CSDE
CONNECTICUT STATE
DEPARTMENT OF EDUCATION

Surrogate Parent Program

Procedures Manual

Program Contacts

Georgette Nemr, Surrogate Parent Program Manager
Surrogate.Parent@ct.gov
860-713-6716

Lisa Fayer, Surrogate Parent Program Processing Clerk
(for matters related to surrogate assignments)
Surrogate.Office@ct.gov
860-713-6927

State Office Building
450 Columbus Blvd/Suite 604
Hartford, CT 06103-1841

Manual Revised August 5, 2021

Table of Contents

		Page
I.	**Statutory And Regulatory Authority**	4
II.	**Initial Surrogate Parent Assignment**	4-7
	A. Student Eligibility for Surrogate Parent B. Surrogate Parent Assignment C. Notification of Assignment D. No Assumption of Assignment E. No Substitutes	
III.	**Assignment Of Students**	7-10
	A. Duration of Assignment B. "Whereabouts Unknown" or "AWOL" C. Drop Out D. Adult Education E. Unable to Advocate Adequately F. Change of Residence, School Or Nexus G. Processing and Notification of Changes of Residence, School or Nexus H. Out-Of-State Travel I. Returning Files to the Surrogate Parent Office	
IV.	**Required Duties And Responsibilities**	10-11
	A. Caseload B. On-Site Meeting Requirements C. Routine Duties D. DCF Meetings – Discretionary Attendance	
V.	**Implementation Of Duties And Responsibilities**	11-18
	A. Communication B. Record Keeping C. Case Flow (Opening, PPT Process, etc.)	
VI.	**Transition From Birth To Three To Special Education**	18-19
VII.	**Required Documentation Of Services**	19-20
VIII.	**Contractual Payments**	20-21

Attachments	22
Attachment A: Federal and State Statutory and Regulatory Authority	
Attachment B: Sample Surrogate Parent Notification of Assignment	
Attachment C: Sample Letter about Change in Student's Status (see SP-205)	
Attachment D: Instructions for Returning Closed Files	
Attachment E: Sample Introductory Letter to District and Other Stakeholders	
Attachment F: DCF Records Requests	
Attachment G: PPT Participants–Required and Discretionary	
Attachment H: Timelines for Special Education Referral/Initial Evaluation Process	
Forms	
Form DCF-603: DCF Notification to the Local Education Agency (Sample) Form SP-205: Student Information Update Form SP-206: Closed Case Form Form SP-500: Service Continuation Option at Age 18 Form SP-600: Active File Reassignment Form (Reassign to Other Surrogate)	

I. Statutory and Regulatory Authority

The Surrogate Parent Program is a federally mandated program (34 Code of Federal Regulations [CFR] § 300.519) that provides educational advocacy services for children and youth under the jurisdiction of the Department of Children and Families (DCF) (foster children) or an unaccompanied minor or homeless youth (34 CFR § 300.519[f]), who need *or may need* special education.

State statute (Connecticut General Statutes [CGS] § 10-94g) currently calls for a surrogate to be appointed when:

1. a child may require special education, or a child who required special education no longer requires such education but requires or may require services under Section 504 of the Rehabilitation Act of 1973, as amended from time to time;
2. the parent or guardian of such child cannot be identified;
3. the whereabouts of the parent cannot be discovered after reasonable efforts to locate the parent have been made;
4. such child is a ward of the state; or
5. such child is an unaccompanied and homeless youth.

Regulations of Connecticut State Agencies (RCSA) §§ 10-94j-1 to 10-94j-9, inclusive, pertain to the appointment and training of surrogate parents.

See **Attachment A** for Statutory and Regulatory authority.

II. Initial Surrogate Parent Assignment

A. Student Eligibility for Surrogate Parent

A surrogate parent must be appointed by the Connecticut State Department of Education (CSDE) to represent a student whenever the student requires or may require special education and at least one of the following is applicable to the student's situation:

1. no parent or guardian of the student can be identified or located after reasonable efforts, or is unavailable;
2. the student is committed to the guardianship of the Commissioner of DCF;
3. the Commissioner of DCF is the child's statutory parent; or
4. the student is an unaccompanied and homeless youth.

In addition, whenever a planning and placement team (PPT) determines that a student who previously required special education **no longer** requires special education, the student will remain eligible for surrogate parent representation **if** the child requires or may require services under Section 504 of the Rehabilitation Act of 1973 and at least one of the following remains applicable to the child's situation:

1. no parent or guardian of the child can be identified or located after reasonable efforts;
2. the child is committed to the guardianship of the Commissioner of DCF;

3. the Commissioner of DCF is the child's statutory parent; or
4. the child is an unaccompanied and homeless youth.

Once a student reaches the age of majority, 18 years of age, unless the student is determined by a court to be incompetent under state law, a school district must provide all notices required under the Individuals with Disabilities Education Act (IDEA) to both the student and the student's parent/surrogate parent. All other rights accorded to parents under IDEA, transfer to the student at the age of majority (18 years of age).

Once a student assigned a surrogate parent reaches 18 years of age, the student is eligible for surrogate parent services until he/she graduate high school or until the day before the student turns 22, whichever comes first. The surrogate parent's role changes and is defined by a contract outlined in the **Form SP-500** (see forms section). The surrogate parent must obtain the signature of the student or guardian/conservator on the SP-500 requesting that surrogate parent services continue beyond age 18 and defines the scope of service.

If there has been a change of surrogate parent after the student turns 18, the newly assigned surrogate parent must obtain authorization to advocate by obtaining a signed SP-500.

As long as the student meets the criteria for surrogate parent eligibility up until his/her 18th birthday, the child remains eligible for a surrogate parent to ensure that the student continues to have access to a free and appropriate public education (FAPE) until one of the following occurs:

1. the student is no longer eligible for special education;
2. the student is no longer eligible for services needed for FAPE under Section 504;
3. the student is determined by a court to be incompetent, under state law, and a guardian is appointed who has the authority to represent the student in educational matters and the guardian does not request the services of a surrogate parent for the student; or
4. the student is determined by a court to be incompetent, under state law, and a conservator is appointed and the conservator does not request the services of a surrogate parent for the student.

B. Surrogate Parent Assignment

The CSDE contracts with individuals, who are available for statewide travel and are available to communicate by e-mail, telephone and mail on a consistent basis, to provide surrogate parent representation to eligible children.

Surrogate parents are independent contractors and are NOT employees of the State Department of Education. The Surrogate Parent Office ensures that at least one contracted surrogate parent is available to accept new cases in each location in which Connecticut children are placed. Often, more than one surrogate parent has responsibilities in the same town and school.

Upon receiving information from DCF that a Connecticut child is eligible for surrogate parent representation, a surrogate parent is assigned within 30 days of receipt of the **Form DCF-603**. See forms section for a sample DCF-603 form.

Typically, individual assignments are initially based on the town in which the student's educational placement is located and within a 50 mile radius of the Surrogate Parent's home address. Thereafter, when a child changes residence or school, the goal of program is to provide as much stability and continuity for children as possible and therefore we strive to maintain the same surrogate appointment unless the travel time presents extenuating circumstances for the Surrogate Parent.

C. Notification of Assignment

The Surrogate Parent Office enters the assignment information in the Surrogate Parent Office database, issues and forwards a copy of the surrogate parent assignment letter (see **Attachment B**) by e-mail to:

1. the child's surrogate parent;
2. the child's fiscally responsible school district (nexus);
3. the site of the child's educational services, or if the Surrogate Parent Office does not have that information, the school district which provides educational services to students of the child's age who reside in the same town as the child;
4. the case worker of the agency which provides "other than educational" services to the child (usually DCF); and
5. the residence of the child, if the child resides in a group home, temporary shelter, hospital, detention center, or residential facility.

See Attachment B for a sample of the assignment letter.

Occasionally, a surrogate parent will be advised by a school district staff member, facility staff member, agency staff member, or another surrogate parent that the individual is a child's new surrogate parent. If the surrogate parent has not been so advised of his/her assignment to the student in writing (letter or e-mail) by the Surrogate Parent Office, the surrogate parent should contact the Surrogate Parent Office and obtain written confirmation that he/she has been appointed as the surrogate parent for the student in question.

A surrogate parent must **not** represent a child unless one of the following has occurred:

1. the surrogate parent has received an assignment letter from the Surrogate Parent Office; or
2. the surrogate parent has received an e-mail confirmation of assignment from the Surrogate Parent Office.

D. No Assumption of Assignment

An individual may **not** provide surrogate parent representation to a child unless that individual has been appointed by the Surrogate Parent Office as the child's surrogate parent. A surrogate parent must be certain that he or she is authorized by the Surrogate Parent Office

to serve as a child's surrogate parent prior to representing the child **before receiving any confidential information by mail, email or in meeting or other discussions**. Unauthorized representation may result in the termination of the individual surrogate parent's contract.

E. No Substitutes

A surrogate parent may **not** arrange for another individual to represent one or more of the students assigned to that the surrogate parent during a period of time in which the surrogate parent is unavailable. **Informally-arranged "substitute surrogate parents" or "stand-in surrogate parents" are not allowed**, whether arranged by a child's surrogate parent or by a school district or a DCF worker.

In the event that a child requires services by a surrogate parent and the child's surrogate parent is unavailable to represent the child, for whatever reason, the Surrogate Parent Office will appoint another individual as the child's surrogate parent. Depending upon the situation, the child's new surrogate may remain as the child's surrogate parent even after the previous surrogate parent becomes available. In the event the previous surrogate parent wishes to be reappointed as the child's surrogate parent, approval must be received in writing.

III. Assignment of Students

A. Duration of Assignment

The individual who has been appointed as a child's surrogate parent continues to serve as the child's surrogate parent until one of the following occurs:

1. another individual is appointed by the Surrogate Parent Office to serve as the child's surrogate parent;
2. it is determined that the child is no longer eligible to receive the services of a Connecticut appointed surrogate parent, and the surrogate parent assignment has been terminated by the Surrogate Parent Office (common reasons are graduation, aging out, guardianship has been returned or "transferred" to parent, adopted);
3. the child is at least 18 years old, has not been found (by a court) to be incompetent, and has declared in writing on the Form SP-500 that he/she no longer wishes to have a surrogate parent. A copy of this form must be submitted to the Surrogate Parent Office (see Form SP-500) and included in the student's file; or
4. it is determined that a surrogate parent should not have been appointed to represent the child, and the surrogate parent assignment is terminated by the Surrogate Parent Office.

B. "Whereabouts Unknown" or "AWOL"

Occasionally, the whereabouts of a child become unknown, usually because the child has run away from a foster home or another type of residence. In such situations, the surrogate parent must attempt for **no more than three consecutive months (or 90 days)** to determine the location of the child by contacting the nexus school district, DCF and any other appropriate agency likely to have knowledge of the child's whereabouts, in

writing (by e-mail when possible). **The surrogate parent should maintain a record of the attempts to determine the child's whereabouts.** In the event that the location of the child cannot be discovered, after **three months (90 days) of attempts the surrogate parent shall return the file with a Form SP-206 and indicate that the child is now "whereabouts unknown," also referred to as AWOL**. The Surrogate Parent Office will close the case. In the event the student's whereabouts become known, a surrogate will be reappointed.

C. Drop Out

One of the core goals of the Surrogate Parent Program is to have our students graduate from high school. Occasionally, a child who is eligible for surrogate parent representation will choose to refuse educational services despite the encouragement of the surrogate parent and other individuals.

In such situations, the surrogate parent should maintain a record of the efforts made to encourage the student to remain in school and the student's stated reasons for wanting to drop out. The surrogate parent should specifically inform the student that he/she is eligible to receive the help of a surrogate parent until the end of the day before the student turns 22. If the student refuses education services, the surrogate parent shall close the file and return it to the Surrogate Parent Office with a Form SP-206. If the student returns to participate in education services and requests the re-assignment of a surrogate parent, a surrogate parent may be appointed as appropriate.

D. Adult Education

Occasionally, a student who is eligible for surrogate parent representation will choose to drop out of school, despite the advice of the surrogate parent, and will enroll in adult education. In such situations, the surrogate parent shall notify the Surrogate Parent Office and return the file to be closed with a Form SP- 206. The Surrogate Parent Office will close the file until such time the student requests the re-assignment of a surrogate parent. However, be aware that if the PPT develops an individualized education program (IEP) that includes participation in a nontraditional educational program, as has occurred on some occasions, the child continues to have *active* status and representation may continue.

E. Unable to Advocate Adequately

If an individual indicates to the Surrogate Parent Office that he/she is unable to advocate adequately as the surrogate parent for a particular child, either due to a possible conflict of interest or extended unavailability or any other reason, the Surrogate Parent Office will appoint another individual as the child's surrogate parent.

F. Change of Residence, School Or Nexus

The Surrogate Parent Office strives to provide stability and continuity for the children served by surrogate parents. Statewide travel as well as occasional out-of-state travel is necessary, at times, to meet the needs of the child. If the Surrogate Parent Office receives notification (typically from the surrogate parent, DCF or a school district) that a child has changed the town of residence or school, the surrogate parent will stay assigned to the student.

If the student is moved to a foster home or residence out-of-state, the surrogate parent should notify the Surrogate Parent Office and discuss if travel is necessary to contiguous states (Massachusetts, New York or Rhode Island). If a student is placed in a non-contiguous state, the surrogate parent may communicate with the education staff and participate in PPTs with the receiving schools by phone to assist in the transition, until guardianship is transferred or the surrogate parent services are no longer needed and can close the case.

G. Processing and Notification of Change of Residence, School or Nexus

Changes related to the student's residence, school placement, etc., should be reported to the Surrogate Parent Office by the surrogate parent on Form SP-205. The changes or updates to the student's information in the Surrogate Parent Office database and a letter (see **Attachment C**) is issued to the relevant parties which typically can include changes to:

1. the surrogate parent;
2. the school district fiscally responsible for educating the student (nexus);
3. the site of the child's educational services or, if the Surrogate Parent Office does not have that information, the school district which provides educational services to students of the child's age who reside in the same town as the child;
4. the case worker of the agency (usually DCF) which provides "other than educational" services to the child; and
5. the residence of the child, if the child resides in a group home, temporary shelter, hospital or residential facility.

See **Attachment C** for a sample letter sent to the surrogate parent and other relevant stakeholders about the change in the student's status resulting from the filing of the SP-205 or a new DCF 603.

H. Out-Of-State Travel

ALL out-of-state travel **MUST** have prior written approval from the Surrogate Parent Office and may only be approved for the contiguous states of Massachusetts, New York and Rhode Island.

I. Returning Files to the Surrogate Parent Office

Closed case files should be returned to the Surrogate Office within one week of determining that closure is necessary (i.e., DCF no longer guardian, exited from or

ineligible for special education and no 504 services required, etc.). See form SP-206 for reasons to close the case. NOTE: Students who were ineligible for special education but may be eligible for 504 services are not eligible for a surrogate parent appointment and the case will need to be closed.
If awaiting further documentation from the school/district, you may hold on to the file for no more than three weeks after determining files need to be closed.

Prior to mailing the closed file, please e-mail **surrogate.office@ct.gov** to report the files of the students you are closing. Include the name and birthdate of student(s) in the email.

Refer to **Attachment D** for instructions for preparing closed files and mailing.

Cases returned to the surrogate office will be reviewed to ensure that the case was closed in a timely manner when guardianship or other reasons for closure have occurred. If the surrogate parent failed to close a student file in a timely manner and received payment for such closed file, then any overpayments may be deducted from future payments or the surrogate will be invoiced for overpayment.

IV. Required Duties and Responsibilities

The Surrogate Parent is required by contract to perform the duties within the guidelines of the Surrogate Parent Program Procedures Manual.

A. **Caseload:** The Surrogate Parent shall represent a minimum of ten (10) cases of assigned foster children in the educational decision-making process.

1. The maximum agreed upon number of cases that a Surrogate Parent will accept will not be altered by the Surrogate Parent without an amendment to the contract.
2. The Surrogate Parent shall agree to travel up 50 miles from home address or to 100 miles roundtrip to provide services to an assigned child.
3. The Surrogate Parent will not refuse assignments based on the location of the school in which the child attends (i.e., urban, suburban or rural setting) unless there are extenuating circumstances preapproved by the Surrogate Parent Program.
4. The Surrogate Parent shall email surrogate.office@ct.gov when a file is to be closed and return the file to the office in a timely manner as described in **Section III. I. above and Attachment D.**

B. **Meeting Requirements:** The Surrogate Parent shall conduct a minimum of three (3) on-site meetings or visits per year for each of the assigned students.

1. Of the three (3) meetings or visits, one (1) must be a PPT annual review meeting. However, surrogate parents are expected to **attend all PPT meetings.**
2. Two (2) of such visits or meetings must be on-site face-to-face meetings or a visit with the student (such as a student observation). One visit must occur between July and December and the other must occur between January and June.

3. **Observations or meetings with assigned students are mandatory.** If the school district where the student is attending **refuses to allow** the surrogate parent to observe the student in class or meet with the student, the surrogate parent should contact the Surrogate Parent Program Manager.
4. Any additional meetings (i.e., preparation of and attendance at due process hearings) shall be based on the educational plan and needs of the student.
5. On-site meetings or visits may include any one of the following:
   a. Attendance at all PPT meetings as necessary beyond the annual review;
   b. Observation of assigned children in education settings (30 minute minimum per session);
   c. Participation in 504 team meetings for students who previously were eligible for special education services;
   d. Participation in manifestation determination reviews for suspensions or expulsions and at expulsion hearings;
   e. Participation in a mediation pursuant to the due process proceedings;
   f. Participation in due process hearings; and
   g. Participation in required training convened or authorized by the CSDE Surrogate Program Manager.

C. **Routines Duties:** The surrogate parent shall engage in the following routine duties and responsibilities:

1. Maintaining and updating each student's file folder (also see section V. B. below);
2. Returning files to the Surrogate Parent Office at case closing, change in surrogate assignment or upon termination of the contract;
3. Providing annual written updates by direct mail or e-mail of student's progress to the CSDE Surrogate Program Manager;
4. Participating in other duties and activities as reasonably requested by the CSDE Surrogate Program Manager.

D. **DCF Meetings:** The surrogate parent **<u>may</u>** also be invited to participate in DCF coordinated meetings. Surrogate parents will be required to sign DCF Confidentiality Statements. Attendance at the following meetings is discretionary and may be in person or by phone. If participating via telephone, confidentiality is implied.

1. Administrative Case Reviews (ACR) meetings. The surrogate parent may be asked by DCF and/or the parties to leave the meeting if the topics discussed are deemed to be private and beyond the scope of the surrogate parent's educational decision-making authority.
2. Placement Review Team (PRT) meetings are focused on discussion of decisions related to clinical treatment of the student which may affect educational needs. These meetings are held for all students who are placed in residential care by DCF, special education or regular education and regardless of nexus.

V. Implementation of Duties and Responsibilities

A. Communication: Timely and professional communication by e-mail and phone are fundamental parts of the surrogate parent responsibilities. The surrogate parent must:

1. Be available by e-mail in a timely manner, but should respond no later than 24 hours after receipt of e-mails during the work week (Monday through Friday).
2. Notify the Surrogate Parent Office in advance of a scheduled vacation, or break for medical reasons.
3. Be available for meetings both planned and unplanned made on behalf of the student and collaborate with school staff members in arranging for mutually convenient meeting times.
4. Cooperate in a timely manner with requests of the Surrogate Parent Office, whether by e-mail, phone or mail.
5. Interact in a professional and courteous manner with district representatives, foster parents, DCF case workers, the CSDE fiscal office representatives and members of the Surrogate Parent Office.

B. Record Keeping: The surrogate parent must keep timely, accurate and reliable written documentation in the student's file at all times to reflect the efforts (*formal or informal*) that are being made on behalf of the student. A surrogate parent creates and maintains notes related to the child's education and maintains copies of IEPs, evaluations, progress reports, and other education-related documents created by school staff and other individuals authorized to provide services to the child.

1. Upon receiving an assignment letter, create a folder labeled with the child's name and date of birth.
2. Identify the e-mail addresses and phone numbers of the DCF caseworker, child's attorney, district in which the child is being educated, and, if different, nexus district. In addition, the contact information for the foster parent, if any, probation officer, if any and any other service provider will be made a permanent part of the file.
3. Confidentiality of notes, documents and student information shall be maintained at all times by the surrogate parent.
4. The surrogate parent will keep a log of phone calls, the log will include date, person called, time of call, length of call and reason/purpose of call.
5. The surrogate parent may keep transcripts or journal summaries of documentation and relevant e-mail entries written on behalf of the students assigned. If journal summaries are kept, summaries will include date/time sent, individual sent to and summary of e-mail.
6. Emails that are relevant to the case status should be printed and inserted in the student's file folder, including changes in foster home, residence, end of guardianship, adoption, AWOL status, etc.
7. The surrogate parent will document all site visits using appropriate forms (SP-300).
8. The surrogate parent will keep all documents in the assigned student's file. When a file is closed or when there is a change of surrogate for any reason, including retirement, illness or surrogate request to transfer case, the entire file, including all forms, notes and e-mails must be returned to the Surrogate Parent Office along with the appropriate/relevant form (SP-206 or SP-600).

9. In the case of a file transfer for any reason, the Form SP-600 must accompany the file with a brief summary of the status of the case for the next surrogate parent to review upon receipt.
10. If the student whose case is transferred to another surrogate parent is 18 or over, it is the responsibility of the newly assigned surrogate parent to obtain the student's signature on the SP-500 to assign legal authority to access the student's confidential information. The rights provided to a former surrogate parent under the SP-500 do not "transfer" to the newly assigned surrogate.

C. Confidentiality

The surrogate parent must maintain confidentiality of the student's information and records at all times in email, during meetings and phone conversations. Do not share access to your email account or share email addresses with another family member or friend.

Under federal law, each participating agency must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

Confidentiality will apply to information shared through the following:

- School district education records;
- PPT Process;
- Records and case-related information provided by the Surrogate Parent Program;
- Records and case-related information provided by the DCF;
- Emails about students if they contain personally identifiable information (PII);
- IEPs; and
- Test protocols and reports.

NOTE: Confidentiality may be violated when speaking in an inappropriate place, discussed where others are listening and discussed inappropriate information about a student or his family that is protected under the law.

Attestation at time of resignation, non-renewal and retirement will be required to confirm that all hardcopy records have been returned to the Surrogate Parent Office and that all electronic records have been destroyed.

If the Surrogate Parent is non-renewed or terminated, all hardcopy records shall be returned by the Surrogate Parent to the Surrogate Office in complete and organized order within one month of contract expiration or termination as determined by the CSBE with the appropriate summary documentation as requested by the Program Coordinator and all electronic records associated with all students appointed shall be destroyed within one month of contract non-renewal or termination.

D. Case Flow (PPT Process)

The surrogate parent appointed for a child shall:

1. **Contact the DCF Social Worker** to discuss the case and rationale for requesting a referral for special education evaluation.

2. **Contact the School District** to discuss the student's educational performance and needs, and necessity for referral.

3. **Send introductory e-mail within seven calendar days** of a new assignment to the DCF social worker and district (both nexus district and placement district if they are different) which includes the surrogate's contact information. (See sample Introductory Letter to District in the **Attachment E**.)

4. **Request and obtain copies for the file of all available educational records** pertaining to the student. NOTE: **If the student was previously assigned to a surrogate and has a file, the Surrogate Parent Office will mail that pre-existing file to you**. However, if there is a gap between when the file was previously closed and reopened, the surrogate parent will need to obtain updated assessment and/or evaluation information.

   The school district which is responsible for a child is also responsible for maintaining the child's education records and for providing them to the surrogate parent. The surrogate parent is responsible for getting the child's education records for the surrogate parent's file and for obtaining them in a timely manner, before the first PPT meeting, including:

   - **statewide assessments**;
   - **report cards and progress reports**;
   - **all evaluations** pertaining to the education of the student. The term "evaluation" includes psychological evaluations, psychiatric evaluations, hospital discharge summaries, triennial evaluations, neurological evaluations, and evaluations concerning a child's need for a related service. **Note:** Some of the student's information may be subject to Family Educational Rights and Privacy Act (FERPA) and is filed in a separate file than the regular education cumulative file. Surrogate parents are bound by confidentiality laws; and
   - **all available disciplinary records** pertaining to the student including specific data on all suspensions, expulsions, manifestation reviews, restraints or seclusions.

   NOTE: To request specific confidential DCF records to inform the PPT process, such as DCF evaluations of the student, the surrogate parent must make such written request on the DCF RECORD REQUEST form (see **Attachment F**) via email to DCF.RECORDS@ct.gov. These evaluations will go through a legal review and redaction process as necessary and may take up to one month before it can be issued to the requester. For more timely information, contact the DCF social worker to

receive a briefing on DCF evaluations to determine if there is information that might inform the PPT process.

5. **Meet with the student within one month of new assignment and meet with and/or observe the student in school**. At the first meeting, the surrogate parent will provide the student with his/her contact information, which will include a telephone number and e-mail address. **Contacts should be face-to-face in the educational setting and should be of the following type: One introductory, one progress-monitoring and one exit/closure of case.** One additional contact should be reserved for emergency. Subsequent contacts with the student should be strategic to answering questions of improvement of educational outcomes. Other monitoring of the student's progress should be conducted within the scope of the contract.

6. **Authority to give consent is assigned to the surrogate parent as provided by state and federal law**. The types of documents that a surrogate parent has authority to sign consent to are:

    - consent for evaluation;
    - consent for initial special education placement;
    - consent for reevaluation;
    - consent for out-of-district placement; and
    - consent for release of educational records.

7. **Contact school district to discuss the need for a PPT within the first month of new assignment**. The student may be referred for evaluation by either the school or DCF.

    NOTE: if after discussing the student with a district special education representative, the district does not find there is academic or behavioral evidence to support the need to evaluate for special education eligibility determination and the student is performing well academically and behaviorally, then the surrogate parent does not need to insist on a referral or initial evaluation, unless there is data and evidence of student need that is contrary to that of the school district.

8. **Participate in referral for Special Education.** If a decision is made to proceed to a referral, the initial PPT meeting must be requested of the school district responsible **in writing by e-mail** as soon as possible but in no case more than thirty (30) calendar days after assignment. Before the day of the PPT meeting the surrogate parent shall:

    - review the student's educational records including statewide assessments if any;
    - review any disciplinary history, if any exists for the student;
    - meet with the child and observe him in his program;
    - talk to his primary teacher/s;
    - talk with the DCF social worker; and
    - talk with the foster parent, if available.

9. **File paperwork in a timely manner** with the school district responsible for educating the student to enable the student to receive an appropriate education at all times.

10. **PPT Participants.** Federal and state law stipulate which members of the PPT are required and discretionary. DCF and the Surrogate Parent Program have developed guidelines to assist DCF staff, surrogate parents and district representatives in understanding which individuals from these three agencies are required members and which possible attendees must secure the approval of both DCF and the surrogate parent.

    Refer to **Attachment G** for a description of the PPT Participation Guidelines.

11. **Ensure the student's evaluation occurs within the required time frame** that will allow the eligibility PPT meeting to occur at a date which would allow for implementation of an IEP no later than 45 school days after the referral to PPT meeting by the surrogate was made.

    Refer to **Attachment H** for Connecticut Timelines for Special Education Referral and Evaluation.

12. **Document decision not to evaluate by the PPT**. If the PPT decides not to evaluate, and the surrogate agrees, before a case is closed without evaluation, the surrogate must include in the student's file written documentation to support that decision. If the student has participated in any of the Connecticut statewide assessments, copies of those assessments must be in the file before it is returned for closure, including any documentation of any disciplinary history, if any exists.

13. **Document disagreement with PPT decision not to evaluate**. If the PPT decides not to evaluate, and the surrogate does not agree, the surrogate must make sure that disagreement is reflected in the PPT meeting minutes under the actions refused section, and must follow up in a timely manner to dispute resolution. Refer to the Complaint Resolution Process packet and Procedural Safeguards.

14. **Ensure the school district implements IEP for the student within 45 school days of referral.** For students who are found eligible for special education after evaluation, the student must have his IEP implemented no later than 45 school days after the date of referral (written request for PPT meeting by the surrogate parent) or whoever made the referral. Refer to **Attachment H** for Connecticut Timelines for Special Education Referral and Evaluation.

15. **Ensure that the child is receiving appropriate educational services** as described in the IEP and determine if the IEP needs review and revision to ensure that the student's needs are met sufficiently to make educational progress. This requires that

the surrogate parent monitor and review the student's progress via progress reports, emails or calls to the school district's case manager.

16. **Document in the student's file findings of ineligibility after evaluation.** For students who are found ineligible for identification after evaluation, if the surrogate parent agrees, before a case is closed, the surrogate parent must include in the student's file written documentation to support the PPT decision. If the student has participated in any of the statewide assessments, copies of those assessments must be in the file before it is returned for closure, including any documentation of any disciplinary history, if any exists.

17. **Document disagreement with PPT finding that student is ineligible for identification.** If the student is found ineligible for identification after an evaluation, and the surrogate disagrees, the surrogate must insure the PPT meeting minutes reflect the disagreement under the actions refused section, and must follow up in a timely manner through complaint resolution process. Refer to the Complaint Resolution Process packet and Procedural Safeguards

18. **Represent the child in the educational decision-making 504 processes.** If the student is a student who required special education and the child is determined to no longer require special education but requires or may require services under Section 504 of the Rehabilitation Act of 1973, the surrogate parent will represent the child in the evaluation and planning procedures provided for in Section 504. There may not be a need to continue to advocate beyond the 504 planning and implementation process and the surrogate parent may close the case thereafter.

    NOTE: Students who were ineligible for special education but may be eligible for 504 services are NOT eligible for a continued surrogate parent appointment and the case will need to be closed.

19. **Take formal action to ensure that the child receives appropriate educational services**, when necessary. Prior to filing a complaint, request for mediation or a hearing, the surrogate parent should speak with the:

    - school district director of special education against whom the complaint (or mediation or hearing request) would be filed to ensure the director is aware of the concern/s and has an opportunity to resolve them prior to pursuing dispute resolution; and
    - surrogate parent program manager to discuss the grounds for the complaint.

    The options available for dispute resolution are:

    - filing a formal complaint, requesting mediation or a due process hearing; or
    - requesting a school residency or accommodations hearing, a/k/a "10-186" hearing pursuant to C.G.S. 10-186.

If the surrogate parent disagrees with the PPT's decision in any regard, whether it be timeliness of scheduling a PPT meeting, composition of the PPT, evaluations recommended, evaluation instruments, validity of evaluation, skill of evaluator, identification category, refusal to identify, goals, objectives, type of services, intensity of services, implementation of IEP, qualifications of implementers, fidelity of implementation, progress monitoring frequency or substance, need for re-evaluation or additional evaluation or independent evaluation, the surrogate parent must take timely steps to address and remedy the situation. This begins with attempting to communicate the concerns to the district Director of Special Education (which can go under the title of Pupil Services Director, or similar). This communication, both attempted and completed must be documented by e-mail. If the Director does not return calls, even after a follow-up e-mail, the surrogate parent must document this in an e-mail to the Director. It must be polite but clear and become part of the surrogate parent's file record on the student.

All steps must be taken in a timely manner to advance the educational outcome for the student, minimize any disruption to his/her regular school attendance and keep him/her in school and actively engaged in learning.

20. **Document closure without referral to special education.** If it is determined a surrogate assignment is to be closed prior to referral of PPT meeting, the surrogate parent must document such a decision in the student's file.

    a. Unless a jurisdictional mistake was made (for example, DCF does not have guardianship) before a case is closed without referral to PPT meeting, the file must contain written documentation to support the decision.
    b. Copies of any student's Connecticut statewide assessments must be included in the file before it is referred for closure, as well as documentation of any student's disciplinary history.
    c. The surrogate must meet with the child, observe the child in his/her program; speak to his/her primary teacher/s, foster parent, if any, and DCF social worker; and review necessary educational files before recommending closure without referral to PPT meeting.

VI. Transition From Birth to Three to Special Education

The State of Connecticut operates two systems for the assignment of surrogate parents in order to serve eligible children in accordance with the requirements of IDEA. Eligible children who are younger than three years of age are provided a surrogate parent through the Birth to Three System administered by the Office of Early Childhood (OEC). Eligible children from two through twenty-one years of age, inclusive, are provided a surrogate parent through the CSDE. Therefore, during the time period from 24 months of age through 35 months of age, inclusive, a child may have two surrogate parents: a Birth to Three surrogate appointed to represent the child in decisions regarding Birth to Three Services and a CSDE appointed surrogate parent to represent the child in decisions regarding eligibility for

preschool special education and the development of any IEP that needs to be in effect by the child's third birthday.

The procedure for transitioning an eligible child from the OEC Surrogate Parent Assignment System to the CSDE Surrogate Parent is as follows:

A. After the child reaches 30 months of age, the Birth to Three Program may:
   1. obtain from the Birth to Three surrogate parent consent to release information regarding the child to the school districts with responsibility for the child at age three;
   2. request from DCF a copy of the DCF-603; and
   3. obtain consent from the Birth to Three surrogate parent to include the school district in the transition planning conference and sends to the school district relevant information (e.g., the Individual Family Service Plan (IFSP), evaluation data, health information, etc.) along with the Birth to Three form "3-8" referral for preschool special education.

B. Upon receipt of the referral packet from the Birth to Three Program, and in preparation for the first PPT meeting for the child, the school district should verify receipt of a Form 603 from DCF and the appointment of a CSDE surrogate parent.

C. Until CSDE appoints a surrogate parent to represent the child, the child's Birth to Three surrogate parent is authorized to grant consent for evaluations necessary to determine eligibility for preschool special education services.

D. CSDE shall appoint a surrogate parent upon determination of the child's eligibility for such representation.

E. Either the surrogate parent initiates a request for a PPT or the school district invites the CSDE surrogate parent to a scheduled PPT meeting to determine whether the child is eligible for preschool special education services. The Birth to Three surrogate parent may also attend the meeting as an individual who is knowledgeable regarding the child.

   Note: if the Birth to Three transition conference and referral PPT meeting are held on the same day, the two meetings must be separate, distinct and consecutive meetings. *If both surrogate parents are duly appointed and attend the PPT, the CSDE surrogate parent has the decision-making authority.*

F. All children who are referred to Birth to Three within 45 calendar days of their third birthday will be referred directly on to the responsible school district, and will have only a CSDE surrogate parent appointed.

VII. <u>Required Documentation of Services</u>

Submit quarterly reports on surrogate services/activities rendered as requested by the Program Coordinator based on the following schedule:

	Quarterly Activity Reports Due	Months Covered in Reports	Documentation Required
Quarter 1	July 15, 2021	April, May, June	To be submitted quarterly on forms as required by the Surrogate Office
Quarter 2	October 15, 2021	July, August, September	
Quarter 3	January 15, 2022	October, November, December	
Quarter 4	April 15, 2022	January, February, March	

All forms must be submitted in a timely manner and based on the schedule above.

A. On forms provided by the Surrogate Office quarterly activities shall be documented related to each active case and the progress status of the student and meetings attended on behalf of a student. This includes in-person or virtual observations of or meetings with the student for no more than 30 minutes per session can be documented in objective observational note-taking (not judgments). Observe younger students in two settings, therefore for one hour of observation.

B. Report changes in data about the student (e.g., district, school, etc.) to the Surrogate Parent Office by using and emailing the **Form SP-205** or by e-mailing the change and putting "Form SP-205" in the subject line and the student's initials.

C. Required reporting forms may be completed/scanned and emailed to surrogate.office@ct.gov and surrogate.parent@ct.gov.

VIII. Contractual Payments

Payments are made to each surrogate parent who has a valid contract with the Connecticut State Board of Education and are subject to the terms outlined in the contract and in this procedures manual.

A. Payments

For the fiscal year 2021-2022, the Surrogate Parent payment calculation will be based on a $1000.00 per assigned student per year, which shall be calculated and paid quarterly as described in this section during the contract year from July 1, 2021 through June 30, 2022.

The CSDE shall calculate $250 (25% of $1000) multiplied by the number of active students assigned on the last day of the month prior to the payment date scheduled below. The assigned and active students will be listed on a roster produced and provided by the Surrogate Parent Office to each surrogate parent for review prior to payment.

	Payment Number	**Payment Covers Service in the Following Months**	***Approximate* Date for Payment Processing**	**Number of Active Students on Date Below are Basis for Payment Calculation**
Quarter 1	Payment 1	July, August, September	July 31, 2021	July 1, 2021
Quarter 2	Payment 2	October, November, December	November 30, 2022	October 31, 2021
Quarter 3	Payment 3	January, February, March	February 28, 2022	January 31, 2022
Quarter 4	Payment 4	April, May, June	May 31, 2022	April 30, 2022

Additional stipend for due process hearings: Upon request, submission of official documentation and approval by the Surrogate Program Manager, the CSBE may provide a $100 stipend per student per occurrence for participation in extensive due process hearings, which are above and beyond the typical expectations of the contractor.

Conditions to Hold Payment or Non-Renew the Contract

It is the responsibility of each surrogate parent to verify the accuracy of the student caseload rosters, ensure that the required minimum services have been provided and submit sufficient documentation of required services to each student.

If file closure is necessary (e.g., DCF no longer guardian, student exited from special education and no 504 services required, student has aged-out or is over 18 and does not sign the SP-500 contract to continue surrogacy, etc.), it is the responsibility of the Surrogate Parent to notify the office by email to surrogate.office@ct.gov when a file is to be closed and return the file along with SP-206 Closed Case Form, as appropriate, **within one week of notification. Cases returned to the surrogate office will be reviewed to ensure that the case was closed in a timely manner when guardianship or other reasons for closure have occurred.** If the surrogate parent failed to close a student file in a timely manner and received payment for such closed file, then any overpayments may be deducted from future payments or the surrogate will be invoiced for overpayment.

Furthermore, the contractual payment will be made only if the required minimum services identified in the contract and in this procedures manual have been successfully completed. Required minimum services and beyond will be documented on such forms as made available by the Surrogate Parent Program including Form SP-300 and SP-309, which must be completed monthly. If the surrogate parent demonstrates a pattern of failure to provide required services, comply with documentation requirements or close cases in a timely manner, payment may be withheld and the contract may be subject to non-renewal or termination.

Please note that the CSDE intends to develop an on-line method of verifying services and will advise surrogate parents of the new system when it becomes available.

Attachments

Attachment A

Federal Legislation: 34 CFR Sec. 300.519 Surrogate parents.

(a) General. Each public agency must ensure that the rights of a child are protected when—

(1) No parent (as defined in Sec. 300.30) can be identified;
(2) The public agency, after reasonable efforts, cannot locate a parent;
(3) The child is a ward of the State under the laws of that State; or
(4) The child is an unaccompanied homeless youth as defined in section 725(6) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(6)).

(b) Duties of public agency. The duties of a public agency under paragraph (a) of this section include the assignment of an individual to act as a surrogate for the parents. This must include a method—

(1) For determining whether a child needs a surrogate parent; and
(2) For assigning a surrogate parent to the child.

(c) Wards of the State. In the case of a child who is a ward of the State, the surrogate parent alternatively may be appointed by the judge overseeing the child's case, provided that the surrogate meets the requirements in paragraphs (d)(2)(i) and I of this section.

(d) Criteria for selection of surrogate parents.

(1) The public agency may select a surrogate parent in any way permitted under State law.
(2) Public agencies must ensure that a person selected as a surrogate parent—
    (i) Is not an employee of the SEA, the LEA, or any other agency that is involved in the education or care of the child;
    (ii) Has no personal or professional interest that conflicts with the interest of the child the surrogate parent represents; and
    (iii) Has knowledge and skills that ensure adequate representation of the child.

(e) Non-employee requirement; compensation. A person otherwise qualified to be a surrogate parent under paragraph (d) of this section is not an employee of the agency solely because he or she is paid by the agency to serve as a surrogate parent.

(f) Unaccompanied homeless youth. In the case of a child who is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogate parents without regard to paragraph (d) (2) (i) of this section, until a surrogate parent can be appointed that meets all of the requirements of paragraph (d) of this section.

(g) Surrogate parent responsibilities. The surrogate parent may represent the child in all matters relating to—

(1) The identification, evaluation, and educational placement of the child; and
(2) The provision of FAPE to the child.

(h) SEA responsibility. The SEA must make reasonable efforts to ensure the assignment of a surrogate parent not more than 30 days after a public agency determines that the child needs a surrogate parent.
(Authority: 20 U.S.C. 1415(b) (2))

Attachment A

Connecticut General Statutes (C.G.S.)

Sec. 10-94f. Definitions. As used in sections 10-94f to 10-94*l*, inclusive:

(1) "Surrogate parent" means the person appointed by the Commissioner of Education as a child's advocate in the educational decision-making process in place of the child's parents or guardian and such person shall be deemed to be an "other employee" for purposes of section 10-235;

(2) "The educational decision-making process" includes the identification, evaluation, placement, hearing, mediation and appeal procedures provided for in this chapter and the evaluation and planning procedures provided for in Section 504 of the Rehabilitation Act of 1973, as amended from time to time, which may be available to a child subsequent to the receipt of special education and related services pursuant to this chapter.

Sec. 10-94g. Commissioner of Education to appoint surrogate parent. Procedure for objection to or extension of said appointment. (a)(1) When in the opinion of the Commissioner of Education or a designee of said commissioner, (A) a child may require special education, or a child who required special education no longer requires such education but requires or may require services under Section 504 of the Rehabilitation Act of 1973, as amended from time to time, and (B) the parent or guardian of such child cannot be identified, the whereabouts of the parent cannot be discovered after reasonable efforts to locate the parent have been made, such child is a ward of the state or such child is an unaccompanied and homeless youth, both as defined in 42 USC 11434a, as amended from time to time, the commissioner or a designee of said commissioner shall appoint a surrogate parent who shall represent such child in the educational decision-making process. (2) A surrogate parent may also be appointed for a child who is under the supervision of the Department of Children and Families and receiving education services from Unified School District #2, provided the parent or guardian: (A) Is notified by certified mail that the child is or may be eligible to receive special education and related services; (B) agrees or fails to object to the appointment of a surrogate parent; (C) receives identical notices as the surrogate parent; and (D) may revoke the appointment of a surrogate parent at any time.

(b) A parent or guardian of a child for whom a surrogate parent has been appointed in accordance with the provisions of this section, or the Commissioner of Children and Families or a designee of the commissioner on behalf of any such child in the custody of the commissioner, or a pupil for whom a surrogate parent has been appointed in accordance with the provisions of said section if such pupil is an emancipated minor or at least eighteen years of age who objects to the appointment or extension of the appointment of a surrogate parent, shall notify the commissioner in writing of such objection or request. The commissioner or his designee shall schedule a conference relating to such objection or request within ten days of the receipt of such notice. Upon failure of the commissioner to schedule such conference or upon the inability of the parties to resolve the issues within thirty days of the receipt of the notice, such parent, guardian, commissioner or a pupil shall be provided a hearing within thirty days following a written request directed to the commissioner in accordance with the provisions of chapter 54, provided that a final decision on such hearing shall be rendered within fifteen days following the close of evidence.

Sec. 10-94h. Duration of appointment as surrogate parent. Appointment of successor surrogate parent. Appointment of a surrogate parent shall be effective until the child reaches eighteen years of age, provided the Commissioner of Education, not less than thirty days prior to the child's eighteenth birthday, may extend such appointment until the child graduates from high school or reaches the age of twenty-one years, whichever occurs first. If the surrogate parent resigns or dies or for any other reason is unable to continue as surrogate parent for the child, the Commissioner of Education shall, if said commissioner deems the appointment of a successor surrogate necessary, appoint a successor surrogate parent.

Sec. 10-94i. Rights and liabilities of surrogate parents. The surrogate parent of any child appointed pursuant to section 10-94h shall have the same right of access as the natural parents or guardian to all records concerning the child, including, but not limited to, educational, medical, psychological and welfare records. No surrogate parent

appointed pursuant to the provisions of said section 10-94h shall be liable to the child entrusted to such surrogate parent or the parents or guardian of such child for any civil damages which result from acts or omissions of such surrogate parent which constitute ordinary negligence. This immunity shall not apply to acts or omissions constituting gross, wilful or wanton negligence.

Sec. 10-94j. Regulations re appointment of surrogate parents. The Commissioner of Education shall promulgate regulations establishing procedures to: (1) Determine whether a child is in need of a surrogate parent; (2) report to the commissioner when a child may require a surrogate parent; (3) appoint, and revoke the appointment of, a surrogate parent; (4) establish qualifications and training procedures necessary for any surrogate parent appointed pursuant to section 10-94g; and (5) monitor the effectiveness of a surrogate parent.

Sec. 10-94k. Funding of surrogate parent program. All costs incurred by the state pursuant to sections 10-94f to 10-94k, inclusive, shall be paid from funds available under P. L. 93-380, entitled "An Act to Extend and Amend the Elementary and Secondary Education Act of 1965 and for Other Purposes", as may from time to time be amended and provided that under no circumstances will any funds of the state be expended to implement the purposes of said sections.

Sec. 10-94*l*. Surrogate parent program. (a) The Commissioner of Education shall administer, within available appropriations and in consultation with the Commissioner of Children and Families, a surrogate parent program. The Commissioner of Children and Families shall select any foster child, as defined in section 17a-110, who resides in the area identified as Region 3 by the Department of Children and Families for participation in the program, and the Commissioner of Education shall appoint a surrogate parent for such child. The surrogate parent shall represent the foster child in the educational decision-making process, provided the parent or guardian of the foster child: (1) Agrees or fails to object to the appointment of a surrogate parent; (2) receives identical notices as the surrogate parent; and (3) may revoke the appointment of a surrogate parent at any time.

(b) Not later than January 1, 2016, and annually thereafter, the Commissioners of Education and Children and Families shall jointly submit a report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to children and education on the surrogate parent program.

Attachment A

Regulations of Connecticut State Agencies

TITLE 10. Education and Culture

Agency

State Board of Education

Subject

Appointment of Surrogate Parents

Inclusive Sections

§§ 10-94j-1—10-94j-8

CONTENTS

Sec. 10-94j-1.	Authority
Sec. 10-94j-2.	Appointment
Sec. 10-94j-3.	Qualifications
Sec. 10-94j-4.	Training procedures
Sec. 10-94j-5.	Determination of a child's need for a surrogate parent
Sec. 10-94j-6.	Reports of a child's need for a surrogate parent
Sec. 10-94j-7.	Appointment of a surrogate parent
Sec. 10-94j-8.	Revocation of the appointment of a surrogate parent

Attachment A

Appointment of Surrogate Parents

Sec. 10-94j-1. Authority

These regulations are authorized by Section 10-94j of the General Statutes, as amended by Public Act 81-247, concerning the appointment of surrogate parents.

(Effective December 1, 1982)

Sec. 10-94j-2. Appointment

A surrogate parent, duly appointed pursuant to the provisions of sections 10-94f to 10-94k, inclusive, of the General Statutes, as amended by Public Act 81-247, shall serve as a child's representative in the educational decision-making process in place of the child's parents or guardian. Such child shall be a child as defined in Section 10-76a (e) (1) of the General Statutes who requires special education or a child who may require special education.

(Effective December 1, 1982)

Sec. 10-94j-3. Qualifications

In order to be eligible for appointment as a surrogate parent, an individual shall meet the following requirements:

(a) The individual shall be an adult;

(b) The individual shall not be an employee of the public agency or the local board of education responsible for the education or care of that child; provided, however, that an individual shall not be deemed such an employee solely because he or she is paid to serve as a surrogate parent;

(c) The individual shall have no other interest that may conflict with the best interests of the child;

(d) The individual shall be knowledgeable about the educational system, special education laws, and the legal rights of the child in relation to the educational system; and

(e) The individual shall be reasonably well acquainted with the cultural and language background of the child.

(Effective June 7, 1979)

Sec. 10-94j-4. Training procedures

Training procedures established by the Commissioner of Education shall include, but not be limited to, training in the following areas:

(a) The nature and needs of different types of exceptionalities;

(b) The availability of programs and programming options with respect to such exceptionalities;

(c) The responsibilities and limitations of the role of the surrogate parent, including the following skills to ensure effective representation of the child:

(1) Becoming thoroughly acquainted with the child's history and other information

Attachment A

contained in school and other reports relating to the child's educational needs;

(2) Complying with state and federal laws and regulations as to the confidentiality of all records and information pertaining to the child, to which he or she is privy;

(3) Using discretion in the necessary sharing of information with appropriate people for the purpose of furthering the interest of the child;

(4) Becoming familiar with the educational prescription for the child and, where appropriate, giving his or her approval;

(5) Reviewing and evaluating special education programs pertaining to the child as well as such other programs as may be available; and

(6) Initiating the mediation, hearing and/or appeal procedures and seeking qualified legal assistance when such assistance is in the best interest of the child;

(d) The sources and types of assistance available to the surrogate parent; and

(e) The legal rights of the child in all areas relating to the child's education.

(Effective June 7, 1979)

Sec. 10-94j-5. Determination of a child's need for a surrogate parent

In order to determine whether a child is in need of a surrogate parent, the commissioner of education shall undertake such investigation as may be necessary to determine that:

(A) The child is, by virtue of his or her age, entitled to receive special education;

(B) The child requires, or may require, special education; and

(C) The parent or guardian of the child is unknown or unavailable or the child is a ward of the state.

(Effective December 1, 1982)

Sec. 10-94j-6. Reports of a child's need for a surrogate parent

The commissioner of education shall disseminate such information as may be necessary to ensure that local and regional boards of education, and other agencies as appropriate, are informed of the surrogate parent program.

(a) Such information shall include a description of the requirements for eligibility for appointment of a surrogate parent.

(b) Such information shall include a statement of the responsibility to report to the commissioner the name of any child who may require a surrogate parent.

(c) Such information shall include a description of the type of data to be included in a report to the commissioner of a child who may require a surrogate parent. Such data shall include, but not be limited to, the following:

(1) The child's name, age and current address;

(2) If the child requires special education, a statement of the nature and severity of the child's handicapping condition as well as a copy of the child's current individualized education program;

(3) If the child may require special education, a copy of the referral form which was forwarded to the child's planning and placement team;

Attachment A

(4) Such information as may be available concerning the whereabouts of the child's parents or guardian and, where appropriate, certification from the responsible agency that the child is a ward of the state; and

(5) The name and address of the agency making the report and, if different, the name and address of the agency responsible for educating the child.

(Effective December 1, 1982)

Sec. 10-94j-7. Appointment of a surrogate parent

Upon a determination that a child is in need of a surrogate parent, the commissioner of education shall appoint a surrogate parent in accordance with the following requirements:

(a) The individual appointed as surrogate parent shall meet such qualifications as are set forth in section 10-94j-3;

(b) The individual appointed as surrogate parent shall have successfully completed training as set forth in section 10-94j-4;

(c) Appointments shall take into consideration the places of residence of the child and surrogate parent as well as the particular expertise of the surrogate parent related to the handicapping condition, educational needs, age or other relevant factors;

(d) Written notice of the appointment shall be mailed to the child, to the surrogate parent, to the agency responsible for educating the child, and to the agency responsible for the care of the child; and

(e) The commissioner shall advise the child, the agency responsible for educating the child and the agency responsible for the care of the child that the commissioner may, not less than thirty (30) days prior to the child's eighteenth birthday, extend the appointment of a surrogate parent until such child graduates from high school or reaches age twenty-one years, whichever occurs first.

(Effective December 1, 1982)

Sec. 10-94j-8. Revocation of the appointment of a surrogate parent

The commissioner of education shall annually review the conduct and performance of each individual appointed as a surrogate parent. If it is found that in the performance of his or her duties the surrogate parent is not representing the best educational interest of the child, the commissioner shall:

(a) Send the individual written notice of revocation of his or her appointment as surrogate parent. Such notice shall include the following:

(1) The reason(s) for the revocation;

(2) The effective date of the revocation; and

(3) A statement informing the individual that if he or she objects to the revocation, written reasons for the objection shall be submitted to the commissioner within ten (10) calendar days of the date of the notice of revocation.

(b) Within twenty (20) days of the date of the notice of revocation and following consideration of any duly filed objections, send the individual:

Attachment A

(1) Written notice that his or her appointment as surrogate parent remains in effect; or

(2) a final written notice of revocation.

(c) If revocation is upheld, appoint a successor surrogate parent for the child.

(d) In the event of revocation, written notice shall be given to the child, to the agency responsible for the education of the child and to the agency responsible for the care of the child.

(Effective December 1, 1982)

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Attachment B

SP Name
SP Address
SP City, State, Zip

Dear SP:

This is to confirm your appointment as surrogate parent for the following student:

Name of Student:	XXXXX
Case Number:	123456
Date of Birth:	01/01/2001
Town of Residence:	Bloomfield
Residence:	Foster Home
Nexus Town:	No-Nexus
Agency Responsible for Education:	Bloomfield Public Schools
Education Site:	Bloomfield High School
Case Worker:	Jane Doe
Office Location:	DCF/New Britain (860) 832-5223
Former Surrogate Parent:	N/A or Surrogate One Name

Your appointment as surrogate parent for this student will remain in effect until this student no longer requires a Connecticut-appointed surrogate parent or until you are notified that a new surrogate parent has been appointed for this student.

If you have any questions concerning this assignment, please contact the Surrogate Parent Office at surrogate.office@ct.gov.

Sincerely,

Georgette Nemr, Education Consultant
Surrogate Parent Office

cc: Bloomfield Public Schools
Bloomfield High School
Surrogate Parent
DCF Social Worker

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Attachment C

SP Name
SP Address
SP City, State, Zip

Dear SP:

This is to notify you that there has been a change in this student's status as indicated in one or more of the following fields:

Name of Student:	XXXXX
Case Number:	123456
Date of Birth:	01/01/2001
Town of Residence:	Bloomfield
Residence:	Foster Home
Nexus Town:	No-Nexus
Agency Responsible for Education:	Bloomfield Public Schools
Education Site:	Bloomfield High School
Case Worker:	Jane Doe
Office Location:	DCF/New Britain (860) 832-5223
Former Surrogate Parent:	N/A or Surrogate One Name

Your appointment as surrogate parent for this student will remain in effect until this student no longer requires a Connecticut-appointed surrogate parent or until you are notified that a new surrogate parent has been appointed for this student.

If you have any questions concerning this assignment, please contact the Surrogate Parent Office at surrogate.office@ct.gov.

Sincerely,

Georgette Nemr, Education Consultant
Surrogate Parent Office

cc: Bloomfield Public Schools
Bloomfield High School
Surrogate Parent
DCF Social Worker

Attachment D

Connecticut State Department of Education
Bureau of Special Education
Surrogate Parent Program, Suite 604
450 Columbus Boulevard
Hartford, CT 06103-1841

Instructions for Returning Closed Case Files to the Surrogate Parent Office via UPS 2019-2020

CSDE has contracted with the United Parcel Service (UPS) to express mail closed file packages back to our office at no cost to surrogate parents.

Closed case files should be returned to the Surrogate Office within one week of determining that closure is necessary (i.e., DCF no longer guardian, exited from or ineligible for special education and no 504 services required, etc.). If awaiting further documentation from the school/district, you may hold on to the file for no more than three weeks after determining files need to be closed.

Instructions for Preparing Closed files and Mailing:

1. Please e-mail **surrogate.office@ct.gov** to report the files of the students you are closing. Include with the name and birthdate of student(s) in the email.

2. Enclose a completed **SP-206 Closed Case Form** with each case to be closed.

3. Package the closed files in an appropriate envelope or box.

4. Affix to package the UPS label provided by CSDE. Use one label per package as each has the pre-printed mailing address, account number and unique tracking number.

5. Enter the following onto the pre-printed UPS label:

Box 1 "Shipment From"	**Enter your name and address**
Box 10 "Shipper's Signature"	**Sign and date the receipt (use date mailed)**

6. Take package to the UPS Store location near you to be weighed and processed. Keep a copy of the mailing receipt for your records as it will have a tracking number on it which we can reference in the event the package is lost.

7. To find the nearest UPS Store go to **https://www.theupsstore.com/tools/find-a-store**

CSDE Confirmation of Receipt of Closed Files

The Surrogate Office will confirm receipt of your closed files by email.

NOTE: As a requirement under FERPA, confidentiality of student information is based on legal and ethical precepts derived from constitutional law, federal and state mandates related to health and education, and social work ethical standards. **All contracted surrogate parents must comply with FERPA regulations making special effort to protect the privacy of student education records.**

Attachment E

Sample Introductory Letter to District and Other Relevant Stakeholders

Dear District Special Education Director:

I am the surrogate parent for John Doe, d.o.b. 1/1/00. I would appreciate you e-mailing me his SASID number. Also, within the next two weeks (no later than one month) I would like to observe him at his school and meet with him and members of his school-based team, review and obtain copies of his records and SASID.

As we move through the year together, I am requesting that you provide me with report cards, progress reports, statewide assessment results, any disciplinary notices or any other areas of concern regarding John, just as you would a typical parent. This will help me discharge my duties as a surrogate parent in a proper and timely manner. It would be most helpful if you could do as much of this, as is possible, by e-mail as this helps with the record-keeping, but any timely method you chose will be fine.

Below is my contact information and I would appreciate it if you would provide me with the contact information for his school. I look forward to working with you this year. Thank you for your assistance.

Sincerely,

xxxxxxxxxxxx
Surrogate Parent
Address
Phone Number
Email: Name@aol.com

cc: Sam Smith, DCF Social Worker

Attachment F

DCF RECORD REQUEST

TODAY'S DATE:

ALL REQUESTS MUST BE SUBMITTED IN WRITING. YOU MAY EITHER EMAIL, FAX OR MAIL YOUR REQUEST TO THE FOLLOWING ADDRESS:

DCF Legal Division
Attn: Record Requests
505 Hudson Street
Hartford, CT 06106
Facsimile: 860-920-3013
Email: DCF.RECORDS@ct.gov

****

You must provide the following information in order for DCF to process your request – print clearly:

Your name: DCF Link Number (if known):

Your address: Street:

City: State: Zip Code:

Your email:

Your telephone number:

Your date of birth:

Please list specific information you are requesting:

Your children's names and date of births:

Were your parental rights terminated? Yes No

(Documents will be sent to the email address you provided. You will be instructed to create a password to open the file.)

Attachment G

Surrogate Parent and DCF Planning and Placement Team Participation Guidelines

The Planning and Placement Team (PPT) is responsible for developing, reviewing and revising the special education program for a student with a disability. Although districts (as well as parents) are free to invite other individuals who have knowledge or special expertise about the child, the IDEA requires a PPT to include certain core members including:

1. Parents;
2. One general education teacher (if child is participating in general education environment);
3. One special education teacher or provider;
4. A district representative qualified to provide or supervise the provision of specially designed instruction to meet the needs of the child, and is knowledgeable about the general education curriculum and the availability of resources;
5. An individual who can interpret the instructional implications of evaluation results;
6. At the discretion of the parent or the district, other individuals who have special expertise regarding child (e.g., related service personnel);
7. Whenever appropriate, the child.

Based on federal and state law, the following chart refers specifically to PPT participants related to the Surrogate Parent and DCF representatives:

PPT Participant	Legal Requirement to Attend PPT Meeting	NOTES
Surrogate Parent	Mandatory upon appointment by CSDE	• Must be on PPT invite • Meeting *cannot proceed without* surrogate parent
DCF Social Worker	Recommended but not mandatory	• Must be on PPT invite • Meeting *may proceed without* DCF SW in attendance
DCF Regional Educational Services Staff & other DCF professionals (nurse/clinician)	Discretionary based on PPT need	May be invited to PPT by DCF SW <u>and/or</u> Surrogate Parent <u>and/or</u> the School District, as necessary, to request consultation regarding student's IEP needs
• Foster Parents • Therapeutic Foster Care Support Workers • Mental Health Providers • Police or Correctional Officer	NONE	May attend PPT only if there is **<u>joint agreement</u>** between the Surrogate Parent <u>and</u> DCF SW. If no agreement, please refer matter to CSDE Surrogate Parent Program Manager <u>and</u> the DCF Regional Educational Consultant. Communicate with DCF SW and Surrogate Parent prior to meeting to share any concerns relevant to PPT and IEP focus. Confidential case issues related to student's mental health, physical health, biological parents or foster parent concerns should be discussed first with surrogate parent by phone or in person in order to determine if relevant to PPT focus. Matters not relating to educational decision making of the PPT should be referred to DCF SW/SWS for case documentation and planning.
Biological Parents	NONE	School districts (LEAs) need not include the biological parent once a Surrogate Parent is appointed. It is a <u>discretionary decision</u> by the School district but should be <u>made in consultation</u> with the Surrogate Parent and the DCF SW. C.G.S. Section 10-94i assigns the surrogate parent the same right of access as the natural parents or guardian to all records concerning the child, including but not limited to, educational, medical, psychological and welfare records.

Attachment H

Connecticut Timeline for Special Education Initial Evaluation

Completed Within 45 School Days or Less

Receipt of Referral

Notice of Meeting (Planning and Placement Team (PPT) Invitation)
(Minimum 5 days before meeting)

PPT Meeting #1 to Review Referral

Parent is Given Consent for Initial Evaluation Form (ED 625) – TIMELINE PAUSES FOR UP TO 10 DAYS FROM PARENTAL RECEIPT OF FORM

District Receives Signed Consent Form – TIMELINE RESTARTS

Comprehensive Evaluation is Conducted

Notice of Meeting (PPT Invitation)
(Minimum 5 days before meeting)

Parents provided with Initial Evaluation Reports (if requested)
(Minimum 3 days before meeting)

PPT Meeting #2 to Review Initial Evaluation and Determine Eligibility

Parent is Given Consent for Provision of Special Education Form (ED 626) if student is found eligible
TIMELINE PAUSES FOR UP TO 10 DAYS FROM PARENTAL RECEIPT OF FORM

District Receives Signed Consent Form – TIMELINE RESTARTS

IEP is Implemented (Student begins to receive special education and related services if found eligible)

CSDE

Forms

SAMPLE DCF 603

DCF-603
08-2014 (rev)

Department of Children and Families
DCF Notification to the Local Education Agency

To: **Office of the Superintendent** [District Name] Date
(School district with financial responsibility)

Please be advised that: [Student Name] [Date of Birth]

Has been placed

Date of Placement [Date]

By the Department of Children and Families in a
(Check one box below)

Name and Address of Placement
[Name and address of placement location]

- ☐ Foster Home
- ☐ Parent/Guardian Home
- ☐ Group Home
- ☐ Shelter
- ☐ Residential Facility
- ☐ Other (specify)
- ☐ The child requires special education and related services or has been referred to determine special education eligibility
- ☐ To the best of DCF's knowledge, Nexus exists with

Nexus School District: [Nexus District inserted here]

Basis of Nexus: (include name and address of the individual listed below who lives in town listed on the line above)

☐ Mother	☐ Father	☐ Guardian
Address:	Address:	Address:
Telephone:	Telephone:	Telephone:

☐ **No Nexus Exists**

Parent	Basis for Nexus
☐ Mother	[e.g., Parental Rights have been Terminated, etc.]
☐ Father	[e.g., Deceased, etc.]

NOTE: Based upon information available to DCF this Nexus/No Nexus status has existed since (date): **[Date]**

SAMPLE DCF 603

DCF-603
08-2014 (rev)

Department of Children and Families
DCF Notification to the Local Education Agency

Legal Status:

- ☐ The Commissioner of the Department of Children and Families **has custody but not guardianship**
- ☐ The Commissioner of the Department of Children and Families **is the legal guardian of the child**
- ☐ The Commissioner of the Department of Children and Families is **the statutory parent of this this child**
- ☐ DCF guardianship ended on: **[INSERT Date]**

Records:

- ☐ The child previously attended school in: **[District]**

C.G.S. § 17a-16a School Placement Decision

- ☐ It is in the best interests of the child to remain in school of origin
- ☐ It is in the best interests of the child to attend the receiving school
- ☐ The child will remain in the school of origin until a best interest determination is made
- ☐ School placement decision is not applicable

DCF Social Worker/Juvenile Justice Social Worker

[Insert Name] [Direct Telephone #] [Date]

DCF Area Office/Facility

[Insert DCF Regional Office/Facility] [Insert Address]

Copies Sent to:

- ☐ Surrogate Parent Program email: surrogate.office@ct.gov FAX: 860-713-7052
- ☐ School district where child is attending school: [INSERT District]
- ☐ School district that child left: [INSERT former district]
- ☐ Child's Attorney and GAL (name(s)): [INSERT Name]
- ☐ Other: [e.g., INSERT the following
  - DCF regional consultant name and email
  - Surrogate parent name and email
  - Special education director name and email
  - Superintendent name and email where student is attending if different from nexus
  - School name and town
  - Siblings, if any, (we try to assign siblings to same surrogate)
  - Note if reunified or adopted and date
  - Etc.]

Surrogate Parent Office
FORM SP-205 - Student Information Update ***(Provide only new information)***
Mail: Surrogate Parent Office, CT State Dept of Ed – BSE, P. O. Box 2219, Hartford, CT 06145
E-mail: Surrogate.office@ct.gov

Student: _____ DOB: _____

A. RESIDENCE:
Address of student's new residence: _____
(street & town)

- ☐ 1. Foster home
- ☐ 2. Relative's residence
- ☐ 3. With parent
- ☐ 4. Residential facility
- ☐ 5. Group home
- ☐ 6. Hospital
- ☐ 7. Temporary shelter
- ☐ 8. Safe home
- ☐ 9. Detention center
- ☐ 10. CT Juvenile Training School
- ☐ 11. Correction facility
- ☐ 12. Supported living
- ☐ 13. Other personal residence
- ☐ 14. AWOL
- ☐ 15. Other:

B. EDUCATIONAL SITE:
Name of new school: _____
Address of new school: _____
(street & town)

C. CASE WORKER:
Office: _____ Phone #: (____) _____
(town)

D. 504 STATUS:
☐ Determined by PPT to no longer require special education; however, student requires or may require services under Section 504. You must attach a copy of 504 scheduling notice.

Completed by: _____ Date: _____

Connecticut State Department of Education
Bureau of Special Education
450 Columbus Boulevard, Suite 604
Hartford, CT 06103
860-713-6660

FORM SP-206: CLOSED CASE FORM (you must return the file with this form)

Notify the Surrogate Parent Office by email to surrogate.office@ct.gov that you are closing a case and complete this form and enclose it with the file returned. Refer to instructions for returning the file. It is the responsibility of the surrogate parent to return the files to the surrogate parent office either by mail or hand delivery within one week of notifying the office of file closure unless written permission is given to do otherwise.

Student Name: _____ DOB: _____

REASON FOR CLOSING CASE (see asterisk notes below):

- ☐ 1. Graduated *
- ☐ 2. Adoption: Enter date_____
- ☐ 3. DCF no longer guardian: Enter date _____
- ☐ 4. Exited and no 504 services required
- ☐ 5. At least 18 and indicated a written refusal of surrogate services. Submit signed Form SP-500 with file.
- ☐ 6. At least 18 years old and no longer in school
- ☐ 7. Aged out – Student will be turning 22
- ☐ 8. Ineligible for special education by PPT without evaluation; include written basis for decision
- ☐ 9. Ineligible for special education by PPT after evaluation; include copies of evaluations
- ☐ 10. I have determined there's no need to refer to a PPT for evaluation; include written basis for decision ****
- ☐ 11. Plenary Guardian appointed (DDS client)***
- ☐ 12. Conservator appointed (DMHAS client)**
- ☐ 13. Deceased
- ☐ 14. Mistake
- ☐ 15. Other – specify:_____

Surrogate Parent PRINTED Name: _____Date: _____

* The child has received a regular education diploma, per the exit criterion determined by a PPT, and no one has requested a due process hearing to challenge the end of the child's eligibility for special education.

** The individual/child has reached eighteen years of age, and a Probate Court has determined that the individual is "incapable of caring for oneself" and has issued a decree appointing a Conservator of the Person, pursuant to CGS 45a-644 through 45a-667, whose duties include consenting to professional care, treatment or services.

*** The individual/child has reached eighteen years of age and has an intellectual disability, and a Probate Court has determined that the individual is not legally competent to make informed decisions and has issued a decree appointing a guardian, pursuant to CGS 45a-669 through 45a-684, whose duties include consenting to specifically designed educational programs.

NOTE 1: An eligible student who withdraws from school remains eligible for a surrogate parent; therefore, the case should not be closed for reason of withdrawal from school.

NOTE 2: The fact that DCF has returned a child to live with her or his parent is not an absolute indicator that the child is no longer eligible for a surrogate parent. Many children who remain under DCF guardianship are placed home on a trial basis as reunification is attempted. These children continue to be eligible for surrogate parent representation until DCF's guardianship ends.

FORM SP-500

Surrogate Parent Service

Continuation Option at Age 18

Once a student reaches 18 years of age, rights accorded to parents under IDEA transfer to the student. CFR 300.520(a)(1)(i), CGS 10-76a(13). Students are eligible for surrogate parent services until they graduate high school or until the end of the school year in which they turn 21 (CFR 300.520(a) and (b), RCSA 10-94j-7, RCSA 10-76d-1(a)(7)), whichever comes first, whether or not they are continuing to receive services from DCF.

Student Name: _____ Date of Birth: _____

Address: _____

_____

Phone/s: _____ _____

E-mail: _____

Current Surrogate Parent contact information:

Name: _____

Phone: _____

E-mail: _____

I, _____ attained the age of 18 on _____
Print Name of Student **Birthdate**

_____ **I choose to retain the services of a surrogate parent until I graduate or become ineligible. I authorize the surrogate parent to do the following and I understand I may change my mind and withdraw consent at any time (initial all that apply):**

_____ **to advise me regarding educational matters;**

_____ **to review and obtain educational records on my behalf;**

_____ **to advocate for me in all educational matters and forums, including attending PPTs, filing educational complaints, filing for mediation and due process;**

_____ **to consent to evaluations on my behalf;**

_____ **I choose to terminate surrogate parent services as of _____ (date).**

I understand that if I change my mind before I graduate, I can have a surrogate parent reassigned by contacting the Surrogate Parent Office by phone (860) 713-6910 or by e-mail at surrogate.office@ct.gov.

I have been provided a copy of this completed form, it has been explained to me to my satisfaction by my surrogate parent, and I agree to let my surrogate parent know if my address or other contact information changes for as long as they assist or advise me.

_____ _____
Signature of Student **Date**

FORM SP-600: Active File Reassignment Form
For Surrogate Parents Retiring or Resigning
Surrogate Parent Program

Please complete this form for each student case to be reassigned to assist our office in updating our database and to assist the surrogate parent receiving this new file assignment. Clip this form to each file that needs to be reassigned.

Name of Student:
SASID:
Date of Birth:
Current Grade Level:
Credits toward graduation:
Town where the student resides:
Actual placement (FH, GH, Res. Facility, etc.):
Contact person at placement: Name: Phone: Email:
Nexus/responsible school district:
District/Town of School Child is Attending:
School child is attending:
Contact person at school: Name: Phone: Email:
Last PPT date:
Date triennial due:
Current DCF social worker: Name: Phone: Email:
Summary of Status and Suggestions:

Print Name of Surrogate completing this form: _____

Date: _____