

A large, colorful pin is pinned to a background of overlapping, semi-transparent colored triangles in shades of red, orange, yellow, green, blue, and purple. The pin is silver and blue, with a small shadow cast to its right.

Introduction to Procedural Safeguards

Produced by NICHCY, 2015

This module provides an overview of Part C's procedural safeguards, including...

- Parent consent and written notice to parents
- Confidentiality
- Appointing a surrogate parent
- Overview of options for resolving disputes



Procedural Safeguards in a Nutshell



Procedural safeguards...

- are designed to **protect the rights** of infants and toddlers with disabilities and their families
- offer **options for resolving disagreements** that arise under Part C of IDEA

Two Parental Rights as Safeguards

Prior written notice



Parent consent



Prior Written Notice



Written notice must be:

- written in language understandable to the general public
- provided in native language of parent or other mode of communication used by parent*

* Unless it is clearly not feasible to do so

When Parental Consent is Required

Before any **screening** procedures are used to determine if the child is suspected of having a disability

Before **evaluation and assessment** of the child

Before early intervention **services** are provided to the child

Before public benefits or **insurance** (or private insurance) are used (if consent is required)



Before **personally identifiable information** is disclosed

Two More Procedural Safeguards



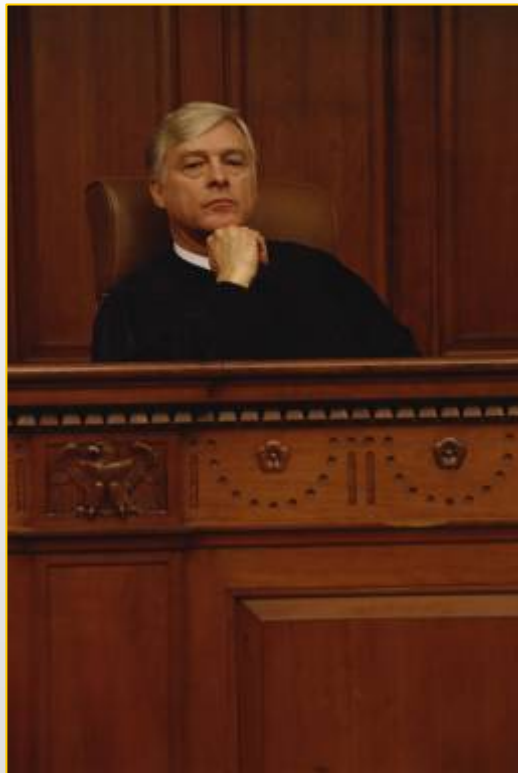
Parental right to
confidentiality of
personally identifiable
information



Parental right to inspect
and review their child's
early intervention records

Appointing a Surrogate Parent

If needed to protect the rights of an infant or toddler with a disability, a surrogate parent may be appointed, when:



- No parent can be identified for the child
- The lead agency or other public agency, after reasonable efforts, cannot locate the child's parent, or
- The child is a ward of the State under State law

A Look from Outer Space at...

Part C's Dispute Resolution Options

- Mediation



- State complaint



- Due process hearing





Roundup Time!