



Surrogate Parents

For a child who is eligible or thought-to-be eligible for special education services, the LEA such as a school district or public charter school must ensure that a surrogate parent is appointed to represent the child in all matters related to identification, evaluation, placement, and the provision of FAPE when:

- No IDEA parent can be identified;
- The local educational agency, after reasonable efforts, cannot locate a parent;
- The child is an unaccompanied homeless youth as defined in § 725(6) of the McKinney-Vento Homeless Assistance Act.

A surrogate parent may be a relative of the child, a prior foster parent, a person who knows the child, a Court Appointed Special Advocate, or a Guardian ad Litem also known as a child advocate. If there is no one in the child's life who is willing or able to serve in this role, another individual must be appointed to be the surrogate parent for special education matters. All surrogate parents must have the knowledge and skills necessary to serve the best interests of the child.

LEA Role and Responsibility

- It is necessary that temporary surrogate parents are appointed in a timely fashion to unaccompanied homeless youth with disabilities until qualified permanent surrogate parents are appointed, which should be within 30 days of the LEA's determination that a child needs a surrogate parent.
- The importance of communication between McKinney-Vento liaisons and the LEA special education office.
- The importance of maintaining disaggregated data and the ability to readily provide reports identifying unaccompanied homeless youth with disabilities in addition to tracking the appointment of surrogate parents for these students.