

CHAPTER 2. PARENT'S ROLE AND RIGHTS IN THE SPECIAL EDUCATION PROCESS: PARENTS AS PARTNERS

Why are parent partners in the special education process?

As parents, you are the primary advocate and decision-maker for your child. Your participation and involvement in your child's education is vital to his/her success. Communication and collaboration between home and school is an important key to the educational success of your child. The following are ways in which your participation can make a difference:

- Participate in planning the Individual Education Program (IEP) for your child;
- Present information to the IEP team in person or through a representative;
- Bring additional persons to the IEP team meeting, i.e., grandparents, social worker, friend, case manager, advocate;
- Maintain contact with the teacher regarding the child's continuing progress;
- Ask for a parent/teacher conference when desired;
- Ask for an IEP team review as appropriate;
- Confer with site/program administrator or district administrator when needed;
- Participate as members of your school district's Advisory Committee;
- Attend parent workshops to learn more about child development and special education issues;
- Participate as a volunteer in school-related activities;
- Participate in the school's Parent-Teacher Association/Organization/PTA/PTO.

What are my responsibilities in this partnership?

Here is a checklist for parents (adapted from Alexander, R. and Tompkins-McGill, P. (1987), *Social Work*, 32, (4), 361-362,) that may help you better understand your role and responsibilities as a partner in the special education process.

- I believe I am an equal partner with professionals, and accept my share of the responsibility for solving problems and making plans for my child.
- I clearly express my child's educational needs and needs of my family to professionals in an assertive manner.
- I treat each professional as an individual and avoid letting past negative experiences or negative attitudes get in the way of establishing a good working relationship.
- I communicate quickly with professionals serving my child when significant changes or notable events occur.
- When I make a commitment for a plan of action, I follow through.
- I maintain realistic expectations of professionals, my child, and myself.



What is the role of surrogate parents?

To protect the rights of the child, the district must determine if he or she needs a surrogate parent, and if appropriate, assign a surrogate parent when:

- No parent or guardian can be identified;
- The district, after reasonable efforts, cannot find the parent or guardian; or
- The child is a dependent or ward of the court, and the parent's educational rights have been removed.

The school district or court must ensure that the person selected to be a surrogate parent has no interest that conflicts with the interest of the child he or she represents. In addition, the person selected should have the knowledge and skills to adequately represent the child.

The surrogate parent may not be a person employed by the school district, county office of education, or any other agency that is involved with the education or care of the child. A person is not an employee of the district solely because he or she is paid by the district to serve as a surrogate parent.

The surrogate parent may represent the child in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the IEP, and provision of a full and appropriate education (FAPE) to the child. He or she may sign any consent related to IEP purposes. This includes consenting to an IEP including non-emergency medical services, mental health treatment services, and occupational or physical therapy services.

A surrogate parent will be held harmless by the State of California when acting in his or her official capacity except for wanton, reckless, or malicious acts of omissions.

The following is a link to the procedural safeguards. These procedural safeguards transfer to the student upon his/her 18th birthday if he/she is still receiving special education programs and/or services.

[Procedural Safeguards \(English\)](#)

The California Department of Special Education also provides several translations of the procedural safeguards.

[Available Translations of Procedural Safeguards](#)