

Surrogate Parent Procedures

The procedures described below are used to determine the need for surrogate parents, assignment of surrogate parents, qualifications necessary to serve as a surrogate parent and the process and criteria for removal of a surrogate parent.

Identifying Students Who Need Surrogate Parents

Students who may be in need of a surrogate parent will be identified when one of the following conditions exists:

1. The parent, guardian or conservator is unknown or unavailable.
2. When the parent requests in writing the appointment of a surrogate parent.
3. When parental rights have been terminated.

When a student is identified as needing a surrogate parent, the assessment or IEP manager will complete Sp. Ed. Form DP-001(00) **Request for Surrogate Parent** and return it to the Director of Special Education.

Assigning Surrogate Parents

1. The Director of Special Education is responsible for appointing a surrogate parent. The Director of Special Education will use the standards described in *An Administrator's Manual, Implementation of Minnesota's Surrogate Parent Rules* in appointing surrogates.
2. The Director of Special Education, upon receiving a request for a surrogate parent, will review the form for completeness, consider the referrer's suggestions for a possible surrogate and will then appoint a surrogate parent by completing the remainder of Sp. Ed. Form DP-001(00) **Request for Surrogate Parent**. The Director of Special Education will appoint a surrogate parent who meets the qualifications described below. The Director of Special Education will send a copy of form DP-001(00) **Request for Surrogate Parent** to be placed in the student's special education folder.

Qualifications for a Surrogate Parent

The following are the qualifications for a surrogate parent:

1. The surrogate can have no interest that conflicts with those of the child being represented.
2. The surrogate must possess knowledge and skills that the child is adequately represented. These knowledge and skills indicate.
 - a. knowledge of federal and state rules and regulations;
 - b. knowledge of district structure and procedures;
 - c. knowledge of the nature of the pupil's disability and needs; and

- d. ability to effectively advocate an appropriate educational program for the pupil.
3. The surrogate may not be an employee of a public agency involved in the education or care of the child.

Training of Surrogate Parents

Each newly appointed surrogate parent will be provided training by the IEP manager in the following areas:

1. The special education process
2. Parent rights
3. IEP development

The Education District will provide annual follow-up training. A guide for the above training is attached.

Removal of a Surrogate Parent

A person may be removed as a surrogate parent if any of the following conditions exist:

1. failure of the surrogate to represent the pupil in any of the parental functions described by federal and state rules and regulations (e.g., failure to attend team meetings);
2. a conflict of interest;
3. a change in the pupil's eligibility for special education services;
4. actions by the surrogate that threaten the pupil's well being; or
5. failure to appear to represent the pupil.

Procedures for Removal of a Surrogate.

1. A surrogate may be removed only by majority vote of the local school board.
2. If any person has reason to suggest the removal of a surrogate parent, that person must notify the director of special education in writing.
3. The director, upon receiving such a request, will evaluate the request using the above-described criteria for removal.
4. If the director is in favor of removal, he will complete the **Removal of a Surrogate Parent** form DP-052(07) after scheduling the time and place of the meeting of the school board.
5. A copy of the **Removal of a Surrogate Parent** form DP-052(07) will be sent to the surrogate parent ten days prior to the school board meeting.

6. Following action of the school board, the director will complete the **Removal of a Surrogate Parent** form DP-052(07), place a copy in the student's special education record and send a copy to the surrogate.