

LEARNING IDEAS

Special Education Tips for Foster Parents Who are Surrogate Parents



Surrogate parents are appointed to represent children with disabilities whenever the birth parents or guardian of a child with a disability cannot be identified, located, or when the child is in the custody of the state. They have all the rights of birth parents for educational matters, e.g. permission for evaluation and placement, release information and request for educational hearing. The primary responsibility of surrogate parents is to ensure that children with disabilities are provided with a free, appropriate public education.

Adapted from <https://www.maine.gov/doe/learning/specialed/initiatives/surrogate>

The education of a child with disabilities who is in out-of-home care may be complicated by:

- Communication, cognitive, or other disabilities that affect his or her ability to understand or adapt to change.
- Placement in a variety of educational settings with different expectations, and disruptions in educational continuity.
- Limitations in the ability to clearly express



preferences, needs, or other important aspects supporting his or her success in the classroom.

Establish positive relationships with the school:

- Make sure the staff understand the child's history.
- Communicate with good intentions and follow through.
- Be a positive contributor to the team.
- Be persistent but flexible when working with the child's team.

Recognize that you are this student's best advocate:

- Understand that in your role as a surrogate parent, unlike the foster parent of a child without an IEP, you have all the rights of a birth parent in educational matters.
- Remember that you can request an evaluation or IEP meeting at any time.
- One of your responsibilities on the IEP team is to be the expert on your child's entire life - not just the part that happens in school.
- Encourage high aspirations and solid academic preparation that will lead the student to real opportunities after high school.



Understand your surrogate parent role:

- Seek information about IDEA and the IEP process.
<http://ed.gov/parents/needs/speced/iepguide/index.html>
- Get a copy of the Maine Unified Special Education Regulations.
- Ask the school to send a copy of your rights as a parent and be familiar with them.
- Get information about your child's past educational experiences (from the sending school or DHHS caseworker).
- Attend workshops about the special education process and parent advocacy.

Establish positive relationships with school:

- Introduce yourself to all school personnel who will come in contact with the child.
- Explain your role as the child's surrogate parent.
- Help the school choose the teacher who is the best match for this child.
- Share information about this child's interests and strengths.
- Establish a regular communication system between you and the school.
- Help teachers to consider the particular context of the life of a child in foster care when planning class activities.

The nuts and bolts of advocacy:

- Keep a notebook of educational records, work samples, and all interactions between you and the school.
- Prioritize the issues to be addressed at the IEP meeting.

Take a person with you to IEP meetings for support and feedback.

- Take your copy of the Maine Unified Special Education Regulations to the IEP meeting.
- Use the complaint and due process procedures if you feel that the



What is a Surrogate Parent?

A surrogate parent is an adult appointed by the Maine Department of Education or a district court judge who is able to act independently on behalf of a child with disabilities.

The surrogate parent has the skills and knowledge to:

- represent the child in all aspects of the special education process;
- participate in IEP meetings; and
- work with the school to ensure that the child receives a free, appropriate public education.

child has been denied a needed service.

Where to learn more:

Adoptive and Foster Families of Maine: <http://www.affm.net/>

Casey Family Services: <https://www.aecf.org/work/past-work/casey-family-services>

Families and Children Together: <http://www.familiesandchildren.org/>

Gear Parent Network: <https://gearparentnetwork.org/>

Maine Department of Education, Surrogate Parent Program: <https://www.maine.gov/doe/learning/specialed/initiatives/surrogate>

Maine Parent Federation: <http://www.startingpointsforme.org>

Maine Special Education Rules (State and Federal regulations): <http://maine.gov/education/speced/contentrules.htm>

University of Maine Center for Community Inclusion and Disability Studies: <http://www.ccids.umaine.edu/>

More information about the Individualized Education Program:

A Guide to the Individualized Education Program: <http://ed.gov/parents/needs/speced/iepguide/index.html>



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