

## **RIGHTS AND RESPONSIBILITIES OF SURROGATE PARENTS**

As a surrogate parent, your rights and responsibilities are limited to the child's/student's early intervention and/or special education needs.

### **The surrogate parent's rights include:**

- Receiving copies of all records relating to the child's/student's program, within a reasonable time (within 45 school days) of the request and before the IFSP/IEP Team meeting (surrogate parents should automatically receive a copy of each evaluation to be discussed at the IEP meeting at least 3 days prior to the IFSP/IEP Team meeting),
- Providing written consent for every evaluation, as well as the initial placement of the child/student in a program providing early intervention and/or special education or related services,
- Receiving written notice prior to any evaluation or change in the child's/student's educational placement or program,
- Questioning the appropriateness of the child's/student's early intervention and/or educational program and educational placement,
- Being informed of early intervention and/or special education policies, programs, and services of CDS or the educational agency,
- Having access to all procedural safeguards, including independent evaluation, mediation, due process hearings, and initiating a complaint.

### **The surrogate parent's responsibilities include:**

- Becoming acquainted with the child's/student's disability diagnosis and educational needs by visiting the school and reviewing educational records,
- Representing the child/student in all Individualized Family Service Plan (IFSP) meetings, Individualized Education Program (IEP) meetings and other meetings relating to the identification, evaluation and educational placement of the child/student and the provision of an equal educational opportunity in the least restrictive educational environment,
- Ensuring the confidentiality of information and records concerning the child/student,
- Making sufficient time available to carry out the duties of a surrogate parent properly and having sufficient knowledge and skills to perform these responsibilities,
- Maintaining a file of the child's /student's records and a record of your activity as a surrogate parent (to be sent to the Maine Department of Education upon the termination of appointment as surrogate parent),
- Notifying the Commissioner or designee whenever you believe that a conflict of interest exists with respect to your appointment as a surrogate parent.

### **Limits of the surrogate parent's responsibilities**

- The surrogate parent has no authority or responsibility for the care, maintenance or financial support of the child/student.
- The surrogate parent may participate with the appropriate State agencies in the discussion of the selection of a foster home or group home placement. However, the surrogate parent has no authority or responsibility to approve a non-educational placement in a group home or foster home.