

Appointment of Surrogate Parent for Special Education Student

Adopted: 12/08/1998 | **Last Revised:** 08/20/2024 | **Last Reviewed:** 08/20/2024

In order to protect the rights of students with disabilities, the Superintendent or designee shall appoint a surrogate parent to represent a student with disabilities as necessary in accordance with law. They shall develop procedures for recruiting, training and assigning adults to serve as surrogate parents.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Legal References:

STATE

EDUCATION CODE

56028 Definition; parent for special education

56050 Surrogate parents

56055 Rights of foster parents pertaining to foster youth's education

GOVERNMENT CODE

7570-7587 Interagency responsibilities for providing services to children with disabilities

7579.5 Surrogate parent; appointment, qualification and liability

WELFARE & INSTITUTIONS CODE

300 Minors subject to jurisdiction

361 Limitations on parental control

601 Minors habitually disobedient

726 Limitations on parental control

FEDERAL

UNITED STATES CODES

20 USC 1400-1482 Individuals with Disabilities Education Act

20 USC 1415 Procedural safeguards

42 USC 11434a McKinney-Vento Homeless Assistance Act; definitions

CODE OF FEDERAL REGULATIONS

34 CFR 300.30 Definition parent

34 CFR 300.519 Surrogate parents

MANAGEMENT RESOURCES

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEBSITES

CSBA District and County Office of Education Legal Services <https://legalservices.csba.org/>

U.S. Department of Education, Office of Special Education and Rehabilitative Services

<http://www.ed.gov/about/offices/list/osers>

California Department of Education <http://www.cde.ca.gov/>

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