

Surrogate Parent Policy/Ward of State Policy

In accordance with 34 C.F.R. § 300.519, Discovery Charter School will ensure that the rights of a child are protected by determining the need for, and assigning, a surrogate parent whenever (1) a parent, or person acting as the parent, cannot be identified, (2) or if DCS is unable to locate said parent following reasonable documented attempts to do so.

DCS shall determine a child is eligible to have a surrogate parent appointed if at least one of the following is applicable:

- 1) child's biological parent cannot be located after multiple documented attempts
- 2) it is documented that a child is a ward of the state
- 3) parental rights of a child have been terminated
- 4) child is considered homeless youth, not in the physical custody of the parent or guardian

DCS may select a surrogate parent in any way permitted under State law, but must ensure that a person selected as a surrogate is not an employee of the State Educational Agency, the Charter School or any other agency that is involved in the education or care of the child. For a child who is a ward of the State, a surrogate may be appointed by a judge overseeing the child's care or by the Charter School.

For children who are not appointed a surrogate parent by a judge, DCS will first attempt to locate a family member who is willing to act as a surrogate parent. In the event that a family member cannot be appointed, DCS will collaborate with established community partnerships to identify qualified surrogate parent applicants. These agencies include, but are not limited to; The Philadelphia Police

Department, Woman Organized Against Rape, The Philadelphia District Attorney's Office, Big Brothers Big Sisters Southeastern PA, Columbia North YMCA.

DCS will utilize the Surrogate Parent Manual (appendix A) provided by PaTTAN as a resource and guide throughout this process.

Once identified, DCS will ensure that all mandatory clearances are obtained for the prospective surrogate parent, including but not limited to; Pennsylvania Department of Public Welfare's Federal Bureau of Investigation (FBI) Background Clearance, PA Child Abuse History Clearance and the PA Criminal Records Check to determine suitability. DCS will ensure that all assigned surrogate parents are not an employee of the school, or any agency that is involved in the education or care of the child.

Identified surrogate parent applicants will participate in a comprehensive training on the roles and responsibilities of a surrogate parent using the Surrogate Parent Training Manual provided by the Education Law Center (appendix B) and facilitated by DCS.

DCS will make reasonable efforts to ensure the process of appointing of a surrogate parent is not to exceed thirty (30) days following the determination of need.

Consent for Wards of State The Individuals with Disabilities Act of 2004 contains language about seeking parental permission for initial evaluations when a child is a ward of the State. In Pennsylvania, however, if a child is designated a ward of the State, the whereabouts of the parent is not known or the rights of the parent have been terminated in accordance with State law; someone other than the parent has been designated to make educational decisions for the child.

Therefore, DCS must obtain consent for an initial evaluation from the individual designated to represent the interests of the child.