

## **CHAPTER 7: PROCEDURAL SAFEGUARDS**

REVISION DATES: 07/01/2021, 12/14/2018

EFFECTIVE DATES: 04/01/2022, 07/01/2019

INTENDED USER(S): All ADES/AzEIP personnel, AzEIP Service Providing Agencies including all employees, contractors, subcontractors, and volunteers.

REFERENCES: 20 U.S.C. §1401(23); 34 C.F.R. Part 99; 34 C.F.R. §303.7, -.27

123, -.400, -.403, and -.449; 34 C.F.R. §99.3, 20 U.S.C. §§1232g, 1439(a)(2), and 1442; 34 C.F.R. §303.401-402, 34 C.F.R. 303.404, 20 U.S.C. §1232, et seq.

(FERPA) and 34 C.F.R. §303.405 - 413., 34 C.F.R. §303.405-409, 34 C.F.R. §303.410-411, 34 C.F.R. §303.401(d)(1), -.414-.415; 34 C.F.R. 99.30(d), 34 C.F.R. §303.416; 20

U.S.C. 1232f; 34 C.F.R. Parts 76 and 80, 34 C.F.R. §420, 20 U.S.C. §§1439(a)(6) and (7);

34 C.F.R. §§303.21 and 303.421, 20 U.S.C. §1439(a)(5); 34 C.F.R. §§303.27; -.422, 20

U.S.C. §1439; 34 C.F.R. §§303.401-449, 20 U.S.C. §1415(e); 34 C.F.R. §303.431, 34

C.F.R. §303.438, 34 C.F.R. §§303.430; 435. 34C.F.R. §§303.432-434

### **7.1 Confidentiality**

7.1.1 The service coordinator verbally provides a parent his/her rights with regard to the confidentiality of early intervention records and shares the Child and Family Rights in the Arizona Early Intervention Program (AzEIP) booklet.

7.1.2 AzEIP, AzEIP Service Providing Agencies, and the EIPs must protect personally identifiable information which is collected, used, or maintained by:

- A. keeping child/family files in a locked cabinet located in a semi-private or private location in an office
- B. keeping the keys to the file cabinet in a discrete place
- C. posting a list of the individuals who have access to the files on or next to the locked cabinets
- D. keeping any fax machines in a private area
- E. using fax coversheets for confidential faxes
- F. keeping computers in a semi-private or private location in an office
- G. ensuring all computers have password access only, if appropriate
- H. having a paper shredder easily accessible
- I. ensuring the availability of space for private/confidential telephone calls
- J. ensuring the availability of space for private/confidential meetings
- K. ensuring appropriate encryption and safeguarding of electronic files.

7.1.3 When contacted in writing by DCS, an EIP may share information (both oral and written) with DCS about a child referred to or eligible for early intervention about the status, eligibility, or services provided to the child and family. The EIP must ensure that the Request for Release of Education Records form is completed prior to sharing information.