

612.18 Appointment of Surrogates

Thursday, October 26, 2023

APPOINTMENT OF SURROGATES

To ensure the protection of the rights of children, the district will appoint a surrogate for a child with a disability as required by law. The duty of appointing a surrogate must include a method for determining whether a child needs a surrogate parent and for assigning a surrogate parent to the child. The district shall make reasonable efforts to ensure the assignment of a surrogate not more than 30 calendar days after there is a determination that the child needs a surrogate.

The surrogate must be a person as described in 51 NAC 0009.10D who:

1. Has no personal or professional interest that conflicts with the interest of the child he or she represents;
2. Has knowledge and skills that ensure adequate representation of the child; and
3. Is not an employee of any public agency which is involved in the education or care of the child.

The surrogate may represent the child in all matters relating to:

1. The identification, evaluation, and educational placement of a child; and
2. The provision of a free appropriate public education to the child.

Issues arising from the selection, appointment, or removal of a surrogate parent shall be resolved through hearings established under 92 NAC 55.

“Policies and Procedures Guidance Documents” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

Approved October 9, 2023 Reviewed _____

Revised
