

SURROGATE PARENT FACT SHEET

❖ What is a surrogate parent?

A person appointed to serve as a parent representative to the school for a student/child in all matters relating to the identification, evaluation and education placement, including the provision of a free appropriate public education.

❖ Who appoints a surrogate parent?

The local educational agencies (LEA) make the appointment. For child who is a ward of the state, the judge overseeing the child's care may appoint a surrogate parent, provided that person meets the non-employee standard noted under "qualifications."

❖ When is a surrogate parent needed?

A surrogate parent is needed to ensure that the rights of a student are protected if:

- No parent can be identified, or
- The LEA, after reasonable efforts, cannot discover the location of a parent
- The child is an unaccompanied homeless youth as defined in } 725(6) of the McKinney-Vento Homeless Assistance Act
- The child is a ward of the state

❖ What is the responsibility of the LEA?

It is the responsibility of the LEA to establish a method for determining whether a student needs a surrogate parent and for assigning a surrogate parent within 30 calendar days after a determination of a need.

❖ What are the qualifications for being a surrogate parent?

The LEA may select a surrogate parent in any way permitted under state law. A person selected, as a surrogate parent must meet the following considerations:

- Is not an employee of the Virginia Department of Education, the LEA, or any other agency involved in the education or care of the child
- Has no interest that conflicts with the interest of the child he/she represents and
- Has knowledge and skills that ensure adequate representation of the student

The LEA may select as a surrogate a person who is an employee of a nonpublic agency that only provides non-educational care for the student.

❖ What does a surrogate parent do?

As the parent representative for the student, the surrogate parent works with the school to determine what special education services, if any, the student will receive, how the services will be delivered and ensure the rights of the student/child are protected.

❖ Where can I find out more information about surrogate parents?

Contact your local Director of Special Education. You may also contact, the Virginia Department of Education Parent Specialist by calling (804) 371-7420.