



Surrogate Parent Policy

Provident Charter School will assign a surrogate parent whenever: 1) a birth or adoptive parent is unknown or cannot be located; 2) parental rights to make educational decision have been limited or terminated, and there is no foster parent, guardian, or other individual acting in the place of a parent with whom the child lives; or 3) the child is an unaccompanied homeless youth. Provident Charter School will assign a surrogate parent within 30 calendar days of determining that a surrogate parent is required.

A parent (hereinafter referred to as an Individuals with Disabilities Education Act (IDEA) parent) is defined under IDEA as:

- A biological or adoptive parent of a child;
- A foster parent;
- A guardian authorized to act as the child's parent, or authorized by a court to make educational decisions for the child;
- An individual acting as a parent in the place of the biological or adoptive parent with whom the child lives (including a grandparent, stepparent, or other relative or a person who is legally responsible for the child's welfare); or
- A surrogate parent who has been appointed by an educational agency or an educational decision maker appointed by a court in accordance with IDEA.

Appointment of the Surrogate Parent

Provident Charter School will ensure that a surrogate parent is appointed to represent the child in all matters related to identification, evaluation, placement, and the provision of FAPE when:

- No IDEA parent can be identified;
- The local educational agency, after reasonable efforts, cannot locate a parent;
- The child is a ward of the State *as defined by State law* (Pennsylvania does not have a state law definition of ward of the State so this provision does not apply in Pennsylvania); or
- The child is an unaccompanied homeless youth as defined in §725(6) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434(a)(6)) (i.e., youth who lack a fixed nighttime residence and are not in the care of a parent or guardian).