

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6100 IDENTIFICATION AND REFERRAL

6103 Appointment of Surrogate Parents

The local education agencies that make up the Santa Barbara County SELPA shall ensure that a surrogate parent is appointed to represent an individual with disabilities or pupil suspected of meeting eligibility requirements as an individual with disabilities in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the Individualized Education Program and in other matters relating to the provision of a FAPE.

It will be the responsibility of each district to conduct a reasonable search for all parents who retain educational rights over their children. In the event that they cannot be located, a reasonable search will be deemed to have been conducted when the district has sent one letter to the last known address and has made a follow-up phone call.

Each local education agency in the Santa Barbara County SELPA will be responsible for appointing a surrogate whenever the whereabouts of the parents or guardian of the child are not known or available or the child is a ward of the state. Status of students already enrolled will be determined by the district of attendance. "New" incoming students' status will be determined by the district of residence.

A local education agency shall make reasonable efforts to ensure the appointment of a surrogate parent not more than 30 days after the LEA determines that a child needs a surrogate parent.

The surrogate parent may provide any written consent related to the individualized education program as well as to non-emergency medical services, mental health services, and occupational and physical therapy services to be provided pursuant to Chapter 26.5 of the Government Code.

In addition to being free of a conflict of interest, surrogate parents will have received training in confidentiality and parent rights as they pertain to protecting the interests to the child.

In making surrogate parent appointments the district shall select as a first preference a relative caretaker, foster parent of the child or court appointed special advocate.

Surrogate parents will be recruited and selected by each district. Persons selected as surrogate parents must:

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6103 Appointment of Surrogate Parents *(Continued)*

1. Have no interest which conflicts with the interests of the child he/she represents;
2. Have knowledge and skills that insure adequate representation of the child;
3. Not be an employee of a public agency that is involved in the education or care of the child;
4. Be willing to commit time and energy in preparation for IEP meetings;
5. Be culturally sensitive to the child they are representing.

The Santa Barbara County SELPA will train surrogate parents and administer a post-test at the end of the training. The training will include the following:

The IEP process
Special Education Law
An overview of different disabling conditions
Curriculum issues
Confidentiality issues

A surrogate parent's term of appointment will be for 1 year. The district will be responsible for monitoring the surrogate parent and determining if the term of appointment should be renewed.

A surrogate parent's appointment will be automatically terminated for the following reasons: conflict of interest, a student is no longer eligible for special education, student reaches the age of majority, surrogate fails to adequately perform duties, or the parent is located.

(EDUCATION CODE 56050)

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