

Identification of the Educational Parent

Directions for form completion:

- The purpose of this form is to support the identification of the Educational Parent when the child does not reside with their biological or adoptive parents or there is a valid and proper court order terminating educational rights.
- All successful and unsuccessful documentation attempts must be documented.
- When information is received that there may be or has been a change in the child's Educational Parent the service coordinator must complete a reassessment on a new form.

Child Information

Child's Name: _____ DOB: _____

I-TEAMS ID#: _____ Date of Form: _____

Service Coordination Agency: _____

Assigned Service Coordinator: _____

Step 1: Obtain Biological/Adoptive Parent Contact Information

- If biological/adoptive parent(s) contact information is available skip to step 2.
- If biological/adoptive parent(s) rights have been severed, skip to step 3.
- Document attempts to obtain biological/adoptive parent contact information.

Attempts to Obtain Biological/Adoptive Parent Contact Information			
Date	Time	Source	Results:
		Tribal Child Welfare Worker	
		Foster parent or other adult caring for the child	
		Referral source	
		Other	

Step 2: Attempt to Contact Biological/Adoptive Parent

- If unable to obtain biological/adoptive parent's contact information skip to step 3.
- Document attempts to contact the biological or adoptive parents.

Attempts to Obtain Biological/Adoptive Parent Contact Information			
Date	Time	Method of Contact	Results of Attempted Contact:

If the parent indicates that they do not wish to act as the Educational Parent, the service coordinator must send the family an [Acting as the Educational Parent Letter GCI-1275A](#) and a copy of the [Child and Family Rights in the Arizona Early Intervention Program Booklet GCI-1070A](#) within five (5) days of the decision.

Step 3: Identification of Educational Parent Potential Parties

Identify all potential parties that meet the requirements of an Educational Parent. Potential Educational Parents must:

- Be willing to act as the Educational Parent.
- Not be limited by legal authority to act as the Educational Parent.

Step 4: If Needed, Request for AzEIP to Appoint a Surrogate Parent

If a surrogate parent is required the service coordinator manager must send the below information to the AzEIPQualityImprovement@azdes.gov mailbox to request a surrogate parent to be identified:

- Copy of the service coordinator’s contact log and any other pertinent documentation that describes their attempts to identify the child’s Educational Parent;
- Copy of the completed Identification of Educational Parent GCI-1274A.
- Provide AzEIP with the child’s Department of Child Safety’s (DCS) Case Manager contact information including name, phone number and email; and
- Legal documentation identifying surrogate parent if available.

AzEIP will respond to the request to the service coordinator manager within 30 days of the request for a surrogate parent.

Step 5: Identification of Educational Parent

Based on the AzEIP Educational Parent hierarchy (*outlined in the guidance section of this document*), the Educational Parents have been identified as _____ and _____ as determined by _____ Service Coordinator, on _____ (date).

Educational Parent Guidance

Educational Parent

“Educational Parent” means the individual who makes early intervention decisions, including whether or not to participate in AzEIP, consent to screening, evaluation, assessment, consent to the provision of services, and consent to share early intervention records for a child.

The biological or adoptive parent is presumed to be the Educational Parent unless the biological or adoptive parent

- Cannot be located
- Does not wish to act as the Educational Parent
- Does not have legal authority to make educational or early intervention service decisions for the child.

The service coordinator is responsible for exhausting all possible resources to obtain the biological or adoptive parent contact information. The service coordinator must attempt to contact the biological or adoptive parent to identify if they wish to act as an Educational Parent by attempting a minimum of:

- Three attempts
- Over three weeks
- Using multiple communication methods.

AzEIP Educational Parent Hierarchy

Utilizing the AzEIP Educational Parent Hierarchy to identify the Educational Parent*

1. A biological or adoptive Parent of a child;
2. A foster parent, unless state law, regulations, or contractual obligations with a state or local entity prohibit a foster parent from acting as a Parent;
3. A guardian generally authorized to act as the child's parent, or authorized to make early intervention, educational, health or developmental decisions for the child (but not the State if the child is a ward of the state);
4. 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
5. A surrogate parent who has been appointed in accordance with §303.422 or section 639(a)(5) of the Act.
*If a child is involved with the tribe's child welfare system but not with DCS, follow the "IDEA and the Indian Child Welfare Act (ICWA)" guidance below.

Biological/Adoptive Parent has Legal Authority	Biological/Adoptive Parent Contact Information is Available	Biological/Adoptive Parent Contact Information is Available Biological/ Adoptive Parent Contacted	Biological/Adoptive Parent confirms they will act as the Educational Parent Responsibilities	Educational Parent
Yes	Yes	Yes	Yes	Biological/Adoptive Parent
Yes	Yes	Yes	No	Send family the Acting as Educational Parent Letter Form GCI-1275A, proceed with next parent on Educational Parent Hierarchy
Yes	Yes	No	N/A	Proceed with next parent on Educational Parent Hierarchy
Yes	No	N/A	N/A	Proceed with next parent on Educational Parent Hierarchy
Yes	N/A	N/A	N/A	Proceed with next parent on Educational Parent Hierarchy

IDEA and the Indian Child Welfare Act (ICWA)

- An American Indian child who is involved in a state child custody proceeding is covered by the Indian Child Welfare Act (ICWA).
- ICWA and the Individuals with Disabilities Education Act (IDEA) interact to protect the rights of Native American children in special education and foster care, ensuring tribal involvement in custody and education decisions.
- ICWA ensures that tribes have the exclusive jurisdiction to designate "parents" or custodians who then act as Educational Parent(s).
- The tribe may designate the Tribal Child Welfare Agency, its staff, or its case managers to act as the Educational Parent.
- When a child is involved with a tribe's child welfare system but not with DCS, the service coordinator contacts the tribal child welfare worker to assist in determining the Educational Parent. The tribe will identify the individual(s) that the SC will contact for all educational decisions.

- Tribally designated “parents” or custodians are included in the Educational Parent Hierarchy category of authorized guardian.
- If a service coordinator has questions about collaborating with the Tribal Child Welfare Agency, they are advised to contact their supervisor.
- Service coordinator supervisors can email AzEIPQualityImprovement@azdes.gov to request assistance.

Rights and Responsibilities of an Educational Parent

IDEA Part C Regulations identify the rights and responsibilities of an Education Parent to include the right to:

- Grant, withhold, or revoke consents;
- Request an initial evaluation or reevaluation;
- Participate in IFSP meetings;
- Receive all documents required under the IDEA (procedural safeguards notices, meeting notices, evaluation reports, prior written notices, IFSPs, etc.);
- Exercise all rights that parents have under FERPA and the IDEA regarding records (inspect-and-review, receive explanations of records, request corrections of records, grant or withhold consent to records releases);
- Request a mediation, file a state complaint, or file a due process complaint;
- Sign a legally binding agreement at a mediation session or a resolution session; and
- Challenge a due process complaint decision by filing a civil action in state or federal district court.

Reassessment of Educational Parent

When the biological or adoptive parent is not identified as the Educational Parent, the service coordinator should reassess the identification of the Educational Parent:

- Prior to each educational decision.
- Change in service coordinator.
- Change in DCS placement.
- Identification of a reunification plan.
- Change in parental visitation.
- Biological or adoptive parent’s contact information becomes available.

A new Identification of Educational Parent Form is recommended to be completed at each Annual IFSP.