by the Allegheny Intermediate Unit.

Responsibilities of the Surrogate Parent:

The surrogate parent is expected to act in place of a parent for the student concerning his or her educational program. This involves:

1. Attending a planning conference to develop an individualized educational program,
2. Being familiar with appropriate procedures for due process and confidentiality of school records,
3. Receiving and responding to requests and notices concerning the evaluation and/or educational placement of the assigned student,
4. Making self-familiar with the unique educational needs of the assigned student.

The surrogate parent takes on certain quasi-legal responsibilities in order to serve the best interests of the child. The primary function is to represent the student in those circumstances in which decisions need to be made concerning the student's educational program or placement.

It is necessary for the surrogate parent to receive considerable training to familiarize himself or herself with all aspects of the surrogate parent role. The demands of the role may be extensive and require the volunteer to make a significant commitment of time and learning in order to serve the best interest of the child.

Referral Procedures:

The following procedure has been developed for obtaining a surrogate parent:

- ※ An **Application Form for Obtaining a Surrogate Parent** must be completed by the student's district of residence and submitted to the Surrogate Parent Coordinator of the Allegheny Intermediate Unit. This form will identify the legal status of the child in need of a surrogate parent and other basic demographic and personal information.
- ※ The Surrogate Parent Coordinator will assign a trained and qualified Surrogate parent to the child if available. If no such qualified surrogate parent is available, the Surrogate Parent Coordinator will work with the district or agency to recruit qualified persons.
- ※ The Surrogate Parent Coordinator will arrange a training program for qualified surrogate parent volunteers prior to the assignment of the surrogate parent to a specific student. Act 33 and Act 34 clearances must be obtained before assignment is made.
- ※ Complete application forms should be sent as far in advance of the need for a surrogate as possible. It is suggested that districts apply immediately upon learning of the need so that a surrogate parent will be available if an educational placement decision becomes necessary.