



Parent Information Center of Delaware

Toll free: (888) 547-4412
www.picofdel.org

Introduction to the Educational Surrogate Parent Program

Parent Information Center (PIC) is the new home of the Educational Surrogate Parent (ESP) Program.

The Delaware Department of Education (DOE) contracts with PIC to administer the ESP Program that was established to ensure that children with special education needs, who are in foster care, have the same protections as all other eligible children under the Individuals with Disabilities Education Act (IDEA).

Both the IDEA and state special education regulations mandate this protection for children with disabilities whose parents cannot advocate for them in the special education process.



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Who is an Educational Surrogate Parent (ESP)?

*An Educational Surrogate Parent is a person who represents a child who may be in need of, or receives, **special education and related services.***





When is an ESP appointed for a child?

An ESP may be appointed for a child when:

- Parents cannot be located after reasonable efforts;
- Parental rights have been terminated;
- The child is an unaccompanied homeless youth
(*McKinney-Vento Homeless Assistance Act*);
- The child is in the custody of the **DE DSCYF** (*Dept. of Services for Children, Youth & their Families*);
- Parents voluntarily consent to have an ESP appointed; or
- No other adult meets the definition of an IDEA parent.



Who can be an ESP?

Foster Parents or Community Volunteers must meet the following requirements to serve as ESPs:

- Participate in **training** conducted by Parent Information Center;
- Complete an **application** with Parent Information Center;
- Be at least **18 years of age and a legal resident of the U.S.;**
- Not be an employee of **any public or private agency or school involved in the care or education of the child;**
- **Not have a professional or personal** conflict of interest;
- Be able to communicate in the **primary communication mode** of the child whenever possible; and
- Have **knowledge and skills** to adequately represent the child



How are you appointed as an ESP?

After meeting the requirements to become an ESP, PIC will make a recommendation to the Dept. of Education that you be appointed to a child.

You will receive an appointment letter in the mail from the Dept. of Education. The appointment letter will:

- Include the child's name, date of birth & school program
- Include contact information for the District Special Education Director, DFS worker, Office of the Child Advocate & others as appropriate



What is the role of an ESP?

The Individuals with Disabilities Education Act (IDEA) considers an Educational Surrogate Parent (ESP) to be a “parent” for special education purposes.

*The ESP is to be included in all **special education** decision making related to the identification, evaluation, and educational placement of a student and the provision of special education and related services.*



Who is a parent under IDEA?

All of the following are considered to be a parent under the IDEA:

- A biological or adoptive parent of a child;
- A guardian authorized to act as a child's parent or authorized to make educational decisions for the child BUT not the State if the child is a ward of the State;
- An individual acting in the place of a biological or adoptive parent and with whom the child lives – A Relative Caregiver's School Authorization is needed;
- An individual who is legally responsible for the child's welfare; or a
- A **surrogate parent** who has been appointed by the Dept. of Education (The appointment occurs after the individual participates in training with PIC and is recommended to be an ESP by PIC.)



What are the responsibilities of an ESP?

*The ESP is responsible for being an **active** participant in the IEP process and not just providing a signature on the IEP.*





Examples of responsibilities

- Become thoroughly acquainted with the child's educational history and child's educational needs.
- Grant or deny permission for initial education evaluation or placement.
- Safeguard the confidentiality of all records and information pertaining to the child.
- Participate in the development of an Individualized Education Program (IEP).
- Review and evaluate special education programs.
- Initiate mediation or other conflict resolution methods as necessary.



What are some steps to take as an ESP?

- Introduce self to the school and support team members.
- Learn about the student's strengths and needs.
- Review the student's school records.
- Participate in school meetings to develop the student's Individualized Education Program.
- Stay current with student's educational progress during the school year.
- Communicate regularly with the ESP/PIC office.
- Stay current with parental rights and school responsibilities under the Individuals with Disabilities Education Act (*or special education law*).



Who are the School IEP Team Members?

- Educational Surrogate Parent
- Child when appropriate (must be invited to their IEP meeting by age 14)
- General Education Teacher and Special Education Teacher
- Representative of School/District – person with authority to commit resources and ensure that services set out in the IEP will actually be provided
- Individual who can interpret instructional implications of evaluation results
- *Others may be invited who have knowledge or special expertise such as:*
 - *Educational Diagnostician (ED) – person who often facilitates IEP meeting*
 - *School Psychologist – person who might assess intellectual ability, learning aptitudes, personality & emotional development*
 - *Specialists - Speech therapist, Reading Specialist, Counselor*
 - *Agencies – Div. of Vocational Rehabilitation (DVR), Div. of Developmental Disabilities Services (DDDS)*



Who are the Support Team Members?

DFS/DSCYF – Division of Family Services/Dept. of Services for Children, Youth & their Families – investigates complaints of child abuse and neglect – provides child and family oriented services

PBHS/DSCYF – Prevention & Behavioral Health Services – provide prevention & early intervention services, mental health and substance abuse treatment programs for children and youth (formerly Child Mental Health)

YRS/DSCYF – Youth & Rehabilitative Services – for youth who have been adjudicated delinquent and ordered by the court system to receive rehabilitative services (NCCDC, Stevenson House, Ferris School/Mowlds Cottage, Grace/Snowden Cottages)

Foster Parent – a person who provides care in their home for a child who has been removed from his/her home due to abuse, neglect or dependency

Guardian Ad Litem – An individual appointed by the court to represent the best interests of a child who is the subject of a custody, visitation, guardianship, termination of parental rights, adoption or other related proceedings in which the Division of Family Services is a party (an attorney authorized to practice law in DE or a CASA)

CASA – Court Appointed Special Advocate - appointed by Family Court – volunteer



What is PIC's role?

PIC receives referrals for ESPs from the Division of Family Services (DFS), schools and other agencies. PIC will:

- *determine the child's eligibility for an ESP;*
- *conduct outreach to recruit potential ESPs;*
- *provide ESP orientation about role and responsibilities;*
- *provide training about the Individuals with Disabilities Education Act (IDEA) and state special education regulations;*
- *make a recommendation of an ESP to be appointed, usually within 30 days, to the Department of Education; and*
- *provide ongoing training, information, resources and support to ESPs, schools and agencies.*



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Continue learning... Check out these Resources!

DE Department of Education

<http://www.doe.k12.de.us>

(See school profiles & calendars, access sample IEP forms, booklets & more.)

US Dept. of Education: Building the Legacy: IDEA 2004

<http://idea.ed.gov>

(Watch videos & read fact sheets about specific areas of the IDEA.)

National Dissemination Center for Children with Disabilities

<http://nichcy.org>

(Find numerous education & disability-related fact sheets, booklets & other material.)



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Contact Information

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