



Duties of the District of Residence Related to Surrogate Parents

OAC 3301-51-05

1. The District of Residence (DOR) is responsible for assigning a surrogate parent no later than 30 days after the need has been determined.

"Always check that a parent's educational decision-making rights have been terminated before appointing a surrogate parent. Don't assume because a child lives in foster care that the parent lacks educational rights."

-Teri Graber, IDEA Compliance and senior private school advisor

Guiding Questions to Determine Need:

- a. Did you make reasonable efforts to identify and/or locate the parent?
Phone calls, home visits, sending certified letters
- b. Do you have documents to confirm that the parent's educational decision-making rights have been terminated?
Contact case worker or liaison for documentation
- c. Is this child a ward of the state or in long-term foster care?
The child MAY need a surrogate parent, consider using a specific color of paper to indicate important information about special needs or status of parents in a student's chart

2. The DOR must assure that the individual meets the qualifications.

What are the qualifications to serve as a surrogate parent?

- cannot be an employee of the Ohio Department of Education, any school district, or other child services agency that is involved in the child's education or care;
- must have no personal or professional interest that conflicts with the child's interests;
- must have the requisite knowledge and skills that ensure the child is adequately represented; and
- must have received surrogate parent training.

3. The DOR must review the term of appointment of the surrogate parent.

Optional Form 7: Assignment of a Surrogate Parent

4. The DOR must also review the assignment of the surrogate parent annually and end the appointment at either the request of the surrogate or the district.

Neither the surrogate parent, nor the authority that assigned the surrogate, shall be liable in civil damages