

Reimbursement for expenses for surrogate parents:

➤ **Mileage Allowance**

Surrogate parents shall be paid a mileage allowance at the current state rate for use of their personal vehicle.

➤ **Meals and Lodging**

Surrogate parents shall be allowed meal and lodging expenses at the current state rates.

➤ **Telephone Expenses**

Surrogate parents shall be allowed actual costs for telephone toll charges related to special education issues.

➤ **Other Expenses**

Surrogate parents shall be allowed actual reasonable costs for additional expenses incurred in the execution of their duties (e.g. child care, copying, etc.) Receipt required for any item exceeding five dollars.

➤ **Out of State Travel**

Whenever out of state travel is being considered, the surrogate parent must contact the department of Education one month prior to the trip for instructions as to how to complete the necessary forms.

For additional information on the Surrogate Parent Program contact:

Cliff McHatten
Office of Special Services
23 State House Station
Augusta, ME 04333-0023
Telephone (207) 624-6650
FAX (207) 624-6651

Make A Difference . . .

Help A Child

Surrogate Parent
Program

A Volunteer Program
for Children With
Disabilities



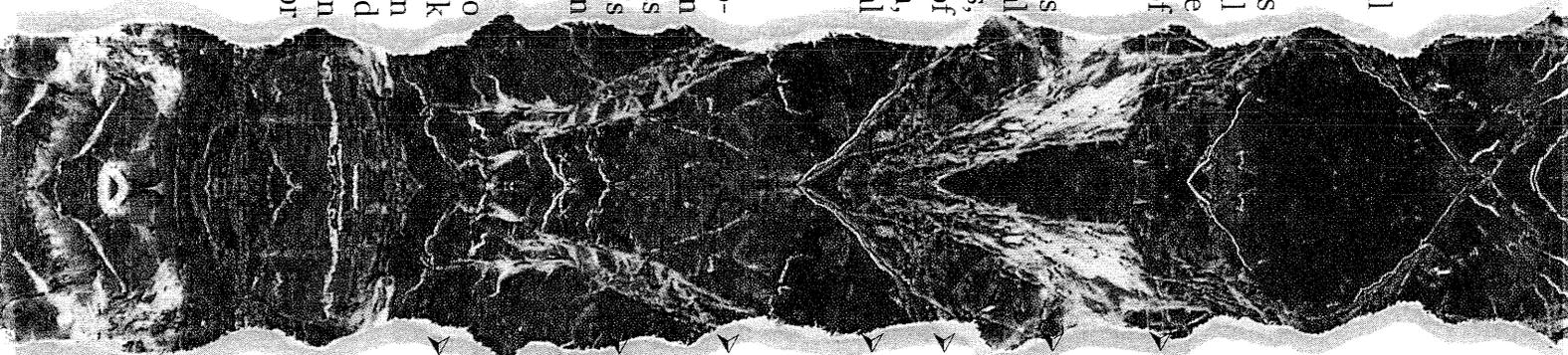
Surrogate Parents for the Special Education Process

➤ A surrogate parent is appointed when the natural parents or guardians cannot be located or the student is a ward of the State of Maine.

➤ The surrogate parent has all of the rights of the natural parents for educational matters, i.e. permission for evaluation of placement, release of information, and request for educational hearing.

➤ A surrogate parent is appointed to act independently on behalf of a child with disabilities and to safeguard the student's rights in the special education process.

➤ Surrogate parents need to be caring individuals able to work with Maine Special Education Regulations and be able to attend Pupil Evaluation Team meetings in the child's local school or residential setting.



Sources of Potential Surrogate Parents

➤ Surrogate Parents may be:

➤ Natural parent/
adoptive parent

➤ Foster Parents

➤ Relatives of the child

➤ Individuals recommended by the educational agency

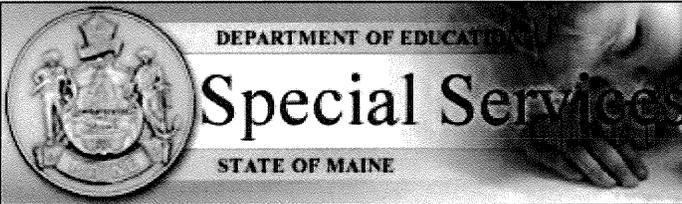
➤ Individuals recommended by the state agency

➤ Individuals recruited by the Department of Education's Office of Special Services

➤ Individual recommended by the child.

➤ Training and support from the Office of Special Services is available to all surrogate parents.

➤ The Surrogate Parent Program was established to provide surrogate parents to children with disabilities whenever the natural parents or guardian of a child with a disability cannot be identified, located or when the child is in the custody of the state. Surrogate parents have all of the rights of the natural parents for education matters, e.g. permission for evaluation and placement, release information and request for educational hearing. The primary goal of the surrogate parent program is to ensure that all children with disabilities are provided with equal educational opportunities.



SPECIAL SERVICES INFORMATION

Assistive Technology
Child Development
Directors List
Due Process
Fact Sheet FAQ
Forms
IDEA Reauthorization
Keeping Maine's Children Connected
MACECD (Maine Advisory Council on the Education of Children with Disabilities)
Maine State Gear Up
Materials
Personnel
Request for Proposal (RFP)
Rules
Service Organizations/Agencies
Special Education Data
Special Education Regulations
State Performance Plan
Surrogate Parents
Training and Development Events

[Home](#) > [Surrogate Parent Program](#)

Maine Surrogate Parent Program

NEED QUALIFIED SPEECH-LANGUAGE PROFESSIONALS TO STAFF YOUR POSITIONS?

Make a Difference Help a Child

A Volunteer Program for Children with Disabilities

The Surrogate Parent Handbook is now available - see link below.

The Surrogate Parent Program was established to provide surrogate parents to children with disabilities whenever the natural parents or guardian of a child with a disability cannot be identified, located or when the child is in the custody of the state. Surrogate parents have all the rights of the natural parents for educational matters, e.g. permission for evaluation and placement, release information and request for educational hearing. The primary goal of the surrogate parent program is to ensure that all children with disabilities are provided with equal educational opportunities.

- [Surrogate Parent Volunteer Application](#)
- [Download Version Application](#)
- [Request for appointment for a surrogate parent](#)
- [Download Vernion appointment](#)

Note: Download file to your computer and save it, then open up file and type. This can be emailed to: Cliff.McHatten@maine.gov

- [Surrogate Parent Handbook](#)
- [What is a Surrogate Parent?](#)
- [Sources of Surrogate Parents](#)
- [Reimbursement of Expenses](#)

Contact:
[Cliff McHatten](#)
Office of Special Services
23 State House Station
Augusta, ME 04333

SPECIAL EDUCATION: KNOW YOUR RESOURCES AND RAISE YOUR AWARENESS

A day-long workshop, for Parents, Surrogate and Foster/Resource Families

SPONSORED BY: KIDS LEGAL, Maine Department of Education-Special Services, Maine Parent Federation and University of Maine Center for Community Inclusion and Disability Studies UCEDD

This is a *FREE* Workshop!

8:30 AM – 3:00 PM

WORKSHOP DESCRIPTION

This workshop brings you key information about special education and the rights of foster/resource families and surrogate parents. Foster/Resource Families and surrogate parents play a unique and critical role in supporting the special education rights and needs of children. This workshop will provide participants with information they can use to partner with their child's school, resolve conflict, address concerns, access resources and get answers to burning questions.

Specific areas to be covered include:

- Transition from school to adulthood.
- Resources for foster and surrogate parents, including the Maine Surrogate Parent Handbook.
- Identifying the critical issues that make you an equal partner on the IEP Team.

Learning Objectives:

- Know time lines through out the Special Education process.
- Identify what you want your child's teachers to know and be able to do when working with your child.
- Learn effective advocacy strategies.

Presenters:

- The Center for Community Inclusion and Disability Studies: Kathy Son, Research Associate
- DOE Special Services: Cliff McHatten, Consultant
- KIDS LEGAL: Sara Meerse, Attorney
- Maine Parent Federation: Jan Avery, Parent Training and Information Specialist

**** Morning refreshments and lunch will be provided. ****

SPECIAL EDUCATION:
KNOW YOUR RESOURCES AND RAISE YOUR AWARENESS
A day-long workshop, for Parents, Foster and Surrogate Parents

REGISTRATION FORM

If you register, but are unable to attend, please contact MPF to cancel.

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We reserve the right to cancel a workshop due to low attendance or inclement weather.  
Cancellations will be made by noon the day before the workshop.  
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Attendees will receive: Certificate of Attendance
Also available: CEU's (fee applies) and GAL Continuing Education Credits

Please check the location you are registering for:

- September 15th, DHHS - Biddeford
- September 22th, Unified Technology Center – Bangor
- September 23th, University of Maine at Presque Isle – Presque Isle
- November 4th, – DHHS, Machias

Attending: (Please Check One)

- Parent
- Foster Parent
- Surrogate Parent
- Other _____

Name:	Child's Age: _____
Address:	
City, State, Zip:	
Phone #:	
Email:	
Accommodations Needed:	

What are you hoping to learn from this workshop? _____

<u>Mail Form to</u> Maine Parent Federation ATTN: Jan PO Box 2067 Augusta, Maine 04338	<u>Register by Phone:</u> (207) 623-2144 or 1-800-870-7746 Ask for Penny or Jan	<u>Fax Form to:</u> (207) 623-2148
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**For More Information contact MPF at 1-800-870-7746 (ask for Penny);
visit our website at www.mpf.org or email javery@mpf.org
Once registered, directions and confirmation will be sent by email or mail.**

conformity with the individualized family service plan or individualized education program that meets the requirements of 300.320 through 300.324[20 USC 1401(9) and 34 CFR 300.17]

12. **Functional Behavioral Assessment.** *Functional behavioral assessment means a school-based process used by the Individualized Education Program (IEP) Team, which includes the parent and, as appropriate, the child, to determine why a child engages in challenging behaviors and how the behavior relates to the child's environment. The term includes direct assessments, indirect assessments and data analysis designed to assist the IEP Team to identify and define the problem behavior in concrete terms, identify the contextual factors (including affective and cognitive factors) that contribute to the behavior, and formulate a hypothesis regarding the general conditions under which a behavior usually occurs and the probable consequences that maintain the behavior. Formal documentation of the assessment by appropriately qualified individuals becomes part of the child's educational record and is provided to the IEP Team.*
- 13.. **Functional Performance.** *Functional performance means how the child demonstrates his/her skills and behaviors in cognition, communication, motor, adaptive, social/emotional and sensory areas.*
14. **Homeless child.** Homeless child means a person who:
- a) lacks a fixed, regular and adequate nighttime residence;
 - b) is a child or a youth:
 - 1) who is sharing the housing of other persons due to loss of housing or economic hardship or a similar reason; is living in a motel, hotel, trailer park or camping ground due to lack of alternative adequate accommodation; is living in an emergency or transitional shelter; is abandoned in a hospital; or is awaiting foster care placement;
 - 2) who is living in a car, park, or public space or in an abandoned building, substandard housing, bus or train station or similar setting;
 - 3) who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; and
 - 4) who is a migratory child, as defined in section 1309 of the federal Elementary and Secondary Education Act of 1965, who qualifies as homeless for the purpose of this chapter because the child is living in circumstances described in this section.
- The term homeless child does not include a person housed in a correctional facility, jail, or detention facility.
15. **Independent Educational Evaluation.** *Independent educational evaluation means an evaluation conducted by a qualified examiner who is not employed by the SAU responsible for the education of the child in question. An independent*

educational evaluation at public expense means that the school either pays for the full cost of the evaluation or insures that the evaluation is otherwise provided at no cost to the parent. See Section XVI.6. of this rule.

16. **Individualized Educational Program (IEP) Case Manager.** *The IEP case manager may oversee a child's (age 3 to 20) needs to assure that due process requirements under the federal Individuals with Disabilities Education Act are met. The case manager communicates with SAU staff, parents, the child, and teachers to provide coordination and follow up for the IEP process.*
17. **Informed Clinical Opinion.** *Informed Clinical Opinion (ICO) means the consensus of an IFSP Team consisting of the parents(s) of the child and at least two early childhood professionals who are appropriately certified in their area of expertise who together, after a comprehensive assessment process utilizing qualitative and quantitative, formal and informal sources of information, reach an informed conclusion about a child's abilities and needs within his/her natural environment. Informed clinical opinion must be included in evaluation and assessment procedures for children B-2 to ensure that an eligibility determination is not based upon isolated information or test scores alone.*
18. **Intermediate Educational Unit (IEU).** *Intermediate educational unit means an entity that meets the definition of intermediate educational unit in the federal Individuals with Disabilities Education Act (I.D.E.A.), 20 U.S.C., §1402, (23) as in effect prior to June 4, 1997, and that is a public authority, other than a local educational agency, under the general supervision of a State educational agency, that is established for the purpose of providing free public education on a regional basis and that provides special education and related services to children with disabilities within the State.[34 CFR 300.12(c)] Intermediate educational units and school administrative units are both considered local educational agencies (LEAs) under IDEA. The Child Development Services (CDS) regional sites are organized as IEUs. For purposes of this chapter all references to SAUs in this rule include IEUs.*
19. **Modifications.** *Modifications mean changes in the regular education curriculum and or assessment that lowers the standards of the curriculum.*
20. **Parent.** Parent means:
 - A. A biological or adoptive parent of a child;
 - B. A foster parent;
 - C. A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child (but not the State if the child is a ward of the State);
 - D. An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or

E. A surrogate parent who has been appointed in accordance with Sec. 300.519 or section 639(a)(5) of the Act. Except as provided in *the paragraph below*, the biological or adoptive parent, when attempting to act as the parent under this part and when more than one party is qualified under paragraphs A-E of this section to act as a parent, must be presumed to be the parent for purposes of this section unless the biological or adoptive parent does not have legal authority to make educational decisions for the child.

If a judicial decree or order identifies a specific person or persons under paragraphs A through D of this section to act as the parent of a child or to make educational decisions on behalf of a child, then such person or persons shall be determined to be the parent for purposes of this section. [34 CFR 300.30]

21. ***Parentally Placed Private School Child.*** *Parentally placed private school child means a child who has been placed in a private school approved for purposes of compulsory attendance pursuant to 20-A MRSAS5001-A(3)(A)(1)(a), or recognized by the Department as providing equivalent instruction pursuant to 20-A MRSAS5001-A(3)(A)(1)(b) by his/her parent and whose education is paid for with private funds. A child who attends a private school pursuant to a contract with a school administrative unit or at public expense in situations where a school administrative unit does not operate public schools, or contract for school privileges, is not a parentally placed private school student for purposes of this rule, even in cases where the parent is allowed to select the school the child attends. In addition, children who are unilaterally placed in private schools by their parents when FAPE is at issue are not parentally placed private school students for purposes of this rule, so long as the parent has provided notice pursuant to IV.G(3)(d) of this rule. In cases when parents unilaterally placed their child in a private school when FAPE is at issue, the district of residence remains responsible for offering an IEP for the child and the district where the private school is located is obligated to offer an individual service plan.*
22. ***Positive Reinforcement Interventions and Supports.*** *Positive reinforcement interventions and supports means the use of positive techniques designed to assist a child to acquire educationally and socially appropriate behaviors and to reduce patterns of dangerous, destructive, disruptive or defiant behaviors. Positive reinforcement strategies and interventions may be determined by the IEP Team and may be based upon the results of functional behavior assessments as defined in definition 12 above.*
23. ***Post Secondary Goals.*** *Post secondary goals mean statements of intention related to post-school training, education, employment, and, where appropriate, independent living skills based on the child's strengths, preferences, and interests and shaped by age appropriate transition assessments.*
24. ***Pre-referral Procedures*** *Pre-Referral Procedures are general education procedures involving regular benchmark assessment of all children, using Curriculum Based Measurements (CBM), to monitor child progress and identify*

Keeping Maine's Children Connected

www.maine.gov/education/speced/kmcc/index.htm

KEEPING MAINE'S CHILDREN CONNECTED INFORMATION

Role of Liaison

Liaison Database

FAQ's about Liaisons

Interagency Agreements

KMCC Liaison Meetings

Parent Organizations

Planning Models

Policies and Statewide Task

Forces

Psychiatric Facility Links

State Agency Links

Resources and Articles

Statewide Training

Statistics

Strategies

Get Connected Youth Advisory

Committee

Special Services

Keeping Maine's Children Connected A Maine Children's Cabinet Initiative

An Integrated Approach to Help Children and Youth Who Experience School disruption to: Homelessness, Foster Care Placement, Correctional Facility Placement, In-Patient Psychiatric Care and/or High Mobility

Mission: To promote success for all youth who experience a disruption in their educational program.

Intent: To simplify the transition to and from school so that these students can stay connected or re-connect to their education programs as soon as possible. It is a collaborative effort among The Department of Corrections, The Department of Education, Department of Labor, The Department of Justice and The Department of Health and Human Services.

Who Are We Talking About? : All youth affected by homelessness, foster care placement, correctional facility placement, in-patient psychiatric care and/or High Mobility.

What This Means For Children and Youth :

- Improved educational outcomes through the continuity and completion of their educational program.
- Reduced number of school transitions in each child's life.
- Increased sense of belonging to the school and community.

What This Means for the System :

- A standardized system of communication among state agencies, correctional facilities, in-patient psychiatric facilities and school districts
- An increased knowledge of issues and policies affecting youth who have experienced disruption in their school placement.

How Does It Work :

1. **Establish and train liaisons** in each school district, state agency, correctional facility, and in-patient psychiatric facility. These liaisons along with the youth and family, will help decide who are the best people to assist in a plan to support the child in transition. There will be a single statewide database listing all the liaisons which can be easily accessed through a designated website.
2. **Maintain ongoing training** and meetings for the liaisons so they can remain up to date on policy changes and issues affecting youth.
3. **Interagency Systems Training** so staff can learn more about other disciplines and agencies.

For More Information Contact: Susan Lieberman. Director at 822-0172 or susan.lieberman@maine.gov

4/7/10

provided by DEE' Susan Lieberman

Welcome to the Keeping Maine's Children Connected Database!

The electronic database is used to locate the liaison for each school district, regional state agency office, psychiatric facility or correctional facility. For more information about the role liaisons see Frequently Asked Questions (FAQ).

How to use the electronic database. Follow the directions listed below to locate a liaison.

School District Liaison: Type in the name of the town where the youth resides.

Regional State Agency Liaison: Type in the name of the county where the youth resides.

Correctional Facility Liaison: Type in the name of the facility.

Psychiatric Facility Liaison: Type in the name of the facility.

Residential Facility/Group Care Liaison: Type in the name of the agency

When To Use the Database:

Resource: You can obtain the name of a liaison from a school district, state agency and facility when you don't have a specific name of a contact at the school, state agency or facility. The liaison can assist you by determining who is the best person or team within a school district, agency or facility to assist with the child or youth's support plan. This is particularly helpful when you want to contact someone from a specific school, agency or facility and you are not sure who to call.

Make a Connection: When you have permission from the guardian, you can leave a message for the liaison to call you. You can leave a message via phone or e-mail. This is particularly useful when a student has a short term stay.

For example, you can e-mail the liaison to say. "I am the social worker, staff, ect and I work at the hospital. Please call me today. I am available at ____ time (or if you prefer, leave your pager number)" This will let the liaison know they need to contact you but no confidential information has been shared over the e-mail system.

9/7/10

provided by DOE - Nancy Connolly

DRAFT

**INFORMATIONAL LETTER:
POLICY CODE:**

TO: Superintendents, Principals, and Special Education Directors

FROM: Angela Faherty, Ph.D., Commissioner of Education

DATE: August 24, 2010

RE: Addition to, and Amendment of, Title 20-A, Chapter 213, Student Eligibility and Chapter 221, School Records, Audits and Reports Regarding Students Placed by the Department of Health and Human Services

The 124th Maine Legislature, during the Second Regular Session, enacted the following addition and amendment, to align Maine Statutes with the educational stability provisions of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008.

20-A, MRSA §5205, §§3-A, Other Exceptions to the General Residency Rules §§3-A, adds the following provision:

3-A. Students placed by the Department of Health and Human Services. Notwithstanding subsection 3, a student who is placed by the Department of Health and Human Services with an adult who is not the child's parent or legal guardian in accordance with the educational stability provisions of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008, Public Law 110□351, 122 Stat. 3949 is considered a resident of either the school administrative unit where the student resides during the placement or the school administrative unit where the student resided prior to the placement based on the best interest of the student. The Department of Health and Human Services, in consultation with the department and the school administrative units, shall determine which of the 2 units is appropriate and notify that unit in writing of its determination. The school administrative unit that provides public education for the student shall count the student as a resident student for subsidy purposes.

20-A, MRSA §6004, Annual Student Count, §§2 is amended to read:

B. Students who attend school under section 5205, subsections 2, 3A, 4, 5 and 6 must be counted in the school administrative unit in which they attend school.

A student, placed by the Department of Health and Human Services with an adult who is not the child's parent or legal guardian in accordance with the educational stability provisions of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008, is considered a resident of either the school administrative unit where the student resides during the placement or

the school administrative unit where the student resided prior to the placement based on the best interest of the student. The Department of Health and Human Services shall determine which of the two units is appropriate and notify the unit in writing of its determination.

If it is deemed in the best interest of the child to attend the previous school district and the travel time is reasonable, then DHHS will assume the responsibility for the arranging and for funding transportation to and from school, other than transportation costs specifically identified in the child's Individual Education Plan (IEP).

A resource for you regarding implementation of these changes is Keeping Maine's Children Connected, a program of the Maine Children's Cabinet. Guidance and resource personnel at the local and State levels is available at: <http://www.maine.gov/education/speced/kmcc/index.htm>.

If you have any questions about this new legislation, please contact Department of Education representative, Nancy Connolly at Nancy.Connolly@maine.gov or call 624-6650. You may also contact the Department of Health and Human Services representative, Virginia Marriner at Virginia.S.Marriner@maine.gov or call 624-7931.

AF/DNA/gdw