

Parent Information Center of Delaware



Educational Surrogate Parent Program

404 Larch Circle

Wilmington, DE 19804

(302) 999-7394 Voice, (302) 999-7637 Fax

www.picofdel.org

Educational Surrogate Parent Manual

This manual was developed by the Educational Surrogate Parent Program at the Parent Information Center of Delaware (PIC) and approved by the Delaware Department of Education (DOE).

An Educational Surrogate Parent (ESP) volunteers his/her time to participate in the IEP process to ensure that a child in foster care, receiving special education services, receives an appropriate education.

PIC provides training and support to foster parents and community volunteers who serve or are interested in serving as Educational Surrogate Parents.

This manual is intended to help volunteers become familiar with the role and responsibilities assumed by an Educational Surrogate Parent (ESP).



The mission of the Parent Information Center of Delaware (PIC) is to improve developmental and educational outcomes for all children, especially for children with disabilities or special needs, by providing information, education, and support to their parents or caregivers.

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"To the world you may be one person, but to one person you may be the world."

- Unknown

Introduction to the Educational Surrogate Parent (ESP) Program

The Delaware Department of Education (DOE) contracts with Parent Information Center (PIC) to administer the Educational Surrogate Parent (ESP) Program.

The appointment of Educational Surrogate Parents was established to ensure that children with special education needs, who are in foster care, have the same protections as all other children eligible for special education services. This is outlined in both the federal IDEA (Individuals with Disabilities Education Act) and Delaware State Special Education Regulations.

a. Who are Educational Surrogate Parents (ESPs)?

Foster Parents and Community Volunteers serve as ESPs. Community volunteers often include retired educators, parents, or individuals working for organizations that provide services to children and/or adults with disabilities or other disability or education related groups.

b. Which children are eligible for an ESP?

Children eligible for an ESP are children who are:

- Receiving special education services AND who do not have parents who can assume parental special education rights; or children who are
- In need of special education services AND who do not have parents who can assume parental special education rights. These children may be just starting the special education process by being referred for an educational evaluation to determine their eligibility for special education services.



Therefore, ESPs are appointed primarily for children who are in foster care and in the custody of the Division of Family Services (DFS).

c. What are the qualifications of an ESP?

An individual interested in becoming an ESP must meet the following requirements:

- Participate in an annual ESP **training** conducted by PIC;
- Complete an **application** with PIC;
- 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** that ensure adequate representation of the child

Reference: Title 14 Education of Delaware's Administrative Code

d. What is the role of the ESP?

An ESP is considered a “parent” for special education purposes *only*. The ESP should be included in all meetings and decisions with the school related to special education. The term “parent” is defined by special education law (the IDEA) and is explained in section 1-g of this manual.

e. What are the rights of an ESP?

An ESP has the same rights as a “parent” in the special education process. It is important that ESPs understand and exercise their rights. An ESP has the right to:

- Provide consent for educational evaluations
- Work with a school team to determine eligibility for special education services
- Attend IEP (Individualized Education Program) meetings
- Agree or disagree with special education services
- Agree or disagree with educational placement
- Sign documents as the “parent”
- Review school records
- Receive progress reports
- Observe a classroom (as appropriate)
- Visit a school placement (as appropriate)



f. What are the responsibilities of an ESP?

Since an Educational Surrogate Parent (ESP) assumes “parental” rights in the special education process, he/she also assumes certain responsibilities. It is important that an ESP understand the importance of his/her role in the special education process and, in turn, assume certain responsibilities. Some responsibilities of an ESP are to:

- Introduce self to the school and support team members. Be sure they have your current contact information. Initial contact can easily be made through email.
- Review the student’s current and relevant school records. Examples include:
 - Current IEP
 - Progress reports
 - Current educational evaluations
 - Behavior plan
 - Functional behavioral assessment
 - Recent suspension notices
- Participate in school meetings.
- Stay current with student’s progress in school during the school year.
- Stay current with parental rights and school responsibilities under the Individuals with Disabilities Education Act.



- *Be aware of and respectful of school policies. Abide by all established school rules, policies and/or codes of conduct.*

An ESP is also asked to communicate regularly with the ESP/PIC office. The ESP Coordinator is available to provide information, resources, support and assistance with problem-solving.

g. Who is a parent under IDEA (Individuals with Disabilities Education Act) and State Special Education Regulations?

The IDEA is a federal law that describes the special education process and entitlement of special education services for eligible children. The law mandates that schools receive parental consent for specific special education actions such as conducting an educational evaluation and providing special education services to a student. The IDEA also mandates that a “parent” receive progress reports and that a school provide opportunities for a “parent” to participate in the special education process.

A “parent” for special education purposes is defined in the IDEA and Title 14 Education of Delaware’s Administrative Code as:

- 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 required);
- 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.)

An Educational Surrogate Parent is appointed when there is no biological or adoptive parent, guardian, relative caregiver or anyone else legally responsible available for the child.

i. Guardian



Guardianship is possession by a non-parent of powers, rights and duties necessary to protect, manage and care for a child. A guardian is a person who is at least 18 years of age.

A guardian is authorized to act as a child’s parent and has legal authority to take care (provide shelter, food, education, medical, finance) of the child as if he/she were the child’s parent until the child turns 18.

A court will determine what information to include in a Guardianship Order (such as how much, if any, contact a parent should have with the child once the guardianship is granted, etc.)

A child who is in the care of the Department of Services for Children, Youth and their Families (DSCYF) is said to be in their “custody” and will have a Division of Family Services (DFS) worker. A DFS worker is not considered a “guardian”.

ii. Relative Caregiver



A relative caregiver is an individual who acts in the place of a biological or adoptive parent. A relative is an adult who, by blood, marriage or adoption is caring for the child in their home. A relative caregiver may be a:

- grandparent, stepparent, sibling or other relative who does not have legal custody or legal guardianship of the child

A Delaware Relative Caregiver’s School Authorization Affidavit is required by the school when a relative is raising a child without legal custody or guardianship and the relative wants to make educational decisions.

A relative completes the Affidavit which requires the relative to provide information about his/her relationship with and caregiving of the child. The form needs to be notarized (many school districts have a notary on site). Once notarized and presented to the school, the relative can: enroll the child in school; be a legal contact for the school; make school-based decisions, regarding, but not limited to special education, and give medical approval for health care provided by the school.

The Relative Caregiver's School Authorization Affidavit can be found on the Delaware Health and Social Services/Division of Services for Aging and Adults with Physical Disabilities website at <http://dhss.delaware.gov/dhss/dsaapd/sample.html>.

iii. Educational Surrogate Parent (ESP)

An ESP is an individual who is appointed by the DOE to represent a child who receives, or may be in need of, special education and related services when:



- No parent can be identified;
- Parents cannot be located;
- Parental rights have been terminated;
- The child is an unaccompanied homeless youth;
- The child is in the custody of DSCYF; or
- Parents voluntarily consent to have ESP appointed (in extenuating circumstances)

Reference: Title 14 Education of Delaware's Administrative Code

*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 delivery of special education and related services.*



2. How does a child get an Educational Surrogate Parent (ESP)?

A **school/district** has a responsibility to identify children who it believes may be in need of an Educational Surrogate Parent (ESP). If a school believes that a child might need an ESP, contact should be made with the Educational Surrogate Parent Program office at Parent Information Center.

Very often, however, the referral for an ESP comes from a Division of Family Services (DFS) worker since they have more information about a child's situation and/or are aware of parents not being involved before the information is known or available to a school/district.

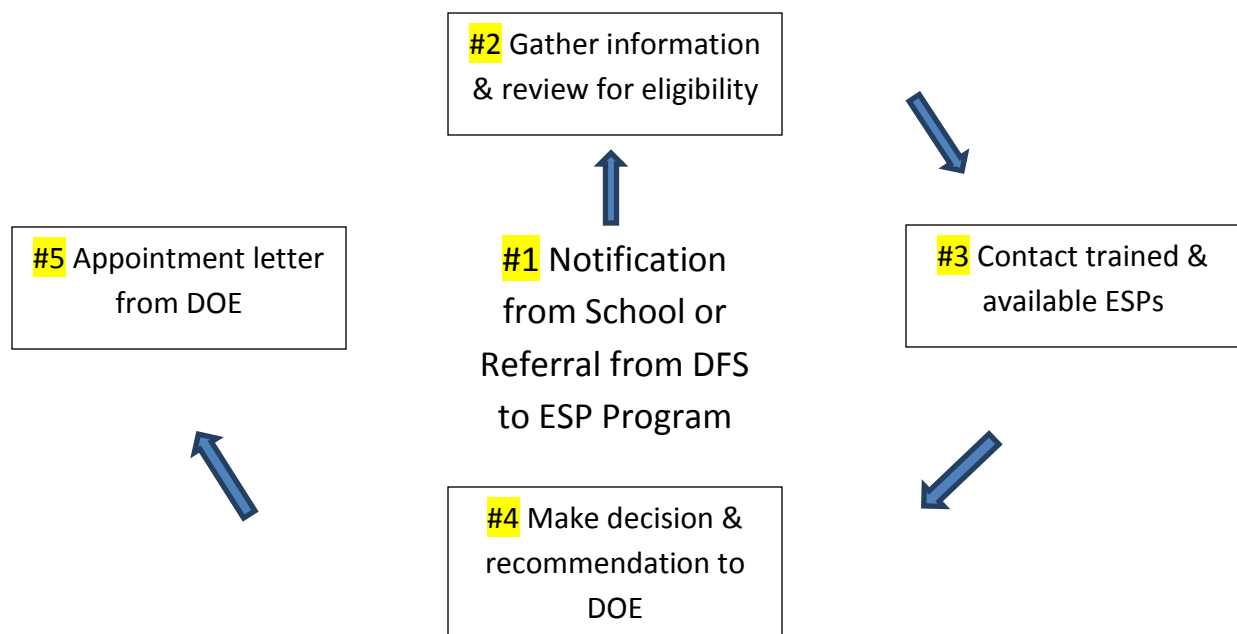
Once a referral is made to the Educational Surrogate Parent Program office, more information is gathered about the child's situation and school placement to determine the child's eligibility for an ESP. A list of trained, approved and available ESPs is then reviewed to make a match.

Once an ESP is identified, the ESP Coordinator will make a recommendation to DOE and an appointment letter will be sent to the individual. Copies of the appointment letter are also sent electronically to school contacts, the DFS worker, the Office of the Child Advocate (OCA) and the Court Appointed Special Advocate (CASA) office.

a. Referrals from Division of Family Services (DFS) for ESPs

A DFS worker who wishes to make a referral for an ESP can find the referral form on PIC's website at <http://www.picofdel.org/resources/index.asp>.

There are two referral forms: 1) For school-aged children and 2) For children 0–3 years of age receiving early intervention services from Child Development Watch.



3. ESPs Working with Schools and DFS

a. Who are the School Team Members?

Schools are required to invite the following members to IEP (Individualized Education Program) meetings:

- Educational Surrogate Parent
- Child when appropriate (must be invited to their IEP meeting by age 14 or entering 8th grade)
- General Education Teacher
- Special Education Teacher
- Representative of the School/District – this is a person who has the authority to commit resources and ensure that services included in the IEP will actually be provided
- Qualified individual who can interpret instructional implications of evaluation results

Others who have knowledge or special expertise may be invited, such as:

- *Educational Diagnostician (ED), Special Education Coordinator/Case Manager – person who often coordinates and /or 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), Div. of Family Services (DFS), Foster parents/care providers, etc.*

b. Who are the Support Team Members?

- **DFS/DSCYF** – Division of Family Services/Department of Services for Children, Youth & their Families – investigates complaints of child abuse and neglect and provides child and family oriented services http://kids.delaware.gov/fs/fs_iseethesigns.shtml.
- **PBHS/DSCYF** – Prevention & Behavioral Health Services – provides prevention & early intervention services, mental health and substance abuse treatment programs for children and youth (formerly Child Mental Health).
- **YRS/DSCYF** – Youth & Rehabilitative Services – is for youth who have been adjudicated delinquent and ordered by the court system to receive rehabilitative services. Facilities include: the New Castle County Detention Center (NCCDC), Stevenson House, Ferris School, Mowlds Cottage and Grace/Snowden Cottages.
- **Foster Parent** – A foster parent is a person who provides temporary care in their home for a child who has been removed from his/her home due to abuse, neglect or dependency. DFS has established requirements for foster parents and provides training. For more information visit http://kids.delaware.gov/fs/fostercare_faq.shtml. DFS also contracts with private foster care agencies and interested foster parents may choose to contact them (Child Inc., Children & Families First, Children's Choice, Pressley Ridge, Progressive Life Center or Northeast Treatment Center).
- **Guardian Ad Litem** – A Guardian Ad Litem (GAL) is an individual appointed by the Family Court to represent the best interests of a child, typically in cases where the child is in DSCYF custody. The GAL is a party to the Court proceedings. A GAL is either an attorney supervised through the Office of the Child Advocate or a CASA (Court Appointed Special Advocate)

supervised by the CASA Program in Family Court. For more information on these programs, visit the following websites:

- Office of the Child Advocate <http://courts.delaware.gov/childadvocate/>
- CASA <http://courts.delaware.gov/family/casa/about.stm>.

Children in foster care usually have a number of individuals or agencies that play a role in their care by providing various services.

All of these individuals are welcome, but not required, members of the child's IEP team and, therefore, should not assume that they will automatically be invited to IEP meetings.

Individuals involved may also change quickly or over time for a number of reasons.

Since there are so many individuals and agencies involved with a child in foster care, and many of them may change, it is critical that all team members:

- Make a concerted effort to communicate with each other
- Share relevant information
- Work respectfully and collaboratively together to benefit the child
- Remember that the **child is the center** of their efforts



Although there are many individuals and agencies involved with a child in foster care, the Educational Surrogate Parent is the child's "parent" for special education purposes.

CASAs, DFS workers, GALs, foster parents and additional outside (of school) support team members are welcome to attend IEP meetings and are considered equal members of the team. They cannot, however, make decisions about or provide consent for special education and related services.

The ESP assumes the responsibility of exercising parental special education rights and is the ultimate decision maker for special education purposes.

4. Advocacy Tips and Strategies

Knowledge is Power! Take the opportunity to learn!

You can gain valuable information about special education services and programs in a number of ways:

- Participate in PIC workshops, webinars and events!
- Stay current with both state and national workshops, events, news and resources by signing up to receive PIC's electronic News and Events.
- Participate in your child's IEP and school meetings.
- Attend open houses, PTA meetings and other school events.
- Visit DOE's web site <http://www.doe.k12.de.us/> which includes information about: special education regulations, curriculum standards, state testing, complaint procedures and more about Delaware public and charter schools.

Being prepared is essential! Come to meetings ready to participate!

Preparation is very important and can be the determining factor in having a productive meeting. The following are some suggestions:

- Review the IEP invitation letter so that you know who has been invited
- Make a list of your concerns
- Prioritize your list of concerns to a reasonable number
- Make copies of your list and share them with the team prior to or at the meeting
- Develop a list of questions that you want to ask specific team members
- Problem-solve solutions to your concerns and be ready to share your ideas
- Observe your child's classroom and learn about programs that interest you
- Review evaluation results
- Become familiar with all sections in the current IEP and compare it to the previous one



Effective advocates are:

- ✓ knowledgeable
- ✓ receptive to learning
- ✓ good listeners
- ✓ respectful to others
- ✓ appreciative and say "thank you"

Ask questions!



Document conversations!

Keep organized records!

Take action!



Offer solutions!

Say "thank you"!



Learn from others!



Be respectful!

5. Frequently Asked Questions about Special Education and Educational Surrogate Parents

Frequently Asked Questions Special Education - GENERAL INFORMATION

1. What is the Individuals with Disabilities Education Act (IDEA)?

Although commonly referred to as “Special Education”, the IDEA (Individuals with Disabilities Education Act) is a federal law that mandates that eligible children with disabilities between the ages of three through twenty-one receive a free and appropriate public education. A free and appropriate public education means special education and related services. The term “special education” is commonly used in conversations, but the IDEA is the federal law that outlines school and parent responsibilities and rights in the special education process.

2. What does “special education” really mean for my child?

The federal law, IDEA (Individuals with Disabilities Education Act), defines special education as specially designed instruction to meet the unique needs of a child with a disability. This means that if a child qualifies for special education services, you as the *Educational Surrogate Parent*, will be involved in developing an Individualized Education Program or IEP for him/her that addresses his/her unique educational needs. You will work with a school team to identify his/her strengths and needs and the services necessary to help him/her reach rigorous, yet realistic annual goals while in school. The child may also need “related services” or accommodations, aids, or other support services (such as speech therapy or a behavior intervention plan) to allow her to benefit from his/her special education program.

3. Are special education services in Delaware different from other states?

The IDEA is a federal law, so all states must follow the requirements of IDEA, but practices and procedures of how the law is implemented may look different depending on the state in which you reside, therefore, services may be different. Even school districts in the same state may use different terminology or have policies and procedures that differ from another school district in the same state. Delaware’s special education regulations can be found in what is called the “Administrative Code” that provides information for *parents* and schools about the special education process. The State Special Education Regulations (Effective June 11, 2007) are posted on the DE Dept. of Education’s web site at http://www.doe.k12.de.us/infosuites/students_family/specialed/default.shtml

4. If a child attends a charter school, will he/she still be able to receive special education services?

All public and charter schools in Delaware must comply with federal and state special education regulations. If a child is found eligible for special education and related services, then “yes” the child will receive services from the Charter School.

The term “parent” and “Educational Surrogate Parent” are used interchangeably in the Frequently Asked Questions section of this document (refer to question #2 Eligibility & Evaluation)

References to Title 14 Education of Delaware’s Administrative Code throughout this document are from the Delaware Special Education Regulations
http://www.doe.k12.de.us/infosuites/students_family/specialed/default.shtml

Frequently Asked Questions

Special Education - **ELIGIBILITY & EVALUATION**

1. What should I do if I think my child needs special education services?

As a *parent*, you may request that your child receive an educational evaluation to determine if she is eligible for special education services. A teacher or someone from the school or another public agency who has been working with your child may also mention that your child may benefit from special education services. The school, however, cannot conduct an educational evaluation until you, the parent has given your permission by providing your informed written consent for the evaluation.

References: 14 DE Admin Code 925 2.2; 34 C.F.R. §300.301

Advocacy Tip: *Your request for an educational evaluation should be made in writing (email is acceptable) to the educational diagnostician school principal, teacher, special education case manager or director. It is also helpful to copy another team member on your request to ensure that at least two people are aware of your request.*

2. Can anyone else provide written parental consent to have a child evaluated for special education services?

Under the IDEA, only *parents* can provide written parental consent for an initial educational evaluation. A parent is considered any one of the following:

- A biological or adoptive parent of a child;
- A guardian
- An individual acting in the place of a biological or adoptive parent and with whom the child lives (A Relative Caregiver's School Authorization will also be requested and kept on file at the school (refer to page 5 for more details);
- 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

References: 14 DE Admin Code 922 3.0; 34 C.F.R. §300.30

Advocacy Tip: *After providing written parental consent, the meeting to determine your child's eligibility for special education and related services must occur within 45 school days or 90 calendar days.*

3. What is an educational evaluation?

An educational evaluation is a way to find out as much information as possible about why a child is struggling in school and whether his/her school performance is related to a disability. Not all children who are having problems in school have a disability or will qualify for special education services. In order to find out if a child qualifies or is eligible for special education services, school personnel must first conduct an evaluation.

- The evaluation includes gathering information from a variety of sources, including aptitude and achievement tests, state assessments, information from response-to-intervention (RTI) processes and input from parents and teachers.
- The evaluation is conducted by trained and knowledgeable school personnel.
- You will join a team from the school, that is knowledgeable about your child, and review the evaluation information to determine if your child is a "child with a disability" for educational purposes.

- In determining whether a child is a “child with a disability” for educational purposes, the team will review and discuss the evaluation results. The team will then use eligibility criteria as described in the IDEA and DE Special Education Regulations to make their determination of whether the child is eligible for special education and related services.

References: 14 DE Admin Code 925 4.0; 34 C.F.R. §300.301

4. Why does a child have a “label” to get special education services?

The process of using categories or “labels” is taken from the federal law called the Individuals with Disabilities Education Act (IDEA). Categories in Delaware used to define a “child with a disability” for special education purposes are: Autism, Deaf-Blindness, Developmental Delay, Emotional Disturbance, Hearing Impairment, Learning Disability, Intellectual Disability, Orthopedic Impairment, Other Health Impairment; Speech and/or Language Impairment, Traumatic Brain Injury, Visual Impairment and Preschool Speech Delay (3 and 4 year olds only). These categories closely mirror the federal law and can be found in Delaware’s Special Education Regulations. Children may qualify for more than one category, but only one category will be listed as the primary one in the IEP.

http://www.doe.k12.de.us/infosuites/students_family/specialed/default.shtml.

References: 14 DE Admin Code 925 2.0 - 925 6.0; 34 C.F.R. §300.8, 34 C.F.R. §300.15, C.F.R. §300.304 - §300.306

Advocacy Tip: The “label” is used for eligibility purposes in education only and should not be used to drive services for your child.

5. Can Evaluating Behavior Be Part of the Evaluation Procedure?

Yes, a functional behavioral assessment (FBA) can be included in the evaluation process if a child exhibits behaviors that are interfering with his/her education. An FBA looks at why a child behaves as she does, given the nature of the child and what is happening in the environment. An FBA includes observations and input from all team members (including parents) and is usually conducted by a school psychologist, behavior specialist or educational diagnostician. Data collected from the FBA can be used to develop a Behavior Intervention Plan (BIP) that focuses on using positive strategies and interventions with your child to change or eliminate inappropriate behaviors.



"No one has yet fully realized the wealth of sympathy, kindness and generosity hidden in the soul of a child.

The effort of every true education should be to unlock that treasure."

— Emma Goldman

Frequently Asked Questions

Special Education - **INDIVIDUALIZED EDUCATION PROGRAM (IEP)**

1. What is an IEP?

The IEP is a document or “roadmap” to help guide the team in developing a child’s individualized education program. It helps the *Educational Surrogate Parent* and the school team to address a child’s unique educational needs. The IEP document is used throughout the IEP process to guide the team in providing services and supports to help your child benefit from their education. At the IEP meeting, you and the team will review and discuss many aspects of the child and his/her educational planning. You will review formal and informal pieces of data (e.g. state tests, homework, assessments) to determine the child’s academic and functional needs. You will work closely with your school team to determine how best to meet the child’s needs through instruction, services and additional supports. As a team you will also develop annual goals so that you and his/her teachers can measure his/her progress at regular intervals throughout the year.

2. When does a child get an IEP?

Once a child has been determined eligible for special education services, an IEP (Individualized Education Program) meeting will take place within 30 days to develop the IEP document.

References: 14 DE Admin Code 925 20.1; 34 C.F.R. §300.323

Advocacy Tip: *A child’s IEP must be reviewed at least one time a year, however, a parent or the school may request to have an IEP meeting at any time to review progress, discuss problems, share strategies or make revisions as needed to a child’s educational program.*

3. What if I am not able to attend the IEP meeting?

If you are unable to attend a child’s IEP meeting as scheduled, notify the school and request that another date and time be scheduled. You should see an area on your “invitation to meeting” letter that allows you to indicate that you are not able to attend. It is helpful to offer several dates and times to the school when trying to schedule or re-schedule a meeting. Aside from rescheduling the meeting, you may also participate in your child’s IEP meeting in person, by phone or webinar.

4. Who should come to a child’s IEP meeting?

Team members who must be invited to participate in a child’s IEP meeting are:

- YOU – the *Educational Surrogate Parent*;
- Child – The child may attend any meeting you feel is appropriate. In Delaware, the child must be invited to his/her IEP meeting when the child turns 14 or enters the eighth grade (whichever comes first). If the child does not attend, the school must take steps to ensure that the child’s strengths, preferences and interests were considered;
- Career technical education teacher of the child (if child is participating in such a program);
- General Education Teacher;
- Special Education Teacher;
- District representative (e.g. principal, Special Education Director) who is knowledgeable about general and special education curriculum and services and who can commit district resources and be able to ensure that whatever services are set out in the IEP will actually be provided;
- Individual (e.g. school psychologist, educational diagnostician) who can interpret your child’s evaluation results as they relate to her instruction; and
- Others may be invited by the parent or school who have knowledge or special expertise.

References: 14 DE Admin Code 925 21.0; 34 C.F.R. §300.32

Frequently Asked Questions

Special Education - DISCIPLINE

1. Can a child be suspended from school because of problem behaviors?

Each school district has a student code of conduct that describes policies and procedures around the rules or code of conduct in their schools. If a child violates the code of conduct, he/she is subject to the same disciplinary actions that apply to a student who does not receive special education services. However, for students receiving special education services, there are additional safeguards to ensure that they are not being punished for their disability. As a general rule, a child receiving special education services can be suspended up to ten days before the IEP team needs to take measures to address the child's behavior related to his/her disability and the appropriateness of the IEP.

Advocacy Tip: *Become familiar with the child's school code of conduct. It is common to receive this booklet in the beginning of the school year, however, codes of conduct are also posted on individual school websites.*

Frequently Asked Questions

Special Education - RESOLVING CONFLICTS

1. What options do I have if I disagree with the school team about the child's education?

There are a number of options available to *Educational Surrogate Parents* under the IDEA when it comes to resolving conflicts. If you have tried avenues to resolve your conflict such as discussing your concerns with your IEP team or speaking directly with the child's teacher, you may find it helpful to use a more formal method. Methods are briefly described below:

- Facilitated IEP Meeting - This is where a neutral person, who is a trained facilitator, runs or facilitates an IEP meeting for the team.
- Mediation Session – This is a more formal meeting where a trained facilitator assists parents and limited IEP team members in a process to resolve their conflict.
- State Complaint – This is a written complaint to the Dept. of Education claiming that a school district is out of compliance.
- Due Process Hearing – This is where a three person hearing panel listens to and reviews evidence to make a determination of whether a school violated your child's right to a free appropriate public education.
- Resolution Session – If a due process hearing is requested, the school will schedule this meeting to see if resolution can occur prior to proceeding with a due process hearing.

Advocacy Tip: *The first thought for any conflict is to step back and consider not only the options, but whether the school is clearly aware of your disagreement with them and whether avenues have been tried so far to resolve the problem. If you feel that your IEP meetings are not moving forward in a positive way to resolve the conflict, learn about and exercise your rights or procedural safeguards as described above.*

"The single biggest problem with communication is the illusion that it has taken place."

— George Bernard Shaw

Frequently Asked Questions

Special Education - **TRANSITION** for STUDENTS ages 14-21

1. What is different about a child's IEP when they are 14 years old?

In Delaware, transition planning begins for students at the age of 14 or when the child enters the eighth grade (whichever comes first), or even younger if agreed upon by the team. This means that your IEP meetings will include discussions and planning around post-secondary goals. Post-secondary goals are goals for the child to strive for after they leave the high school setting. In particular, goals in the areas of employment, education or training and independent living will be discussed and developed.

2. Should a child attend the IEP meeting?

In Delaware, a child must be invited to their IEP meeting when he/she turns 14 or enters the eighth grade (whichever comes first). If a child does not attend, the school must take steps to ensure that the child's strengths, preferences and interests are considered in developing the IEP.

***Advocacy Tip:** Participating in their own IEP meeting is one of the first steps toward advocacy and independence. Encourage a child to participate in planning his/her future!*

3. What should I expect at my child's transition meeting?

In Delaware, there is a "transition" IEP form that is used for students ages 14-21. It is a tool to help guide you and the team to focus on developing goals based on data and age-appropriate assessments for when the child leaves high school. Emphasis is placed on planning for employment, education or training and independent living. Support, activities and services are developed to help the child learn skills while in school to be successful when they exit school. Courses of study directly related to your child's goals will be coordinated and the assistance of outside agencies such as the Division of Vocational Rehabilitation (DVR) or Delaware Developmental Disabilities Services (DDDS) may be included. In the beginning, the transition planning will most likely be a broad picture of your child's future. A child's transition plan should become more specific as the child progresses through school and has more opportunities to learn job skills and experience planning for a life beyond high school.

***PIC Tip:** Transition planning is not an "event" rather it is a constant process and subject to change as a child's needs, experiences and preferences change. Because the child is the center of transition planning, they should be encouraged to participate in every phase of the process.*



6. Resources

The Internet

"I was afraid of the internet... because I couldn't type."

- Jack Welch

Don't let your typing stop you from entering the world of global information and communication.

Visit these websites!

DE Department of Education (DOE) – Information about Delaware schools and education <http://www.doe.k12.de.us/>

DE Administrative Code/State Special Education Regulations (Effective June 11, 2007) – Information about the regulations that apply to the Delaware special education process
http://www.doe.k12.de.us/infosuites/students_family/specialed/default.shtml

IDEA CFR (Code of Federal Regulations) – Information and videos about the federal law called IDEA (Individuals with Disabilities Education Act) - US Dept. of Education: Building the Legacy: IDEA 2004 <http://idea.ed.gov>

National Dissemination Center for Children with Disabilities (NICHCY) – Information, resources, handouts, videos and more about disabilities and disability related issues <http://nichcy.org>

Parent Information Center of DE (PIC) – Fact sheets, webinars, workshops, information and news about education and disabilities www.picofdel.org - Information specific to Educational Surrogate Parents
<http://www.picofdel.org/resources/index.asp>



My Favorite Websites:

Parent Information Center of Delaware



Educational Surrogate Parent Program

6 Larch Avenue, Suite 404 (Larch Corporate Center)

Wilmington, DE 19804

(302) 999-7394 Voice, (302) 999-7637 Fax

www.picofdel.org

AGREEMENT of VOLUNTEER SERVICES

between the Educational Surrogate Parent (ESP) and
the Educational Surrogate Parent Program/Parent Information Center of DE

An Educational Surrogate Parent (ESP) volunteers his/her time to participate in the IEP process to ensure that a child in foster care, receiving special education services, receives an appropriate education.

As an Educational Surrogate Parent (ESP), I agree to:

- _____ conduct myself in a professional and respectful manner
- _____ notify the Educational Surrogate Parent Program of changes to contact information
- _____ communicate regularly with the Educational Surrogate Parent Program Coordinator
- _____ keep information about the child confidential
- _____ follow school rules, policies and codes of conduct
- _____ participate in annual training with Parent Information Center/ESP Program

Name of Educational Surrogate Parent (print) _____

Signature of Educational Surrogate Parent _____

Date _____

Date received by Educational Surrogate Parent Program/PIC _____

Parent Information Center of Delaware



Educational Surrogate Parent Program

6 Larch Avenue, Suite 404

Wilmington, DE 19804

(302) 999-7394 Voice, (302) 999-7637 Fax

www.picofdel.org

APPLICATION for EDUCATIONAL SURROGATE PARENT (ESP) – page 1

CONTACT INFORMATION

Name _____

Home address _____

Street Name/Number

City _____ State _____ Zip _____

School District of residence _____

Home Phone _____ Work Phone _____

Cell Phone _____ E-mail address _____

Place of Employment _____

Work address _____

Street Name/Number

City _____ State _____ Zip _____

BACKGROUND INFORMATION

Please answer the following by circling “Yes” or “No”.

1. Are you at least eighteen (18) years of age? **Yes No**
2. Are you a legal resident of the United States? **Yes No**
3. Are you an employee of a public or private agency/school that is responsible for, or involved in the education or care of the child who requires an Educational Surrogate Parent? If yes, please explain: **Yes No**

APPLICATION for EDUCATIONAL SURROGATE PARENT (ESP) – page 2

4. Are you an approved foster parent? **Yes No**

If so, what agency? _____

5. Are you fluent in a foreign language? If yes, please specify: **Yes No**

6. Are you proficient in sign language? **Yes No**

7. Have you ever had a “criminal background check” done? **Yes No**

Date criminal background check conducted _____

REFERENCES

Please provide the names and addresses of two persons who may be contacted regarding your ability to represent a child/student with a disability in the special education process.

NAME1 _____ Relation to you: _____

Address _____
Street Name/Number

City State Zip

Home Phone Work Phone Cell Phone

Email _____

NAME2 _____ Relation to you: _____

Address _____
Street

City State Zip

Home Phone Work Phone Cell Phone

Email _____

APPLICATION for EDUCATIONAL SURROGATE PARENT (ESP) – page 3

MORE INFORMATION ABOUT YOU

Why do you want to volunteer as an Educational Surrogate Parent (ESP)?

Explain any special skills, education or experience that may be beneficial in your role as an ESP:

The information I have provided is accurate and true.

Print Name (Educational Surrogate Parent Applicant)

Date

Signature – Educational Surrogate Parent Applicant

Date



*for your interest in the Educational
Surrogate Parent Program!*