



**Illinois
State Board of
Education**

Educational Surrogate Parents

Presented By Consuelo Puente

Multicultural Trainer

Family Matters



Parent Training & Information Center

IDEA & Parental Rights

- ▶ Parents are key partners in the implementation of IDEA
- ▶ Parents have the power to provide consent to evaluations and the provision of special education services
- ▶ Under IDEA states have various mandates they are obligated to follow

IDEA & Surrogate Parents

- ▶ Section 303.422 of IDEA states that a lead agency must ensure the rights of a child are protected at all times
- ▶ The lead agency in Illinois is Illinois State Board of Education (ISBE)
- ▶ ISBE must ensure that a “parent” is available to **all** children at all times

ISBE Duties

- ▶ To develop a method to determine whether a child needs a surrogate parent
- ▶ Assigning a surrogate parent to a child that needs one
- ▶ Developing a system that trains and recruits Educational Surrogate Parents

What is a Educational Surrogate Parent?

- ▶ Educational Surrogate Parents are educational **advocates** for children who may be eligible or are receiving special education services and whose parents are unavailable, who are considered youth in care of the Department of Children and Family Services, who are living in a residential facility, or who are an unaccompanied homeless youth.
- ▶ Educational Surrogate Parents (ESPs) help ensure the student has access to a Free and Appropriate Public Education (FAPE) under the IDEA.

What an ESP is *not*:

- ▶ Big brother/big sister
- ▶ A person who signs field trip or medication forms
- ▶ A person who signs release of information forms other than records
- ▶ A person who signs physical restraint consent at residential facilities

How do you Become a ESP?

- ▶ Application and check of references
- ▶ Complete one day training and pass a test
- ▶ Background check
- ▶ Appointment process
- ▶ Provision of Services

Who cannot be an ESP?

- ▶ Must be over 18 years of age
- ▶ Must not be an employee of ISBE, DCFS, DOC or LEA
- ▶ Must not be an employee of a group home
- ▶ Someone with personal or professional interest that conflicts with the interests of the child

Who Needs an ESP?

- ▶ Children who are eligible or under evaluation for special education services and are:
 - Ages 0 through the end of the school year when student turns 22 years of age
 - Youth in Care (DCFS)
 - Located at a residential facility (DOC, in-patient treatment facility, educational residential facility)
 - Unaccompanied homeless youth
 - Children for whom parents/guardians are unavailable (note: this is different from parents who are difficult to engage but maintain parental rights/guardianship)

When is an ESP no longer needed?

- ▶ Student has graduated
- ▶ Child is placed in a foster home
- ▶ Child has returned to biological parents or legal guardian
- ▶ The IEP team determines the child no longer needs/qualifies for special education services
- ▶ The student reaches their 22nd birthday and is at the end of their eligibility
- ▶ The student reaches the age of majority (18) and has taken on their own educational decision making rights

What are the ESP's supposed to do?

- ▶ Act as an **advocate** for students receiving or who are under evaluation for special education services.
 - Learn about the student's educational needs
 - Visit the student in school and observe
 - Develop a working relationship with school staff
 - Request conflict resolution procedures if necessary
 - Act as a reliable participant in the process
 - Maintain confidentiality
 - Keep and review records

ESP's are to:

- ▶ Be an **active participant** in the special education and IEP process.
 - Attend and actively participate in IEP meetings (Domain, eligibility, annual review, 3-year re-evaluation, manifestation determination)
 - Review reports and draft IEP (IL regulations require all materials to be discussed at the IEP meeting be provided to parents 3 days in advance of meeting)
 - Provide consent for assessment/evaluation for special education

And finally ESP's are to:

- ▶ Work with school staff to develop the IEP which includes appropriate services
 - Ask questions and provide input
 - Respond to communications from the school/district/ISBE in a timely manner
 - Submit reports of services twice a year and request reimbursement if preferred

To Become an Educational Surrogate Parent

Call: 1-866-436-7842 ext. 3516

Upcoming Virtual Full Day Training Dates:

February 8, 2023

March 1, 2023



Consuelo Puente
cpuente@fmptic.org
or
Text: 217-718-3355

