

Section 1201: DEFINITION OF PARENT

SoonerStart often receives referrals for children who live with a person other than their biological or adoptive parent. SoonerStart uses the definition(s) of parent outlined in § 303.27 of the IDEA Part C regulations when determining who has the authority to make early intervention decisions for a child.

Parent is defined as:

- a) The biological or adoptive parent of a child, or
- b) A foster parent, or
- c) A guardian authorized to act as the child's parent, or authorized to make early intervention, educational, health or developmental decisions for the child, or
- d) 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
- e) an individual who is legally responsible for the child's welfare
- f) A surrogate parent, or
- g) An individual identified by a judicial decree or order to act as the "parent" of a child

Individuals who meet the definition of parent as described above, may consent for the child in their care to be referred, evaluated and receive SoonerStart services. SoonerStart does not have an obligation to seek out the biological/ adoptive parent.

In some instances, more than one party is qualified to act as the parent. SoonerStart may receive consent for a child's services from a relative or guardian meeting the definition of parent and later, the biological/adoptive parent may also "attempt to act" as the parent in authorizing early intervention services. In this situation, SoonerStart will presume the biological/adoptive parent may consent for services going forward unless he/she does not have the legal authority to do so.

If a judicial decree or order identifies a specific person, (foster parent, legal guardian, etc.) as the parent of the child, then the biological/adoptive parent is not authorized to act as the parent.

In accordance with IDEA regulations, SoonerStart does not require the parent to submit documentation authorizing him/her to act as a child's parent. If legal documentation is available, SoonerStart may request a copy for the child's record. However, a delay in obtaining the documentation should not postpone the initiation or continuation of SoonerStart services.