APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION STUDENTS

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

Before individuals are appointed as surrogate parents, the Superintendent or designee shall ensure that they have passed a criminal background screening and have demonstrated interest and skill in working with children with disabilities, sensitivity to ethnic and cultural factors, and ability to work cooperatively with others.

(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 3515.6 - Criminal Background Checks for Contractors)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 4112.23 - Special Education Staff)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6146.4 - Differential Graduation and Competency Standards for Individuals with Exceptional Needs)
(cf. 6159 - Individualized Education Program)
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
(cf. 6164.4 - Identification of Individuals for Special Education)

Legal Reference:

EDUCATION CODE
56028 Parent
56050 Surrogate parents

GOVERNMENT CODE
7570-7588 Interagency responsibilities for providing services to disabled children, especially:
7579.5 Surrogate parent; appointment; qualifications; liability

WELFARE AND INSTITUTIONS CODE
300 Children subject to jurisdiction
601 Minors habitually disobedient or truant
602 Minors violating laws

UNITED STATES CODE, TITLE 20
1414-1487 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34
300.20 Definition "parent"
300.515 Surrogate parents

Management Resources:

FEDERAL REGISTER
34 CFR 300.a Appendix A to Part 300 - Questions and Answers
34 CFR 300.a1 Attachment 1: Analysis of Comments and Changes

WEB SITES
CDE: http://www.cde.ca.gov
US Department of Education, Office of Special Education and Rehabilitative Services:
http://www.ed.gov/offices/OSERS

Policy Adopted: 05-03-07