

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

7.5 Destruction of Information

- 7.5.1 Early intervention records are kept by the EIP for ten (10) years from the date the child was exited from early intervention, unless otherwise required by State law and reviewed by AzEIP. When a child exits AzEIP, the service coordinator explains the destruction policy to the parent and asks whether they would like a copy of the child's records.
- 7.5.2 A parent may make a request to AzEIP in writing (or other means if unable to provide a written request) to have their child's early intervention records destroyed. AzEIP will inform the parent that the request for record destruction along with the name and date of request will be maintained for five years from the date of the child's exit from AzEIP.
- 7.5.3 AzEIP maintains copies of all or part of a child's early intervention records that it may have according to the Records and Retention Schedule filed with the Arizona State Library, Archives and Public Records. A copy of this schedule is available upon request to ADES/AzEIP.