

POLICY

**NORTHVALE
BOARD OF EDUCATION
PROGRAM**

**SURROGATE PARENTS AND FOSTER PARENTS
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2467 SURROGATE PARENTS AND FOSTER PARENTS

Federal and State laws require the Board ensure the rights of a student are protected through the provision of an individual to act as surrogate for the parent and assume all parental rights under N.J.A.C. 6A:14-2.2 when:

1. The parent, as defined according to N.J.A.C. 6A:14-1.3, cannot be identified;
2. The parent cannot be located after reasonable efforts;
3. An agency of the State of New Jersey has guardianship of the student and that agency has not taken steps to appoint a surrogate parent for the student;
4. The student is a ward of the State and no State agency has taken steps to appoint a surrogate parent for the student;
5. No parent can be identified for the student in accordance with N.J.A.C. 6A:14-1.3 except a foster parent, the foster parent does not agree to serve as the student's parent, and no State agency has taken steps to appoint a surrogate parent for the student; and
6. The student is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the student.

Qualifications and Selection

The district will make reasonable efforts to appoint a surrogate parent within thirty days of its determination that a surrogate parent is required for a student. If the district fails to appoint a surrogate parent for a ward of the State, a judge may appoint a surrogate parent if the judge determines a surrogate parent is necessary for such a student.

The person serving as a surrogate parent shall:

1. Have no interest that conflicts with those of the student he/she represents;
2. Possess knowledge and skills that ensure adequate representation of the student;
3. Not be replaced without cause;



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4. Be at least eighteen years of age;
5. Have a criminal history review in accordance with N.J.S.A. 18A:6-7.1 completed prior to his or her serving as the surrogate parent, if the school district compensates the surrogate parent for such services; and
6. Not be an employee of the New Jersey Department of Education, this district, or a public or nonpublic agency that is involved in the education or care of the child.

Training

N.J.A.C 6A:14-2.2(d) requires the district train surrogate parents so they have the knowledge and skills that ensure adequate representation of the student. The training will include, but not be limited to:

1. Providing the surrogate parent a copy of:
 - a. Parental Rights in Special Education booklet;
 - b. N.J.A.C. 6A:14;
 - c. The Special Education Process;
 - d. Code Training Materials from the Department of Education website; and
 - e. Other relevant materials.
2. Providing the surrogate parent adequate time to become familiar with the student and the nature of the student's disability through a review of the student's record;
3. Providing the surrogate parent an opportunity to confer with the student's case manager to discuss the student; and
4. Other information and resources to provide the surrogate parent the knowledge and skills to ensure adequate representation of the student.



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Rights of the Surrogate Parent

A surrogate parent appointed in accordance with N.J.A.C. 6A:14-2.2 shall assume all parental rights under N.J.A.C. 6A:14.

N.J.A.C. 6A:14-2.2

Adopted: April 20, 2009

Revised and Approved: April 24, 2017

