

5110-R Surrogate Parents

Surrogate Parents will be appointed when:

- No parent can be identified.
- The district, after reasonable efforts, cannot locate a parent.
- The child is a ward of the State under the laws of the State of Wyoming.
- The child is an unaccompanied homeless youth as defined in section 725(6) of the McKinney Vento Homeless Assistance Act (42 U.S.C. 11434a (6)).

Candidates to be surrogate parents must:

- Be at least the age of majority (18).
- Not be an employee of the Campbell County School District or any other agency that is involved in the education or care of the child.
- Have no professional interest that conflicts with the interest of the child the surrogate parent represents.
- Have knowledge and skills that ensure adequate representation of the child.

Wards of the State: In the case of a child who is a ward of the State, the surrogate parent may be appointed by the judge overseeing the child's case.

Unaccompanied Homeless Youth: In the case of a child who is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and outreach programs may be appointed as temporary surrogate parents, until a surrogate can be appointed by school administration.

Duties and Rights of the Surrogate Parent:

- Attend all meetings, conferences, or hearings concerning the educational placement and programs of the child.
- Surrogate parents will not be held liable for actions taken in good faith on behalf of the student(s) they represent.
- Surrogate parents will be provided adequate instruction by the school district so they may effectively carry out their duties.
- Information will be provided regarding federal, state and local statutes, as well as policies, regulations and procedures, pertaining to education of disabled students.
- Surrogate parents will have the same rights as natural parents regarding access to information and responsibility for maintaining confidentiality of same.

A surrogate parent continues to represent the child until:

- The child is no longer eligible for, or in need of, special education and related services (except when termination from such programs is being contested).
- The parent, a guardian, or a person acting as the child's parent, becomes known.
- It is determined that the appointed surrogate parent no longer adequately represents the child; or
- The child reaches age 18 (except in the instance when the child is legally determined to be incompetent by a Wyoming court and cannot represent him or herself).

ADOPTION DATE: January 28, 1986; Revised September 27, 1993; Renumbered November 22, 1993; Reviewed May 27, 2008; Revised April 26, 2016; Revised January 11, 2022

LEGAL REFERENCE(S): McKinney Vento Homeless Assistance Act (42 U.S.C. 11434a (6))

CROSS REFERENCE(S):

ADMINISTRATIVE REGULATION: