

FOR the purpose of creating a system of parent surrogates to represent children in the educational decision making process in place of a child's natural parent or guardian under certain circumstances; and requiring the State Board of Education to promulgate rules and regulations to implement the program.

BY adding to

Article 77 - Public Education  
Section 106D-1  
Annotated Code of Maryland  
(1975 Replacement Volume and 1976 Supplement)

Preamble

It is the intent of this Act that State law conform with Federal requirements in Public Law 94-142, and to protect the educational rights of children requiring special education by providing for the appointment of a parent surrogate for any child whose parent or guardian is unknown or unavailable, or any child who is a ward of the State; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 106D-1 be and it is hereby added to Article 77 - Public Education, of the Annotated Code of Maryland (1975 Replacement Volume and 1976 Supplement) to read as follows:

Article 77 - Public Education

106D-1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "BOARD" OR "LOCAL BOARD" MEANS A COUNTY BOARD OF EDUCATION OR THE BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY.

(3) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION.

(4) "PARENT SURROGATE" MEANS A PERSON, APPOINTED BY THE STATE BOARD ON THE RECOMMENDATION OF A LOCAL SUPERINTENDENT OF SCHOOLS OR HIS DESIGNEE, AS A CHILD'S ADVOCATE IN THE EDUCATIONAL DECISION MAKING PROCESS IN PLACE OF THE CHILD'S NATURAL PARENT OR LEGAL GUARDIAN.

(5) "CHILD" MEANS A PERSON UNDER THE AGE OF 21.

(6) "EDUCATIONAL DECISION MAKING PROCESS"