

APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION

The Board of Trustees desires to provide educational alternatives that afford students with disabilities full educational opportunities. Students with disabilities shall receive a free, appropriate public education and be placed in the least restrictive environment which meets their needs to the extent provided by law.

- (cf. [0430](#) - Comprehensive Local Plan for Special Education)
- (cf. [1312.3](#) - Uniform Complaint Procedures)
- (cf. [3541.2](#) - Transportation for Students with Disabilities)
- (cf. [4112.23](#) - Special Education Staff)
- (cf. [5144.2](#) - Suspension and Expulsion/Due Process (Students with Disabilities))
- (cf. [6146.4](#) - Differential Graduation and Competency Standards for Students with Disabilities)
- (cf. [6159.1](#) - Procedural Safeguards and Complaints for Special Education)
- (cf. [6159.2](#) - Nonpublic, Nonsectarian School and Agency Services for Special Education)
- (cf. [6159.3](#) - Appointment of Surrogate Parent for Special Education Students)
- (cf. [6164.4](#) - Identification of Individuals for Special Education)
- (cf. [6164.6](#) - Identification and Education under Section 504)

The Superintendent or designee shall develop administrative regulations regarding the appointment of the individualized education program team (IEP), the contents of the IEP and the development, review and revision of the IEP.

To the extent permitted by federal law, a foster parent shall have the same rights relative to his/her foster child's IEP as a parent/guardian. (Education Code [56055](#))

Legal Reference:

EDUCATION CODE

- [51225.3](#) Requirements for high school graduation and diploma
- [56055](#) Rights of foster parents pertaining to foster child's education
- [56136](#) Guidelines for low incidence disabilities areas
- [56195.8](#) Adoption of policies
- [56321](#) Development or revision of IEP
- [56321.5](#) Notice to include right to electronically record
- [56340.1-56346](#) Instructional planning and individualized education program
- [56350-56352](#) IEP for visually impaired students
- [56380](#) IEP reviews; notice of right to request
- [56390-56393](#) Certificate of completion, special education
- [56500-56508](#) Procedural safeguards
- [60640-60649](#) Standardized Testing and Reporting Program
- [60850](#) High school exit examination, students with disabilities

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FAMILY CODE

[6500-6502](#) Age of majority

GOVERNMENT CODE

[7572.5](#) Seriously emotionally disturbed child, expanded IEP team

WELFARE AND INSTITUTIONS CODE

[300](#) Children subject to jurisdiction

[601](#) Minors habitually disobedient

[602](#) Minors violating law defined as crime

CODE OF REGULATIONS, TITLE 5

[852-853](#) Standardized Testing and Reporting Program, accommodations for students with disabilities

[1216-1218](#) High School Exit Examination, accommodations for students with disabilities

[3021-3029](#) Identification, referral and assessment

[3040-3043](#) Instructional planning and the individualized education program

UNITED STATES CODE, TITLE 20

[1232g](#) Family Educational Rights and Privacy Act of 1974

[1400-1482](#) Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

[300.1-300.756](#) Individuals with Disabilities Education Act

COURT DECISION

Shapiro v. Paradise Valley Unified School District, No. 69 (9th Circuit, 2003) 2003 US.App. LEXIS 1395

Sacramento City School District v. Rachel H, 14 F.3d 1398 (9th Cir. 1994)

Management Resources:

FEDERAL REGISTER

34 CFR [300.a](#) Appendix A to Part 300 - Questions and Answers

34 CFR [300.a1](#) Attachment 1: Analysis of Comments and Changes

WEB SITES

CDE: <http://www.cde.ca.gov>

US Department of Education, Office of Special Education and Rehabilitative Services:
<http://www.ed.gov/offices/OSERS>