When is a Surrogate Parent Needed?

n Arizona, a petition for the appointment of a urrogate parent for a child with a disability shall be nade to a court of competent jurisdiction if *any* of he following conditions exist:

- No parent can be identified.
- A public agency cannot determine the whereabouts of a parent, after having made three documented and reasonable attempts.
- The child is a ward of the state.

[Authority: ARS 15-763.01(A)(1 – 3)]

Who Can Be Appointed as a Surrogate Parent?

n order for a person to be eligible to receive an ppointment as a surrogate parent for a child with a lisability, all of the following must be true:

- The person shall be determined by the court to possess knowledge and skills that will ensure adequate representation of the child.
- The person may not be an employee of a state agency, local education agency or any other agency if that agency is involved in the education or care of the child.
- The person may not have any interests that would conflict with the best interests of the child he or she represents.
- The person shall have a valid class one fingerprint clearance card issued pursuant to title 41, chapter 12, article 3.1. Persons currently serving as surrogate parents shall obtain a class one fingerprint clearance card by January 1, 2002.
- A public agency may select as a surrogate a person who is an employee of a nonpublic agency that only provides non-educational care for the child and who meets the qualifications noted above.

[Authority: ARS 15-763.01(B)(1 – 4)]
[Authority: 34 CFR § 300.515]

Are There Any Other Guidelines?

A person who is appointed as a surrogate parent for a child with a disability shall not be deemed to be an employee of the state solely as a result of serving as a surrogate parent and receiving compensation for that service.

[Authority: ARS 15-763.01(C)]

Note: In Arizona, a surrogate parent is a non-paid volunteer.

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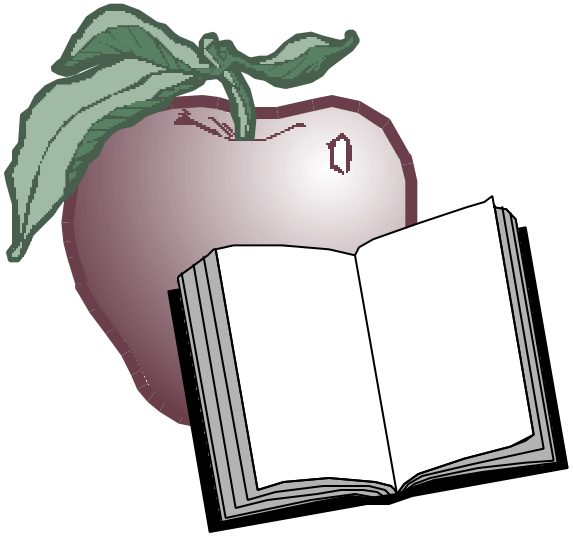
What are the Responsibilities of a Surrogate Parent?

The surrogate parent may represent the child in all matters relating to the identification, evaluation, and educational placement of the child; and the provision of a free appropriate public education to the child.

[Authority: 34 CFR § 300.515(e)(1)(2)]



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What Role Does a Surrogate Parent Play in the Special Education Process?

The following list represents a sampling of th activities that one may be involved in as a surrogat parent:

- Give or refuse consent for the initial evaluation reevaluations, and initial placement of the chil in special education.
- Review all educational records and report relating to the child.
- Participate and contribute in the child' evaluation, eligibility determination, and specia education placement.
- Participate in the Individualized Educatio Program (IEP) process (e.g., provide input t develop, review, or revise a child's specia education program).
- When disputes arise concerning th identification, evaluation, placement, o provision of a free appropriate public educatio of a child that can't be resolved at the local level initiate mediation, a written complaint, and/o a due process hearing.
- Monitor the child's educational progress during th school year to see if the IEP goals are being me and that the services listed on the IEP ar appropriately meeting the child's needs.
- Adhere to confidentiality requirements concern ing disclosure of educational information abou the child.

Note: Refer to the "Procedural Safeguards Notice" for an accour of the rights afforded to parents (including surrogate parents) unde the Individuals with Disabilities Education Act Amendments o 1997 (IDEA '97).

How Do I Get Trained as a Surrogate Parent?

- Contact the Surrogate Parent Coordinator at (602) 364-0866 to get more information on how to be trained as a surrogate parent.
- Trainings are conducted around the state periodically.
- A training is approximately 3 hours long.
- You will receive an in-depth training on the special education process with an emphasis on the Procedural Safeguards Notice.

What Happens After the Training?

- Your name will be added to an existing pool of trained surrogate parents in the county in which you reside.
- You are not automatically assigned to a child needing a surrogate parent.
- You may be called to serve as a surrogate parent if you reside in the same general geographic area as a child needing a surrogate parent and meet the required qualifications.
- If you are requested to serve, you will be contacted by a "public agency" representative who will provide you with the necessary information about the child needing a surrogate parent.
- If you wish to serve in this capacity, the final step involves a court appointment as the surrogate parent for a particular child.

Note: The term "public agency" means the State Educational Agency, a school district, charter school, accommodation school, state supported institution or other political subdivision of the State that is responsible for providing education to children with disabilities.

[Authority: 34 CFR § 300.22]
[Authority: AAC R7-2-401 (B)(20)]

For more information, call the Arizona Department of Education/ Exceptional Student Services, Surrogate Parent Supervisor at (602) 364-0542

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