

The Parent Information Center of Delaware

Inform. Educate. Advocate.

Educational Surrogate Parent (ESP) Program Initial Training 2017-18



About the Parent Information Center of Delaware

Established more than 30 years ago, the Parent Information Center is a statewide non-profit organization that provides tools for parents, caregivers, and advocates of children to secure appropriate education and related services. PIC empowers parents to become their child's lifelong advocate and for youth to become self advocates.

Our Mission: To advance effective parent engagement in education

Our Vision: For all children to fulfill their potential to succeed

The Parent Information Center of Delaware
Inform. Educate. Advocate.

www.picofdel.org



Our Support & Services

One-to-One Consultations provide parents and caregivers with the information and skills necessary to ensure their children receive free and appropriate special education and related services as guaranteed them under the IDEA

Learning opportunities such as trainings, audio conferences, and annual education and parent leadership conferences build awareness and advocacy skills

Online resources such as the PIC website and weekly e-news connect thousands of families, caregivers and professionals to important and timely information

Outreach to all families of children with disabilities opens doors to understanding and collaboration

Systems advocacy ensures that the interests of children with disabilities are considered at both local and national levels



Parent Information Center



Basic Special Education Information

What is the Individuals with Disabilities Education Act?

- Federal education law
- Protects the rights of *eligible children with disabilities* ages birth to 21 (Early intervention services for babies and toddlers to school-age special education services)
- Requires that *eligible* school-age children with disabilities are provided with a free appropriate public education (FAPE) or special education



What is Special Education?

Special education: specially designed instruction to meet the unique needs of a child with a disability

Related services: developmental, corrective, and other supportive services as required to assist child with a disability benefit from special education



5 Important Steps about the Special Education Process

1. Identification
2. Evaluation
3. Eligibility



4. IEP
5. Procedural Safeguards

#1 Identification

Ways in which children are identified as possibly needing special education and related services:

- Child Find – School District
- Parent or Educator
- RTI or (Response to Intervention)



#2 Evaluation

- Procedure to determine if child is a child with a disability per special education law
- Using multiple data sources
- Written **parental consent** required for educational evaluation
- Eligibility determined within 45 school days or 90 calendar days, whichever is less, of receiving written parental consent



3 Eligibility

- Autism
- Deaf-Blind
- Developmental Delay
- Emotional Disability
- Hearing Impairment
- Intellectual Disability (Mild, Moderate, Severe)
- Orthopedic Impairment
- Other Health Impairment
(*may see Physical Impairment*)
- Preschool Speech Delay
(*3 & 4 year olds only*)
- Speech/Language Impairment
- Specific Learning Disability
- Traumatic Brain Injury
- Visual Impairment



#4 IEP

Document and Process – developed 30 days after eligibility

- Student Information
- Data Considerations
- Transition (for students turning 14 or entering 8th grade)
- Needs, Services and Annual Goals
- Additional Considerations (transportation, statewide assessment, discipline, twelve-month program, extended school year services)
- Placement

REQUIRED IEP team members

- Parent
- Child when appropriate
(must be invited to their IEP meeting when turning 14 or entering 8th grade)
- General Education Teacher
- Special Education Teacher
- Representative of School/District
- Individual who can interpret evaluation results
- Others at discretion of parent or school



#5 Procedural Safeguards

- Provide consent for educational **evaluations**
- Work with a school team to determine **eligibility** for special education services
- Participate in **IEP** (Individualized Education Program) team meetings
- Receive notices of meetings and progress reports
- Examine records
- Participate in manifestation meetings
- Agree or disagree with special education services
- Agree or disagree with educational placement
- Use conflict resolution options

Age of Majority

- Age 18
- IEP team determines capacity of student to provide informed consent related to student's education decision making
- The team must consider all three of the following:
 - 1) The student is generally able to understand the basic components of the student's IEP
 - 2) The student can use the information provided to make a decision
 - 3) The student understands that the student can say yes or no

Age of Majority – Has Capacity

A student determined to have capacity may choose to:

- 1) Assume and exercise his/her educational rights OR
- 2) To voluntarily authorize an adult to become their Educational Representative using a power of attorney or by using a “Voluntary Grant of Authority” form developed by the Dept. of Education

Age of Majority – Lacks Capacity

If IEP team finds student *lacks* capacity:

IEP team will appoint an adult to serve as an Educational Representative (using descending order of priority given first to a willing and available biological or adoptive parent, and then to a willing and available adult relative)

If team determines student lacks capacity, and there is no willing and available biological or adoptive parent or adult relative, the team will refer the case to the Dept. of Education for the appointment of an Educational Surrogate Parent (ESP).

SMART Advocacy

- ✓ Identify Specific issues
- ✓ Participate in a Meaningful way
- ✓ Ask questions and ask for information in writing
- ✓ Seek out Resources
- ✓ Say Thank you



Resources

Parent Information Center of DE www.picofdel.org

DE Dept. of Education – Exceptional Children Resources
<http://www.doe.k12.de.us/domain/78>

Center for Parent Information and Resources
<http://www.parentcenterhub.org/>



Contact Information

Parent Information Center of DE (PIC)

(302) 999-7394

(888) 547-4412 Toll Free

www.picofdel.org

