

EDUCATIONAL AND DEVELOPMENTAL INTERVENTION SERVICES
EARLY INTERVENTION PROCEDURAL SAFEGUARDS AND
DUE PROCESS ENTITLEMENTS

I. PROCEDURAL SAFEGUARDS. When a family receives EIS through an EDIS, they are entitled to the following protections:

Right to Prior Written Notice. When EDIS proposes to initiate, change, or refuse to initiate or change the identification, evaluation, placement, or provision of appropriate early intervention services, EDIS must provide prior written notice to parents.

Right to Consent. Parents have the right to consent to the initiation of any formal evaluation procedures or re-evaluation, the provision of EIS, or any changes in EIS. Parents can decline any EIS without jeopardizing the delivery of any other EIS they choose to accept.

Right to Examine Records. Parents have the right to examine any records concerning the EIS the family is receiving to include records on screening, assessment/evaluation, eligibility determinations, and the development and implementation of the IFSP.

Right to Disagree. Parents have the right to file a complaint about any aspect of receiving EIS to include, but not limited to, identification, evaluation, placement, or the provision of appropriate EIS. If the complaint cannot be settled informally through conferences or mediation, parents have the right to a hearing. Complaints must be resolved in a timely manner.

Right to Continuation of Services. During the time a complaint is being settled, families can continue to receive EIS agreed upon or, if applying for initial services, receive EIS not in dispute.

Right to Understand. EDIS must fully inform parents in their native language, to include sign language, unless it is clearly not feasible to do so.

Right to Privacy. Personally identifiable information is protected. No information that is personally identifiable concerning anyone in the family can be released without written approval or consent. An exception to this policy is if the requesting activity is another DoD activity and there is a legitimate need for the requested information.