

Philadelphia Department of Behavioral Health Intellectual disAbility Services  
Infant Toddler Early Intervention

**Surrogate Parent Policy:**

Every foster child who is referred to early intervention will be assigned a surrogate parent. If the availability of the parents or legal guardians is unknown at the time of referral, if their whereabouts are unknown or if they (the parents/legal guardians) are unable to plan for their child and reasonable efforts have been made to locate the biological parent and the child is not a ward of the state, a surrogate parent will be appointed. Every effort will be made to ensure the assignment of a surrogate parent not more than 30 days after the program has determined that the child needs a surrogate parent and services will not be delayed due to the appointment of a surrogate.

The child's foster parent [if they are willing] can be designated as the surrogate parent for the child. A surrogate parent represents the interests of infants and toddlers, has the same rights as a parent; and represents an eligible child in those circumstances when a parent or legal guardian is unknown and would normally be responsible for representing the early intervention needs of a child with disabilities in regard to the need for:

1. Evaluation of their need for Early Intervention Services;
2. Development, implementation, and review of the Individualized Family Service Plan (IFSP); and/or
3. Monitoring of the on-going provision of Early Intervention Services.

A person appointed as a surrogate shall be protected from actions taken in good faith on behalf of the child in representing rights established by Public Law 99-457 as amended by Public Law 102-119.

Persons acting in the place of a parent, such as a grandparent, step-parent or foster parent, as well as individuals who have a legal responsibility for the child's welfare, may represent the interests of the child.

The implementation of the policies and procedures related to the assignment of a surrogate parent for children who are wards of the State or placed in foster care, the local Infant Toddler EI Program shall be done in consultation with the local County Children, Youth and Family agency that has been assigned care of the child.

**Procedure:**

Requests for an appointment of a surrogate should be forwarded to the County Early Intervention Coordinator or designee. The County will assure that a surrogate parent is designated within 30 days of the request. The delivery of IT EI services is not delayed due to the appointment of a surrogate.

## **A. Assignment of Surrogates:**

1. In most cases the child's foster parent will be designated as the surrogate parent for the child and the county will confirm this designation in writing when informed by service coordination.
2. If the child's foster parent is unable and/or unwilling to serve as the surrogate, the assigned service coordinator will notify the county who will:
  - a) Ask a child's court appointed advocate or
  - b) Engage a surrogate from the County's general surrogate parent pool to serve in that capacity.
3. The county will arrange for the identified volunteer (from the general surrogate parent pool or the child advocate) to complete an application. The county will notify the Service Coordination Entity once a surrogate has been identified.

## **B. Responsibilities of Surrogate Parents:**

A surrogate parent must:

1. Participate in training programs on surrogate responsibilities.
2. Attend one or more planning conferences to develop the IFSP and implement the IFSP plan as appropriate for the child.
3. Become familiar with mediation, and due process procedures, and the confidentiality rules regarding the child's record.
4. Receive notices concerning evaluation and services for the child.
5. Monitor the child's service plan and the ongoing provision of service to the child.
6. Provide necessary support to ensure that the child receives the Early Intervention Services identified in the IFSP.
7. Coordinating with the child's service coordinator and early intervention service providers
8. Initiate necessary mediation of the child's hearing and/or appeal procedures regarding the Early Intervention Services of the child when necessary/appropriate.

## **C. Funding**

This is a voluntary position therefore persons serving as surrogate parents will not be reimbursed for their time spent fulfilling their duties. The surrogate parent will only be reimbursed by the County for any expenses incurred while fulfilling their voluntary

responsibilities as a Surrogate Parent, providing that these expenses are not already being reimbursed by Pennsylvania's Department of Human Services or Philadelphia's Department of Human Services (DHS) through the foster Care Agency (in the case of Foster Parents).

INFANT TODDLER and FAMILY (ITF) WAIVER: For the children who are eligible for the Infant Toddler Family Waiver, a Children and Youth representative will be designated who can sign the waiver form. The assigned Service Coordinator will gather all waiver applications information for foster children and will follow the instructions worked out between IDS and DHS to have the waiver signed.

#### **D. Qualifications of Surrogate Parents**

All Surrogate Parents (including foster parents) must sign an agreement to be the surrogate for the child identified (see attached). The basic qualifications of all surrogate parents are that they:

1. Be of good character and have good personal habits
2. Be at least eighteen (18) years of age
3. Possess reasonable abilities and are competent to make decisions regarding a child's Early Intervention Services needs
4. Are willing to acquaint themselves with the infant's needs and community resources and Early Intervention services available
5. Have no interest that would conflict with that of the child
6. A surrogate parent cannot be a County employee or an employee of any public agency, or any private agency that contracts with a public agency
7. A surrogate parent must have a police clearance and a child abuse clearance

#### **D. Philadelphia County Recruitment of Surrogates**

Philadelphia County Infant Toddler Early Intervention will recruit and maintain a pool of interested persons who are qualified to serve as surrogates through:

1. Court Appointed child Advocates (specifically assigned to individual children)
2. The News media
3. Local organizations including: P.I.C.C., advocacy groups, civic groups, churches, etc; and
4. Local colleges, universities

## **E. Foster Parents as Surrogate Parents**

1. When a child is in foster care, the foster parent can serve as the surrogate parent for the child in their home.
2. The foster parent must be willing to act as the surrogate parent and complete an agreement indicating this.
3. The county will still designate them as the child's surrogate parent and send the confirmation of this once the agreement is completed and sent to MRS.
4. Under federal and state regulation kinship care foster parents do not have to be appointed by the County Intellectual disAbility Services in order to act as the child's surrogate, and therefore do not have to sign an agreement indicating the same.
5. Any clearances obtained in the process of becoming a foster parent will suffice for the foster parent role of surrogate parent.

## **F. The Use of Child Advocates as Surrogates**

All foster care children receive a court appointed child advocate. Many child advocates already attend IFSP meetings and are acquainted with the child and family. They are familiar with the laws, regarding the care of the foster child in need of a surrogate parent. If the foster parent declines to be the child's surrogate, the child's advocate will be asked next as to their availability and willingness to be the surrogate parent.

1. The child's advocate must be willing to act as the surrogate parent and complete an agreement indicating this.
2. The county will still designate them as the child's surrogate parent and send the confirmation of this once the agreement is completed and sent to IDS.

If time commitment is an issue and the child's advocate cannot agree to this role, then IDS will access the general surrogate parent pool to identify a surrogate parent for the child.

## **G. Use of the General Surrogate Parent Volunteer Pool**

The general surrogate parent pool will be accessed after all of the other surrogate options have been explored.

1. All surrogates in the Volunteer General Surrogate Parent pool will complete an application.
2. A copy of the application and signed surrogate parent agreement will be maintained in the child's file and a copy sent to the County Office of Mental Retardation Services (MRS).
3. Surrogates that are recruited independently and in the general surrogate parent pool will be required to have a child abuse and criminal history clearance as part of their application process.

## H. Training

### 1. Foster Parents

The Service Coordinator for the child who is eligible for Early Intervention Services will review (in detail) the Parents Rights Agreement with the Foster Parent. Care will be taken to assure that each area identified in the Surrogate Parent Overview Training Sheet (see attached) is covered. The Foster Parent will also initial and sign the Surrogate Parent Overview Training Sheet, which will be kept in the child's file. A copy of the Training Sheet will be provided to the County to be kept with the Foster Parents' Surrogate Agreement and other correspondence.

### 2. Child Advocates

Formal training is not needed for child advocates since they are knowledgeable and familiar with advocating for children in foster care. Training (provision of information) is needed regarding early intervention regulations and due process procedures. They also need to be introduced to the child's specific developmental issues as well as meet the caregivers of the child.

### 3. General Surrogate Parent Pool

- a. If a legally appointed child advocate or foster parent is unable (or unwilling) to serve as the child's surrogate, then Philadelphia Infant Toddler Early Intervention will access the general surrogate parent pool.
- b. Philadelphia County Early Intervention will arrange training to approved individuals who are in the general surrogate parent pool. The training overview sheet will be reviewed with the surrogate parent when s/he has been assigned to a particular child.
- c. The training activities for those in the general surrogate parent pool will include but will not be limited to:
  - ❖ Acquaint the surrogate with the child, and their developmental issues.
  - ❖ Describe and observe (via tape) the Multidisciplinary Evaluation (MDE) and the Individualized Family Service Plan (IFSP) document and process.
  - ❖ Identify the key people in the development of a child's Individualized Family Service Plan.
  - ❖ Familiarize the surrogate with the procedures of the Individualized Family Service Plan development, mediation, due process, and confidentiality of a child's records.
  - ❖ Familiarize the surrogate with Early Intervention (EI) service options available.
  - ❖ A review of regulations of Act 212 of 1990 and PL 99-457 and Pennsylvania State Early Intervention Regulations.
  - ❖ A review of termination procedures for the surrogate and the county.
  - ❖ View an Early Intervention services training video of an Individualized Family Service Plan (IFSP)/Multidisciplinary Evaluation (MDE) and a quarterly review meeting.

d. Training for surrogate parents includes one to two hours in a home or group setting. In addition, serving as a surrogate parent may entail an average of three to four meeting hours per month. In some months contact may not be necessary. Some months may include one or two meetings, lasting one and a half to two hours each meeting.

e. Certificates will be issued to eligible individuals who have completed the training as surrogates. The certificate will show dates of training and the effective date.

## **I. Tenure & Termination of Surrogates**

1. A surrogate will serve for the length and time that:

- ❖ The surrogate is willing to serve; and
- ❖ The child requires a surrogate; and
- ❖ The surrogate meets all qualifications to serve.

2. A surrogate will be terminated or replaced if:

- A. They voluntarily discontinue their tenure, by giving fifteen (15) days written or verbal notice to the Early Intervention Service Coordinator.
- B. The County has determined that the surrogate is no longer making reasonable efforts to review records, attend meetings or represent the child.
- C. The surrogate has violated minimum standards of practice, or no longer meets the qualifications set forth in this policy.
- D. A foster child moves into another foster home and the current foster parent is willing to assume the role of the surrogate parent for the child.
- E. The parent or legal guardian of the child becomes actively involved in the planning for the child.

Intellectual disAbility Services  
Philadelphia Infant Toddler Early Intervention

APPLICATION FOR SURROGATE PARENT

(To be completed only by those in the general volunteer surrogate parent pool.)

NAME: \_\_\_\_\_

D.O.B. \_\_\_\_\_ (Must be at least 18 years of age)

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

TELEPHONE:( ) \_\_\_\_\_ ( ) \_\_\_\_\_  
Home Work

Have you ever been approved as a surrogate parent for another child? Yes\_\_  
No\_\_

If yes, when and for what County?

EDUCATION:

Highest Level Completed	School Name	Date Attended

EMPLOYMENT:

Identify your employer immediately prior to your current employment.

Dates	Employers	Type of work	Reason for Termination

IDENTIFY YOUR PRESENT EMPLOYMENT	Date Started	Employer	Address	Type of Work

Please explain any previous experiences you have had with individuals with mental and/or physical disabilities \_\_\_\_\_

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Please explain your familiarity with Early Intervention Services \_\_\_\_\_

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Please give a short explanation on why you wish to be a surrogate parent

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References: (Two friends you have known at least five years. Give completed address and phone number)

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I certify that all of the information given in this application is true.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

I give permission for the identified persons above to be contacted to supply a reference for me.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date



**SURROGATE PARENT OVERVIEW TRAINING SHEET**  
(to be completed by Surrogate Parent Volunteer)

Child's Name:

My initials indicate that I have reviewed, received, or been informed of:

	Date	Surrogate Parent's Initials	Service Coordinator's Initials
The Screening and MDE Process			
The procedures for developing Individual Family Service Plans			
My rights-including <u>confidentiality</u>			
Due Process procedures			
Early intervention service options			
I have received:			
Federal Public Law 99-42 Individuals with Disabilities Act (IDEA)			
Federal Public Law 99-457 (Amended (94-142)			
State Act 212 – Early Intervention Services Act			
An Early Intervention Family Packet			

Name \_\_\_\_\_ has volunteered to be a surrogate parent for the above named child.

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Surrogate Parent Agreement  
(To be completed by all Surrogate Parents)

I hereby affirm that:

1. I agree to be a Surrogate Parent;
2. I am a person of good character (cleared for child abuse and criminal record), and have the child's interest as my priority;
3. I am at least 18 years of age;
4. I possess reasonable abilities to make decisions on this child's early intervention needs.
5. I am committed to acquainting myself with this child's needs, and the community resources and early intervention services available to them.
6. I have no vested interest that would conflict with the interests of this child. I am not an employee of any agency responsible for the early intervention needs of the child or other services of the child.
7. I will familiarize myself with State and Federal laws, regulations, and due process procedures regarding the education of young children; information about this child's conditions, and the availability of program options and services for him/her.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

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**Intake Question to Foster Parent referring a Foster Child for Services:**

Are you willing to be a Surrogate Parent for this child?

RESPONSIBILITIES OF SURROGARTE PARENT

1. Sign for screening and evaluations.
2. Help develop an individualized family service plan (IFSP) for the child.
3. Become familiar with procedures of mediation, due process and confidentiality of records.
4. Receive notices and attend meetings, regarding the evaluation, implementation and review of services for the child.
5. Receive training or information on Surrogate Parent responsibilities.
6. Monitor the child's service plan and the services received.
7. Initiate mediation, or appeal procedures when necessary regarding services for the child.