

## **SUMMARY OF YOUR PART C PROCEDURAL SAFEGUARDS**

Part C<sup>1</sup> includes rights and safeguards to ensure you are an informed partner in your child's early intervention program. This is a summary of those rights.

### **USE OF NATIVE LANGUAGE OR PREFERRED MODE OF COMMUNICATION (303.25. and 421)**

We want you to understand all activities and written records about your child. We want you to be an informed team member. If you use a language other than English or another way of communicating, such as Braille or sign language, we will help you get an interpreter.

### **PRIOR WRITTEN NOTICE (303.421)**

We will tell you in writing about evaluations, services, and other actions for your child. You will get notice before we take any action. You will have time to decide what you think is right for your child.

### **WRITTEN INFORMED CONSENT (303.7 and 420)**

We need your permission to take any actions that affect your child. Your permission must be in writing. You may take away permission for any service at any time.

### **ABILITY TO DECLINE SERVICES (303.420)**

You and your child's team will decide on services to help you accomplish the outcomes you want for your child and family. We will ask for your permission for the services. You do not have to agree to all the services. You can say no to some services and still get other services. You can change your mind about a service at any time.

### **CONFIDENTIALITY AND RELEASE OF INFORMATION (303.401 - 417)**

We will only ask others for information about your child with your permission. We will only share information about your child with others with your permission or as allowed by law.

### **ACCESS TO RECORDS (303.405)**

You can see anything in our records of your child and family at any time. You will not be charged for copies if you cannot afford them. You may ask that the information be changed if you feel it is wrong. If you do not understand the way records are written, they will be explained to you in a way you will understand.

### **SURROGATE PARENTS (303.422)**

If you become unavailable or if your child becomes a ward of the state, a person will be assigned to act as a surrogate for you. The surrogate parent will make decisions for your child until you are available or a legal guardian is assigned.

### **MEDIATION (303.430 - 431)**

If we are unable to agree through the individualized family support plan (IFSP) process, you may request mediation. We must both agree to mediation. In mediation, a trained mediator helps us reach a solution that everyone agrees with. Mediation is free, voluntary and confidential.

**STATE COMPLAINT PROCEDURES  
(303.430 and 432 - 434)**

If you feel we have violated Part C laws, you may send a written, signed complaint to the Minnesota Department of Education (MDE). MDE will review your complaint and issue a written decision within 60 days. During the review, your child will continue to receive services you have given permission for.

**DUE PROCESS HEARING  
(303.430 and 435 - 449)**

If you feel we have violated Part C laws, you may ask for a due process hearing. A hearing is conducted by a hearing officer. A written decision must be issued within 45 calendar days. During the hearing, your child will continue to receive services you have given permission for.

**A more complete description of your Part C Procedural Safeguards is available. You may ask us for a copy or find it online at the [Minnesota Department of Education website](http://education.state.mn.us/MDE/SchSup/ComplAssist/ProcSafe/index.html) (<http://education.state.mn.us/MDE/SchSup/ComplAssist/ProcSafe/index.html>).**

**Child's Name:**

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**Parent Signature** (*I have been given a written summary of the procedural safeguards for Part C of IDEA, and have had these rights and safeguards explained to me.:*)

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**Date:**

\_\_\_\_\_

*Adapted from the National Early Childhood Technical Assistance System (NEC\*TAS) from Assuring the Family's Role on the Early Intervention Team: Explaining Rights and Safeguards (2002) (p.4) by J.L. Hurth and P.E. Goff.*

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<sup>i</sup> 34 CFR, Section 303, regulations for the Early Intervention Program for Infants and Toddlers with Disabilities, Part C of the Individuals With Disabilities Education Act (IDEA).