

(ii) The proposed parent surrogate is qualified to represent the child in the educational decision making process in accordance with subsection (d) of this section.

(2) If the local school superintendent finds that the child is not eligible for the appointment of a parent surrogate in accordance with subsection (b) of this section, the local school superintendent shall notify the requesting [public agency] INDIVIDUAL of this finding and specify the reasons in writing.

(3) If the local school superintendent finds that the proposed parent surrogate is not qualified to represent the child in the educational decision making process in accordance with subsection (d) of this section, the local school superintendent may:

(i) Request [the] public agency PERSONNEL to propose THE APPOINTMENT OF another parent surrogate who is qualified; or

(ii) Select and appoint a parent surrogate who is qualified.

[(4) The local school superintendent shall make a final selection or rejection of a parent surrogate within 10 days after it receives a request which includes appropriate eligibility documentation from a public agency.]

[(5)](4) (i) The local school superintendent shall notify[, in writing,] the State Superintendent IN WRITING of the parent surrogate appointment.

(ii) The notice shall occur within 30 days after the day on which the appointment is made.

(iii) The notification shall include the child's name, the name of the parent surrogate, and any other information deemed applicable.

(f) (1) A child entrusted to a parent surrogate shall be represented by that parent surrogate in the educational decision making process.

(2) A parent surrogate is not liable to the child entrusted to that parent surrogate or to the parent of that child for any damages that result from acts or omissions of that parent surrogate constituting ordinary negligence.

(3) This immunity does not apply to liability covered by any applicable insurance, to the extent of that coverage, or to acts or omissions constituting gross, willful, or wanton negligence.

(g) (1) [A public agency may request that the] THE local school superintendent MAY terminate the appointment of a previously assigned parent surrogate for good cause.

(2) When [a public agency requests that] the local school superintendent [terminate] TERMINATES the appointment of the parent surrogate, the [agency] LOCAL SCHOOL SUPERINTENDENT shall state the reasons for the action and [submit the name and qualifications of another individual who is proposed to be assigned as the new parent surrogate] NOTIFY THE STATE SUPERINTENDENT, IN WRITING, OF THE TERMINATION OF A PREVIOUSLY APPOINTED PARENT SURROGATE.