

Surrogate Parents

In compliance with state regulations and federal special education laws, Troup County School System will insure that the parents of students with disabilities have the opportunity to participate actively in the educational decision making process. When a student with a disability does not have a parent who can fulfill the parental decision making role, a trained individual will be appointed by TCSS to make decisions regarding the free appropriate public education of the student.

A surrogate will be appointed under the following circumstances:

- no parent (as defined by IDEA) can be identified;
- no parent can be located after reasonable efforts have been made by TCSS;
- the student is a ward of the state; or
- the student is an unaccompanied, homeless youth as defined by the McKinney-Vento Homeless Assistance Act.

For a student who is a ward of the state, a judge overseeing the student's case may appoint a surrogate parent.

Surrogate parent responsibilities include:

- protecting the student's education rights;
- participating in educational decision making process which includes decisions related to identification, evaluation, and placement of the student;
- following confidentiality requirements as outlined by state regulations and federal special education laws including using discretion in sharing of information;
- participating the development of the student's IEP; and
- exercising other rights given to a parent under IDEA.

The surrogate parent has no financial responsibility or other responsibility for the daily care of the students.

There are limitations to who can be assigned as a surrogate parent. A surrogate parent:

- cannot be an employee of the state, school system, or any agency that is involved in the education or care of the student;
- must have no interest that conflicts with the student he/she represents;
- must have the knowledge and skills that ensure adequate representation of the student.

TCSS will actively recruit volunteers who are willing to serve as surrogate parents and will provide training at least annually concerning responsibilities. If a student has been assigned a surrogate parent by a judge or has been placed in foster care, TCSS will provide training to insure that he/she understands his/her rights and responsibilities as a surrogate parent.

TCSS will request name and address of a legal guardian or person responsible for educational decision making for any student who is being enrolled by a person other than the parent if the student to determine if a surrogate needs to be appointed. When a surrogate parent has been identified as needed, the IEP case manager will invite a trained surrogate parent to attend an IEP meeting using a list maintained by coordinator or designee at Exceptional Education Center. Service provider will provide a copy of parent rights and explain rights to surrogate parent at least annually at IEP meeting or as required based on GADOE regulations.

In the event that a student is enrolled by a person other than the parent but it is determined that there is a parent who retains educational decision making rights, the IEP case manager will attempt to locate and invite that parent to participate in all IEP related meetings, even if the student is in the physical custody of another agency. It is important to communicate with the agency that holds physical custody to determine if a no contact order is in place or parental rights have been severed; if so, a surrogate must be appointed.

In the event that a student has been placed with a foster parent, the IEP case manager must meet with the foster parent to explain rights and responsibilities prior to conducting an IEP related meeting.