

Child and Family Rights/Procedural Safeguards



First Steps Early Intervention Program

Mississippi State Department of Health

Revised 03-06-15

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INTRODUCTION

The First Steps Early Intervention Program (EIP) is a statewide program for infants and toddlers and their families. First Steps EIP serves infants and toddlers, birth to age three, who have developmental delays, and/or diagnosed physical or mental conditions that have a high probability of resulting in developmental delay. The Mississippi State Department of Health (MSDH), as lead agency, administers the program through First Steps EIP and statewide Early Intervention (EI) service programs/providers in accordance with Part C of the Individuals with Disabilities Education Act (IDEA), 34 CFR 303 Part C.

Infants and toddlers with disabilities and their families have certain rights and protections under Part C of IDEA that are integrated in the MSDH/First Steps EIP policies and procedures. The rights and procedural safeguards include confidentiality of and access to your child's EI records, parental consent and notice of actions or changes, options to resolve disputes, and the appointment of a surrogate parent when a child needs a representative.

The purpose for the booklet, Child and Family Rights/Procedural Safeguards, is to provide you with information regarding the program and to fully inform you of your child's and family's rights and procedural safeguards under Part C of IDEA. This booklet is divided into five sections. Section I provides a general overview of how the program serves eligible children. Section II explains your child's and family's rights, which includes your right to confidentiality and to see your child's EI record; the right to give your consent and receive written notice before actions or changes in your child's services; the appointment of a surrogate parent when needed; and how to resolve disputes and file a complaint if you disagree. Section III includes a glossary that defines the terms used by personnel in the EI program. Section IV provides a listing of statewide resources available to you and your child. Section V provides your Service Coordinator's name and contact information, acknowledgement of receipt of this booklet and permission forms. This booklet is explained and a copy is given to you when you enroll your child in the program. At the annual review and each time there is a change in your child's services and/or status in the program, this information is explained to you and a copy of the booklet is offered, and, if requested another copy is given to you.

SECTION I: THE EARLY INTERVENTION PROGRAM

Accessing and receiving services through First Steps EIP includes several steps. These steps include the referral to the program, enrollment, eligibility determination, development of the IFSP, service provision and transition. Because a child can remain in the program only until age three (3), steps to transition to another appropriate program or service are discussed throughout your child's participation in the program. The following steps are explained, along with the rights and procedural safeguards provided to your child and family at each step:

Referral

Any infant or toddler under age three (3) may be referred to the First Steps EIP if there is a suspected developmental delay, or a diagnosed physical or mental condition that has a high probability of resulting in developmental delay. Anyone, including a parent, family, friend, child

care facility, doctor, hospital, clinic or other professional, may make a referral to First Steps EIP Central Referral Unit (CRU) by calling the toll free number, 1-800-451-3903 or faxing a Referral Form to 601-576-7540. Once a child is identified as possibly needing EI services, a referral to First Steps EIP CRU should be made as soon as possible, but no more than seven days after identification.

Any referral source, including those listed above, should tell you about the EI services available and how EI services may help your child. The referral information should be explained to you in the language you understand and use (native language), when feasible.

Enrollment

After the referral is made to the CRU, it is sent to the District Coordinator (DC) in the public health district where you live. A Service Coordinator (SC) is then assigned to your child and family. The SC will contact you and explain First Steps EIP. Participation in the program is voluntary. If you choose to participate, the SC will begin the enrollment process. If you choose not to participate, you may sign a Declining Early Intervention Services Form, and will not be further contacted. If you choose to delay participation, you may request that the enrollment be completed at a later date, based on your family's circumstances.

During the enrollment, the SC will:

- Ask you to participate in completing the Developmental History and Family Assessment and other forms;
- Fully explain the screening, evaluation and assessment process and your right to give consent for or decline the developmental screening, evaluation and/or assessment by signing the Consent to Screen, Evaluate and/or Assess Form;
- Discuss any additional information needed for which your written consent is required, including obtaining your child's medical history, information about previous developmental services, or other pertinent information about your child;
- Explain, give you a copy of the Child and Family Rights/Procedural Safeguards Booklet, and ask you to sign a form, Acknowledgement of Receipt, verifying you have received a copy of the booklet; and
- Provide an explanation of payment sources for EI services (if your child is eligible), give you a copy of the System of Payments (SOP) Parent Booklet, and ask for:
 - Your signature verifying the explanation and receipt of the SOP Parent Booklet;
 - Your signature indicating your consent or decline for use of your or your child's private insurance, public benefits (Medicaid or MSCAN), or public insurance (CHIP) as a payment source for your child's EI services;
- Answer any questions you may have to ensure your understanding of the program and provide you with SC and DC contact information.

Screening, Evaluation and/or Assessment

Upon receiving your written consent, the SC will arrange for your child's developmental evaluation and/or assessment. As the parent, you have the right for your child to:

- Receive a screening, evaluation and/or assessment for your child and family within forty-five (45) days of being referred to the First Steps EIP. The evaluation is at no cost to you;
- Decline the screening, evaluation and/or assessment or decline the screening and accept the evaluation and/or assessment;
- Receive the screening, and if determined appropriate, the evaluation and assessment by a multidisciplinary evaluation team;
- Receive the screening, evaluation and/or assessment at a time and place convenient for you, and in the language your child understands, unless it is clearly not feasible to do so;
- Receive a prior written notice (PWN) of the time, place, and date of the meeting at least five (5) business days before the meeting, unless you waive the five-day notice;
- Invite a family member, friend, advocate or other professional to attend;
- Participate in the screening, evaluation or assessment as part of the team, by telling about your child's strengths and needs, and what you would like your child to achieve;
- Receive verbal explanation of the findings of the screening, evaluation and/or assessment in the language you understand, if at all feasible;
- Be given a copy of the screening, evaluation and/or assessment results, at no cost to you, and, to the extent feasible, in the language you understand or manner you communicate; and
- Be given verbal explanation of your rights and procedural safeguards under Part C and be offered another copy of the Child and Family Rights/Procedural Safeguards Booklet.

If your child is screened and found to have a potential developmental delay, you have the right to:

- Give your consent to receive a comprehensive, multidisciplinary evaluation or decline to give your consent;
- Have the evaluation completed within forty-five (45) days from the date of referral to the program, if you give your consent;
- Complete an assessment after the evaluation, if your child is determined to be eligible for the EI program; and
- Develop an Individualized Family Service Plan (IFSP) within forty-five (45) days of the initial referral date, if your child is found eligible for the program.

If your child is found to have no developmental delay as a result of the screening or evaluation, but is "at risk" for developmental delay, you may:

- Request that your child's record be closed if your child has no delay and you have no concerns.
- Place your child in a tracking status, which allows a SC to contact you at least every six months until your child turns three years old to monitor your child's development and determine if you have any concerns; and/or
- Contact your SC any time you may have concerns about your child's development and request another comprehensive, multidisciplinary evaluation.

If your child is found ineligible for EI Services as a result of the evaluation or assessment, you will be provided a Prior Written Notice (PWN) of the ineligibility. Explanation of the Dispute

Resolution Process will be provided and another copy of the Child and Family Rights/Procedural Safeguards Booklet will be offered or, if requested, given to you. If you choose not to dispute the eligibility findings, your child's EI record will be closed.

If you disagree with the screening, evaluation and/or assessment, you may contact your SC to discuss your disagreement and/or request a second evaluation.

Eligibility Requirements for First Steps EIP

A child who is eligible for EI services is defined as an infant or toddler under three (3) years of age who has not attained developmental milestones expected for the child's chronological age (adjusted for prematurity, as appropriate) and needs early intervention services because the child:

- (1) Is experiencing a developmental delay, as measured by appropriate diagnostic instruments and procedures in one or more of the following areas:
 - (i) Cognitive development;
 - (ii) Physical development, including fine and gross motor skills, vision and hearing;
 - (iii) Communication development;
 - (iv) Social and emotional development; and/or
 - (v) Adaptive development.

A child may be determined eligible for EI services if the child:

- Is experiencing a 33% delay in one area of development or a 25% delay in two or more areas of development; or
 - Scores 2.0 standard deviations below the mean in one area of development or 1.5 standard deviations below the mean in each of two developmental areas on individually administered standardized instruments.
- (2) Has a documented diagnosed physical or mental condition that:
 - (i) Has a high probability of resulting in developmental delay; and
 - (ii) Includes conditions such as chromosomal abnormalities; genetic or congenital disorders; sensory impairments, including vision and hearing; inborn errors of metabolism; disorders reflecting disturbance of the development of the nervous system; congenital infections; severe attachment disorders; and disorders secondary to exposure to toxic substances, including fetal alcohol syndrome.
 - (3) An infant or toddler may be determined eligible by Informed Clinical Opinion, if the child's evaluation and assessment results do not meet the criteria for developmental delay and the child does not have a documented physical or mental diagnosis that has a high probability of resulting in developmental delay. Qualified personnel, such as Physicians, Licensed Nurse Practitioners, Occupational Therapists, Physical Therapists, and Speech-Language Pathologists, may use Informed Clinical Opinion to establish eligibility if there are concerns based on behavioral observation, medical or developmental history, medical recommendations, and/or parental input. Informed clinical opinion may not be used to negate or nullify the results of the evaluation instruments used to establish eligibility.

Individualized Family Service Plan (IFSP)

The IFSP is a written plan, based on the evaluation and assessment, for providing EI services to meet the unique needs of your child and family. It is written by the IFSP team (evaluators, parent and SC), and includes the following:

- Your child's and family's contact information and your concerns, priorities and resources;
- The evaluation/assessment summary and recommendations;
- Your child's present levels of development;
- Measurable outcomes (things you want your child to accomplish), activities to meet the outcomes, and a statement regarding services in the natural environment;
- Transition steps and services, including documentation of the transition meeting;
- EI and other services to address child outcomes and parental consent or decline; and
- Signatures, including parent or guardian, service coordinator, and other IFSP team members.

If your child is eligible for EI services, the IFSP must be developed within forty-five (45) calendar days of your child's referral to the EI program, unless you request a delay due to exceptional child or family circumstances that are documented in your child's EI record.

If your child is referred to First Steps EIP between forty-five (45) and ninety (90) days prior to turning three years old, all of the above IFSP components may not be completed due to the time frame. If your child is referred to First Steps EIP fewer than 45 days prior to his or her third birthday, an IFSP is not written. With your written consent, your child will be referred to the Mississippi Department of Education (MDE) and the Local Education Agency (LEA) in which your child resides to determine if he/she may be eligible for preschool services under Part B of IDEA.

As a parent of an infant or toddler eligible for EI services, at any IFSP meeting you have the right to the following:

- Meet with the IFSP team at a place and time convenient for you and participate in the IFSP development;
- Invite others, such as family, friends, a child care provider, or an advocate, to the meeting;
- Receive a PWN in your native language, or language you understand, at least five (5) business days before the meeting;
- Agree or disagree to services recommended on the IFSP and/or accept some services and decline others without consequence;
- Sign the IFSP verifying your attendance at the meeting and giving your permission to start EI services that you agree upon with the IFSP team;
- Receive a copy of the results of the evaluation/assessment of your child, family assessment and completed and signed IFSP as soon as possible after each IFSP meeting;
- Receive the specified EI services within thirty (30) business days of giving your permission on the IFSP, unless otherwise stated on the IFSP;

- Receive the EI services in your child’s natural environment, unless the IFSP team determines the maximum outcomes cannot be accomplished in natural environments;
- Receive verbal explanation of your child’s and family’s rights and be given and/or offered a copy of the Child and Family Rights/Procedural Safeguards Booklet;
- Utilize one or more of the Dispute Resolution Options (Written State Complaint, Mediation and Due Process Hearing), if you cannot reach an agreement; and
- Receive a verbal explanation of the System of Payments (SOP) policies and, if requested, receive another copy of the SOP Parent Booklet.

The IFSP team determines the EI services needed to reach your child’s outcomes as stated on the IFSP. EI services may include, but are not limited to, the following:

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| Assistive technology devices and services | Psychological services |
| Audiology services | Service Coordination services |
| Family training, counseling, and home visits | Sign language and cued language |
| Health services | Social Work services |
| Medical services | Special instruction |
| Nursing services | Speech-language Pathology |
| Nutrition services | Transportation and related costs |
| Occupational therapy | Vision services |
| Physical therapy | |

IFSP Reviews and Revisions: IFSP reviews and revisions help to ensure the EI services listed on the IFSP are still meeting the needs of your child and family. Your SC is responsible for making sure the IFSP is reviewed and/or revised, as needed. You and other EI team members determine if the EI services continue to be appropriate and discuss any needed changes on the IFSP to assist with your child’s progress toward the specified outcomes. The IFSP is reviewed every six months after the initial IFSP, or at any time you feel changes are needed. An annual review/revision is held within a year of the initial IFSP and each year thereafter until your child reaches age three (3). The Child and Family Rights/Procedural Safeguards Booklet is explained and a copy is offered or given to you at IFSP review/revisions and at annual IFSP meetings.

Transition

Transition is an on-going process that is discussed from the time your child is enrolled in the First Steps EIP until he/she leaves the program at age three (3). As a parent of an eligible child, you are entitled to:

- Have a transition conference/meeting scheduled at a time and location that is convenient for you;
- Invite and give permission for other participants to attend;
- Receive a PWN of the transition meeting in a language you understand if at all feasible, receive the PWN at least five (5) business days prior to the meeting, and have a copy of the PWN sent to others you choose to invite;
- Participate in the meeting to develop an appropriate plan for your child’s transition from Part C to Part B services or other appropriate programs or services at age three (3);

- Be given a verbal explanation of the Child and Family Rights/Procedural Safeguards Booklet and be offered or, if you request, given a copy; and
- Be offered a copy of the Part B Procedural Safeguards.

The transition process includes the following steps:

- MDE/LEA Notification. If your child is in an active status with the EIP at twenty-seven (27) months of age and has an implemented IFSP, an electronic notification is sent to the Mississippi Department of Education (MDE) and a written child find letter of notification is sent to the Local Educational Agency (LEA) (the school district in which your child lives). A copy of the child find letter to the LEA is sent to you as notification of the referral;
- Transition Plan. A transition plan is developed as a part of the IFSP when your child is between twenty-seven (27) and thirty-three (33) months of age. It identifies the steps and services needed by your child and family to have a smooth and seamless exit from Part C services to preschool services under Part B of IDEA or other appropriate programs or services; and
- Transition Conference/Meeting. A transition conference/meeting occurs when your child is between twenty-seven (27) and thirty-three (33) months of age. With your consent, the transition plan and conference/meeting may be combined with an IFSP meeting. At a minimum, you, as the parent, and the SC must be present. If your child is potentially eligible under Part B, an LEA representative is invited to attend this meeting, if you give your consent. The conference/meeting may also include current and future therapists/service providers, family members, advocates or any other persons that you, as the parent, request to participate.

If your child's third birthday occurs during the summer months and there is an active IFSP, your child's services may continue during the summer months through a joint effort of First Steps EIP and the LEA, if he or she has been determined eligible for Part B services and has an Individualized Education Plan (IEP) in place.

SECTION II: CHILD AND FAMILY RIGHTS /PROCEDURAL SAFEGUARDS

Under Part C of the Individuals with Disabilities Education Act (IDEA), infants and toddlers with a disability and their families are entitled to specific rights. The MSDH/First Steps EIP has established and implements policies and procedures that include provisions to protect your child's and family's rights regarding the following:

- Confidentiality and opportunity to examine records;
- Informed parental consent and prior written notice;
- Appointment of a surrogate parent when a parent is not available to represent a child; and
- Dispute resolution options when parents have a complaint or dispute.

The following information uses language contained in 34 CFR 303 - Part C of IDEA Regulations and describes MSDH/First Steps EIP's policies and procedures. This Booklet serves as notice of each of the specific procedural safeguards for which you are entitled as a participant in the First Steps EIP.

The Right to Confidentiality of Personally Identifiable Information and Opportunity to Examine Records (34 CFR §§303.400 through 303.417)

Confidentiality and Opportunity to Examine Records (§303.401)

Children and their parents who are referred and are eligible for EI services, have the right to confidentiality of personally identifiable information (PII) under Part C of IDEA, including the right to written notice of, and written consent to, the exchange of information among agencies, consistent with Federal and State law.

You and your child:

- Are ensured of the protection of the confidentiality of any personally identifiable data, information, and records collected or maintained pursuant to Part C of IDEA by participating agencies, including MSDH/First Steps EIP and EI service programs/providers in accordance with the protections under the Family Educational Rights and Privacy Act (FERPA).
- MSDH/First Steps EIP has procedures in effect to ensure that:
 - Participating agencies, including MSDH/First Steps EIP and EI service programs/providers, comply with the Part C of IDEA confidentiality procedures; and
 - Parents of infants or toddlers who are referred to, or receive services under Part C of IDEA, have the opportunity to review all early intervention (EI) records regarding their child and family that are collected, maintained and used under First Steps EIP, including records relating to evaluations and assessments, screenings, eligibility determinations, development and implementation of IFSPs, provision of EI services, individual complaints involving your child, or any part of your child's EI record under Part C of IDEA.

Federal Educational Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability Act (HIPAA) (§303.402)

Your child's EI records containing PII that are collected, maintained or used by MSDH/First Steps EIP and EI service programs/providers are protected by the Federal Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA).

Early Intervention (EI) Records (§303.403)

Early intervention (EI) records mean all records regarding a child that are required to be collected, maintained, or used by First Steps EIP under Part C of IDEA and its implementing regulations. The EI record includes screenings, evaluations and assessments, eligibility determinations, development and implementation of the Individualized Family Service Plans (IFSPs), provision of EI services, billing information, individual complaints involving a child, or any other records such as medical records, involving your child or family. The EI Service Coordinator (SC) maintains the EI record; however, EI service providers also keep a record of your child's service provision.

Applicability and Timeframe (§303.401)

Confidentiality procedures apply to the personally identifiable information (PII) of a child and the child's family that:

- Is contained in the EI records that are collected, used, or maintained under Part C of IDEA by MSDH/First Steps EIP and EI service programs/providers;
- Applies from the point in time when your child is referred for EI services until the latter of when the EI service program/provider is no longer required to maintain or no longer maintains that information under applicable Federal and Mississippi laws.

Disclosure of Information (§303.401)

To meet state and federal data collection and reporting requirements, timely communication and coordination of services for your child and family, First Steps EIP maintains a secure electronic database, FSIS, of your child's and family's information, including the child's name, address, date of birth, telephone number, personal identification number, service eligibility, and service providers.

The First Steps EIP discloses to the Mississippi Department of Education (MDE) and the local education agency (LEA) (the local school district where your child lives), PII which includes the following items:

- Child's name;
- Child's date of birth;
- Parent contact information, including names, address, and telephone numbers; and
- The name of your child's First Steps EIP Service Coordinator (SC) and his or her contact information.

This limited disclosure is needed to enable the MSDH/First Steps EIP, MDE and the LEA to identify all children who are potentially eligible for Part B services. PII is shared electronically between First Steps EIP and MDE. A child find letter is sent to the LEA where your child lives when your child turns twenty-seven (27) months of age.

Definitions (§303.403)

The following definitions apply to confidentiality and records under Part C of IDEA, in addition to the definition of personally identifiable information (PII) and disclosure:

- Destruction means physical destruction of the record or ensuring that personal identifiers are removed from a record so that the record is no longer personally identifiable.
- Early intervention record (EI record) means all records regarding a child that are required to be collected, maintained, or used under Part C of IDEA and its implementing regulations.
- Personally identifiable information (PII) is information that, when read or heard by another person, would clearly identify who was being discussed. Examples include, but are not limited to the name of your child; the names of other family members; the address of your child; a personal identifier, such as your child's social security number; or other indirect identifiers, such as the child's date of birth, place of birth, and mother's maiden name; or other information that, alone or in combination, is linked or linkable to a specific child that would allow a person in the EI community who does not have personal knowledge of the relevant circumstances, to identify your child with reasonable certainty.
- Participating agency means any individual, agency, entity, or institution that collects, maintains, or uses PII to implement the requirements of Part C of IDEA and the regulations in 34 CFR Part 303 with respect to a particular child. A participating agency includes the MSDH/First Steps EIP, and EI service programs/providers and any individual or entity that provides any Part C services, including service coordination, evaluations and assessments, and Part C services. This does not include primary referral sources, or public agencies (such as the state Medicaid or CHIP program) or private entities (such as private insurance companies) that act solely as funding sources for Part C of IDEA.
- Disclosure means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education (early intervention) records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.

Notice to Parents (§303.404)

The MSDH/First Steps EIP explains and provides a copy the Child and Family Rights/Procedural Safeguards Booklet to parents when their child is enrolled in the First Steps EIP. The Booklet includes the confidentiality requirements under Part C of IDEA, including:

- A description of the children on whom PII is maintained, the types of information sought, the methods First Steps EIP uses in gathering the information, including the sources from whom information is gathered, and the uses to be made of the information;
- A summary of the policies and procedures that participating agencies must follow regarding storage, disclosure to third parties, retention, and destruction of PII;
- A description of all the rights of parents and children regarding this information, including their rights under Part C of IDEA confidentiality provisions; and
- A description of the extent that the booklet is provided in the native languages, if at all feasible.

Access Rights (§303.405)

The MSDH/First Steps EIP and EI service programs/providers permit you to review any EI records relating to your child that are collected, maintained, or used by the agency under Part C of IDEA. The First Steps EIP and any EI service program/provider must comply with your request to review EI records without unnecessary delay and before any meeting regarding an Individualized Family Service Plan (IFSP) or hearing relating to identification, evaluation or placement or the provision of appropriate EI services for your child. Such records will be made available to you no later than ten (10) days after your request has been made. You may request to review your child's EI records by making a verbal or written request to your EI Service Coordinator (SC).

The right to review EI records includes the following:

- The right to a response from the MSDH/First Steps EIP or the EI service program/provider to reasonable requests for explanations and interpretations of the EI records;
- The right to request that the MSDH/First Steps EIP or the EI service program/provider provide a copy of the EI record containing the information, if failure to provide a copy would effectively prevent you from exercising the right to review the EI record; and
- The right to give your written consent to have someone who is representing you, review your child's EI record.

The MSDH/First Steps EIP or an EI service program/provider may presume that you have authority to review records relating to your child unless the MSDH/First Steps EIP or an EI service program/provider has been provided documentation that you do not have the authority under applicable Mississippi state law governing matters such as custody, foster care, guardianship, separation, and divorce.

Record of Access (§303.406)

The MSDH/First Steps EIP and EI service programs/providers maintain an Access Record Form for the recording of all parties obtaining access to your child's EI records that are collected, maintained, or used under Part C of IDEA. The Access Record Form, filed in the first section of your child's EI record, includes the name, address and phone number of the person who obtains access, the date of access, and the purpose of the access to the EI record.

Parents are not required to sign the Access Record Form. Others requesting to see or have information from your child's EI record, including authorized agency officials when accessing the EI record for monitoring or reviewing purposes, must sign the Access Record Form. Authorized representatives, advocates, attorneys, family or friends, must have your written consent and must sign the Access Record Form verifying their access to the EI record.

If the MSDH/First Steps EIP has cooperative agreements or contracts with other state agencies and EI service programs/providers to provide EI services, these programs/providers or agencies may review EI records and information may be exchanged without your written consent.

The EI service programs/providers that have access to your child's EI record include:

- The MSDH, as the lead agency responsible for administration of Mississippi's Early Intervention System (EIS), including First Steps EIP staff (Administration, District Coordinators and Service Coordinators); and
- EI service programs/providers responsible for providing your child's EI services.

You may refuse for a particular provider, agency or person to have access to your child's EI record. Your refusal to give permission must be made in writing to your EI Service Coordinator, along with the reason for your refusal. Upon receipt of your written statement of declining the request for record access, the First Steps EIP or an EI service program/provider shall not allow disclosure to the specified party.

Records on More Than One Child (§303.407)

You have the right to review only the information in your child's EI record. A separate record is kept for each child receiving EI services. Any PII or other information of another child shall not be placed in your child's EI record.

Lists of Types and Locations of Information (§303.408)

The MSDH/First Steps EIP and each EI service program/provider must provide to you, upon request, with a list of the types and locations of EI records that are collected, maintained, or used by the agency. Your child's SC is responsible for maintaining information collected in the EI record. The EI record is located in the health department in the county in which you live. The SC provides to you his or her location and contact information on the Contact Information section of the form located on the last page of this Booklet.

Fees for Records (§303.409)

The MSDH/First Steps EIP or EI service programs/providers may charge a fee for copies of records that are made for parents under Part C of IDEA, if the fee does not effectively prevent parents from exercising their right to inspect and review those records. However, upon parental request, the First Steps EIP may provide, at no cost to you, one copy of your child's entire EI record. A fee may be charged for additional copies. The First Steps EIP and EI service programs/providers do not charge a fee to search for or to retrieve information under Part C of IDEA.

The First Steps EIP or EI service programs/providers must provide, at no cost to parents, a copy of each evaluation, assessment of their child and/or family, and IFSP, as soon as possible, after each IFSP meeting.

Amendment of Records at Parent Request (§303.410)

If you believe that information collected in your child's EI record is inaccurate, misleading, or violates your child's or family's privacy or other rights, you may request that your SC and/or EI service program/provider that maintains the information amend the information in question. Upon receipt of your written request, the First Steps EIP, the participating agency or the EI service program/provider must decide within a reasonable period of time of receipt of your request, whether to amend the information in accordance with your request.

- If the First Steps EIP, the participating agency or the EI service program/provider decides to amend the record, you will be informed in writing and the amended information will be placed in your child's record.
- If the First Steps EIP, the participating agency or the EI service program/provider refuses to amend the information in accordance with your request, it must inform you in writing of the refusal and advise you of your right to a hearing.

Opportunity for a Hearing (§303.411)

The MSDH/First Steps EIP or an EI service program/provider shall, upon request, provide you with the opportunity for a hearing to challenge the information in your child's EI records to ensure that it is not inaccurate, misleading, or otherwise in violation of your or your child's privacy or other rights. You may request a Due Process Hearing under the procedures outlined on pages 21 through 30 of this document.

Result of Hearing (§303.412)

If, as a result of the hearing, the MSDH/First Steps EIP or the EI service program/provider, decides that the information is:

- Inaccurate, misleading or in violation of your child's or family's privacy or other rights, it must amend the information accordingly and so inform you in writing; or
- Not inaccurate, misleading, or in violation of your or your child's privacy or other rights, you must be informed of your right to place a statement in your child's EI record commenting on the information or setting forth any reason for disagreeing with the decision of First Steps EIP.

Any explanation placed in your child's EI records:

- Is maintained by the MSDH/First Steps EIP as part of your child's EI records as long as the record, or the contested portion of the record, is maintained by the MSDH/First Steps EIP; and
- If your child's EI records or the contested portion are disclosed by the MSDH/First Steps EIP to any party, the explanation must also be included.

Consent Prior to Disclosure or Use (§303.414)

As a parent of a child receiving EI services, your written consent is obtained before PII is:

- Disclosed to anyone other than authorized representatives, officials, or employees of the MSDH, other participating agencies or EI service programs/providers collecting, maintaining, or using the information under Part C of IDEA, or
- Used for any purpose other than meeting a requirement of Part C of IDEA.

The MSDH/First Steps EIP may not disclose PII without parent consent to any party except participating agencies, including the MSDH and EI service programs/providers that are part of Mississippi's Part C system, unless authorized to do so, except for disclosure of information for transition.

If a parent refuses to provide consent, the MSDH/First Steps EIP policies and procedures require that a meeting be held to explain how the parent's failure to consent affects the ability of their

child to receive services under Part C of IDEA, if those procedures do not override a parent's right to refuse consent (see paragraph below).

Safeguards (§303.415)

The MSDH/First Steps EIP and EI service programs/providers protect the confidentiality of PII at the collection, maintenance, use, storage, disclosure and destruction stages. All MSDH personnel and EI service programs/providers assume responsibility for ensuring the confidentiality of any PII.

All persons collecting or using PII receives training or instruction regarding Mississippi's confidentiality policies and procedures, HIPAA and FERPA. The MSDH/First Steps EIP and each EI service program/provider maintains, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to PII.

Destruction of Personally Identifiable Information (§303.416)

The MSDH/First Steps EIP and each EI service program/provider informs you when PII is collected, maintained, or used under Part C of IDEA and other applicable educational laws. Subject to the above, the information is destroyed at the request of the child's parents. However, a permanent record of the child's name, date of birth, parent contact information (including address and phone number), name of SC(s), EI service programs/providers, and exit data (including the year and age of exit, and any programs entered into upon exiting), may be maintained without time limitation.

Enforcement (§303.417)

The MSDH/First Steps EIP has in effect policies and procedures, including sanctions and the right to file a complaint, that are used to ensure that its policies and procedures are followed and that requirements and regulations of Part C of IDEA are met.

The Right to Informed Parental Consent and Prior Written Notice (34 CFR §§303.7, 303.420, 303.421 and 303.25)

Definition of Consent (§303.7)

The First Steps EIP needs your written consent before taking any actions affecting your child's participation in the EI program. Consent means that you:

- Have been fully informed of all information relevant to the activity for which consent is sought, in your native language if at all feasible;
- Understand and agree in writing on a Consent form to the carrying out of an activity for which consent is sought, and the Consent form lists the EI records or information, if any, that will be released and to whom the information will be released; and
- Understand that the granting of consent is voluntary on your part and may be revoked at any time, unless the action occurred before the consent was revoked.

Written Parental Consent (§303.420)

Your written consent must be obtained before the following activities:

- All screening procedures used to determine if a child is suspected of having a developmental delay;
- Evaluations and/or assessments;
- EI services are provided for your child or family;
- Private insurance or public benefits and/or public insurance is used; and
- Disclosure of PII, consistent with consent requirements under confidentiality.

Refusal of Consent (§303.420)

If you choose not to give your written consent prior to your child receiving a screening, evaluation and/or assessment or EI services, the First Steps EIP SC shall make reasonable efforts to ensure that you:

- Are fully aware of the nature of the screening, evaluation and/or assessment or EI services that would be available; and
- Understand that your child will not receive a screening, evaluation and/or assessment or EI services unless your written consent is given.

The First Steps EIP will not use the Due Process Hearing procedures under Part C or Part B of IDEA to challenge your refusal to provide any consent that is required. If you refuse consent, the First Steps EIP may:

- Provide literature or other materials regarding the value of EI services;
- Offer peer counseling regarding the value of EI services and to address your concerns about participation in First Steps EIP;
- Provide a contact number in case you change your mind;
- Offer tracking services by a SC, who may contact you periodically to determine if you are interested in receiving EI services through the First Steps EIP; and
- Allow you to sign a Declining Services Form declining enrollment in the First Steps EIP.

As a parent of an infant or toddler, who is eligible under the First Steps EIP, you may determine whether you will accept or decline any EI service under Part C at any time. Participation in Part C is voluntary for you and your family, therefore you may:

- Accept all EI services agreed to on the IFSP;
- Decline all EI services recommended or agreed to on the IFSP;
- Accept one or some of the EI services recommended or agreed to on the IFSP and decline other services; or
- Decline an EI service after first accepting it without jeopardizing other EI services.

Prior Written Notice (§303.421)

Prior Written Notice (PWN) is provided to you before the MSDH or an EI service program/provider proposes, or refuses, to initiate or change the identification, screening, evaluation, or placement of your child or the provision of EI services to your child and family. You must receive the PWN at least five (5) business days before the proposed action.

The PWN informs you about:

- The action that is being proposed or refused;
- The reasons for taking the action; and

- The dispute resolution options and process available to you under the MSDH/First Steps EIP.

The PWN is:

- Written in a language understandable to the general public; and
- Provided in your primary (native) language or other mode of communication, unless it clearly is not feasible to do so.

If your primary (native) language, as defined below, or other mode of communication you use, is not a written language, the First Steps EIP or the EI service program/provider takes steps to ensure that:

- The notice is translated to you orally or by other means, and in your native language or other mode of communication, if at all feasible;
- You understand the PWN; and
- There is written evidence in the child's EI record that these requirements have been met.

Native Language (§303.25)

Native language, when used with respect to an individual who is limited in English proficiency or LEP (Limited English Proficient), means the language normally used by that individual, or, in the case of a child, the language normally used by the parents of the child. The exception is for evaluations and assessments, which require that the language normally used by the child must be used, if determined developmentally appropriate for the child, by qualified personnel conducting the evaluation or assessment.

Native language, when used with respect to an individual who is deaf or hard of hearing, blind or visually impaired, or for an individual with no written language, means the primary mode of communication that is normally used by the individual (such as sign language, Braille, or oral communication).

The Right to a Surrogate Parent (34 CFR §303.422)

Conditions that warrant assigning a surrogate parent (§303.422(a))

The MSDH/First Steps EIP ensures that the rights of children are protected under the following conditions:

- No parent, as defined below, can be identified;
- The MSDH/First Steps EIP or other public agency, after reasonable efforts, cannot locate a parent; or
- The child is a ward of the State under the laws in Mississippi.

Definition of Parent (§303.27)

Parent means:

- A biological or adoptive parent of a child;
- A foster parent, unless State law, regulations, or contractual obligations with a State (agency) or local entity prohibit a foster parent from acting as a parent;
- A guardian generally authorized to act as the child's parent, or authorized to make early intervention, educational, health or developmental decisions for the child, but not the State if the child is a ward of the State;
- An individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative with whom the child lives, or an individual who is legally responsible for the child's welfare; or
- A surrogate parent who has been appointed in accordance with Part C of IDEA.

Except in the paragraph below, the biological or adoptive parent, when attempting to act as the parent under Part C and when more than one party is qualified to act as a parent, must be presumed to be the parent unless the biological or adoptive parent does not have legal authority to make educational or early intervention decisions for the child.

If a judicial decree or order identifies a specific person or persons listed above to act as the "parent" of a child or to make educational or early intervention service decisions on behalf of a child, then such person or persons shall be determined to be the "parent" for purposes of Part C of IDEA. However, if an EI service program/provider or a public agency provides any services to a child or any family member of that child, that EI service provider or public agency cannot act as the surrogate parent for that child.

Assignment of a Surrogate (§303.422(b))

The MSDH/First Steps EIP assigns a surrogate parent for a child after determining the child needs a surrogate. If the child is a ward of the State or placed in foster care, the MSDH/First Steps EIP must first consult with the public agency that has been assigned care of the child.

Wards of the State (§303.422(c))

In the case of a child who is a ward of the State, the surrogate parent, instead of being appointed by the MSDH/First Steps EIP, may be appointed by the judge overseeing the infant or toddler's case provided that the surrogate parent meets the criteria for selection of a Surrogate Parent (see below).

Criteria for Selection of Surrogate Parents (§303.422(d))

When selecting surrogate parents, the following criteria are used:

- The MSDH/First Steps EIP may select a surrogate parent in any way permitted by law in Mississippi;
- Public agencies must ensure that a person selected as a surrogate parent:
 - Is not an employee of the MSDH, or other public agency such as the Department of Human Services, Medicaid, etc., or an EI service program/provider who provides EI services, education, care, or other services to the child or any family member of the child;
 - Has no personal or professional interest that conflicts with the interest of the child he or she represents;
 - Has knowledge and skills that ensure adequate representation of the child;
 - Has no criminal record;
 - Is 18 years old or older; and
 - Is a citizen of Mississippi or the United States.

Non-Employee Requirement (§303.422(e))

A person who is otherwise qualified to be a surrogate parent is not an employee of the agency solely because he or she is paid by the agency to serve as a surrogate parent.

Responsibilities of a Surrogate Parent (§303.422(f))

A surrogate parent has the same rights as a parent for all purposes under Part C. A surrogate parent may represent the child in all matters relating to the child’s participation in the EI program and receive all of the procedural safeguards under Part C of IDEA.

Timeframe for Assigning a Surrogate Parent (§303.422(g))

The MSDH/First Steps EIP must make reasonable efforts to ensure the assignment of a surrogate parent not more than thirty (30) days after a public agency determines that the child is in need of a surrogate parent.

The Right to the Resolution of Individual Child Complaints or Disputes (34 CFR §§303.430 through 303.438)

Dispute Resolution Options (§§303.430)

You have the right to disagree with the MSDH/First Steps EIP or EI service programs/providers about your child's EI services. If at any time you, as the parent, have a concern or complaint, you may contact your child's Service Coordinator (SC) and/or the District Coordinator (DC) to discuss the concerns. The names of your SC, DC (SC's supervisor), and the Part C Coordinator and their addresses and contact information are listed on Contact Information section on the last page of this Booklet.

Many times, the concerns, complaints or disagreements may be resolved informally at the local level with your SC or DC. If they cannot be resolved at the local level, MSDH/First Steps EIP has the following options available to you for the timely administrative resolution of your individual child complaints and/or disputes:

- Written State Complaint;
- Mediation; and/or
- Due Process Hearing.

Status of Your Child's Services during the Pendency of a Due Process Complaint §303.430)

Unless you and the First Steps EIP otherwise agree, your child may continue to receive the appropriate EI services that are on the IFSP and in the setting(s) for which you have consented. If the Due Process Complaint involves an application for initial services under Part C, your child may receive those services that are not in dispute.

The Dispute Resolution Options are explained in the sections below:

Written State Complaint (§303.432)

Dissemination of Complaint Information (§303.432)

The MSDH/First Steps EIP has written procedures for resolving complaints regarding any violation of Part C of IDEA, including complaints filed by an organization or an individual from another state. The MSDH/First Steps EIP widely disseminates these procedures to parents and other interested individuals, including the Mississippi Parent Training and Information (PTI) Centers, Protection and Advocacy (P&A) agencies, and other appropriate entities. The MSDH provides access to a statewide toll free number, 800-451-3903, for parents or agencies that have a concern or complaint. Written complaints may be sent to the attention of the Part C Coordinator, Mississippi State Department of Health, First Steps Early Intervention Program, P. O. Box 1700, Jackson, MS 39215.

Remedies for Denial of Services (§303.432)

Remedies for resolving a complaint, in which the MSDH/First Steps EIP has found a failure to provide appropriate services, include the MSDH/First Steps EIP addressing the complaint through corrective actions. The corrective actions must be appropriate to address the needs of the infant or toddler who is the subject of the complaint and the infant or toddler's family, and the future provision of services for all infants and toddlers with disabilities and their families. Remedies for denial of appropriate services may include compensatory services or monetary reimbursement.

Written State Complaint Procedures and Time Limit (§303.433)

Within sixty (60) days after a Written State Complaint is filed, the MSDH/First Steps EIP must complete the following activities:

- Carry out an independent on-site investigation, if determined necessary;
- Give the complainant the opportunity to submit additional information, either orally or in writing, about the complaint;
- Provide the MSDH/First Steps EIP, the public agency, or the EI service programs/providers with an opportunity to respond to the complaint, including, at a minimum, a proposal to resolve the complaint and an opportunity for the parent who has filed a complaint and the MSDH/First Steps EIP, the public agency, or the EI service program/provider to voluntarily engage in mediation;
- Review all relevant information and make an independent determination if the program is violating a requirement of Part C; and
- Issue a written decision to the complainant that addresses each allegation in the Written State Complaint and contains findings of fact and conclusions and the reasons for the MSDH/First Steps EIP's final decision.

Time Extension and Final Decision Implementation (§303.433)

The MSDH/First Steps EIP may permit an extension of the time limit for a final decision only if exceptional circumstances exist with respect to a particular complaint or if the parties involved agree to extend the time to engage in Mediation. If needed, the MSDH/First Steps EIP must effectively implement the final decision through technical assistance, negotiations and/or corrective actions to achieve compliance.

Written State Complaints and Due Process Hearings (§303.433)

If a Written State Complaint is also the subject of a Due Process Hearing, or contains multiple issues in which one or more are part of that hearing, any part of the complaint being addressed in the Due Process Hearing will be set aside until the conclusion of the hearing. If an issue in the complaint is not a part of the Due Process Hearing, it is resolved using the sixty (60) day time limit and procedures described above. If an issue raised in a complaint has previously been decided in a Due Process Hearing involving the same parties, the Due Process Hearing decision is binding on that issue and the MSDH/First Steps EIP informs the complainant to that effect. A complaint alleging the MSDH/First Steps EIP, the public agency, or EI service program/provider's failure to implement a Due Process Hearing decision must be resolved by the MSDH/First Steps EIP.

Filing a Written State Complaint (§303.434)

An organization or individual may file a signed Written State Complaint. The complaint must include the following items:

- A statement that the MSDH, the public agency, or EI service program/provider has violated a requirement of Part C of IDEA;
- The facts on which the statement is based;
- The signature and contact information for the complainant; and
- If alleging violations with respect to a specific child:
 - The name and address of the residence of the child;
 - The name of the EI service program/provider serving the child;
 - A description of the nature of the problem of the child, including facts relating to the problem; and
 - A proposed resolution to the problem to the extent known and available to the party at the time the complaint is filed.
- The complaint must allege a violation that occurred not more than one year prior to the date the complaint is received.
- The party filing the complaint must forward a copy of the Written State Complaint to the public agency or EI service program/provider serving the child at the same time the party files the complaint with MSDH/First Steps EIP.

How to File a Written State Complaint

A Written State Complaint may be initiated by completing the attached Complaint Form under Part C of IDEA – Mississippi State Department of Health/First Steps EIP. The Written State Complaint option should be checked. The address for mailing the form to the First Steps EIP Part C Coordinator is listed on the back of the form, or you may send a signed letter outlining your complaint to the Part C Coordinator at the address given on the back of the form. Upon receipt of your Written State Complaint, an EI representative will contact you to inform you of receipt of your complaint and explain how the investigation will be conducted as described in the chart below:

MSDH/First Steps EIP – Written State Complaint Procedures

Actions	Responsibility	Time Frame
The date is stamped on the Written State Complaint when received in the MSDH/First Steps EIP Office. The original complaint is sent to the Part C Coordinator and a copy is sent to the Part C Quality Monitor.	Administrative Secretary	Date of receipt of the Written State Complaint
The Written State Complaint is logged in the Dispute Resolution Log.	Part C Coordinator	Within 5 days of receipt of the Written State Complaint
A standard letter of receipt is sent to the person or agency (complainant) filing the Written State Complaint. A standard letter of notification, and a copy of the Written State Complaint, is sent to the agency against whom the complaint is being made (respondent).	Part C Coordinator or Quality Monitor	Within 5 days of receipt of the Written State Complaint
The complainant is given the opportunity to submit any additional information, either orally or in writing, about the complaint.	Complainant	Within 25 days of receipt of the Written State Complaint
A meeting is held, in person or by other means, with the complainant, respondent and other appropriate parties, regarding the issue(s) specified in the complaint to allow the respondent to respond to the complaint and to offer the opportunity for the parties to voluntarily engage in Mediation.	Part C Coordinator, Complainant, Respondent	Within 25 days of receiving the Written State Complaint
A review and preliminary investigation of the complaint is conducted. (Any complaints that are the subject of or being addressed in a Due Process Hearing or multiple issues in the complaint may be set aside until the conclusion of the hearing.)	Part C Coordinator, Quality Monitor, and/or designated Central Office staff	Within 45 days of receipt of the Written State Complaint
An investigation is completed, based on information gathered at the meeting.	Part C Coordinator, Quality Monitor, and/or designated Central Office staff	Within 55 days of receipt of the Written State Complaint
A written decision is issued that includes findings of fact, conclusions and reasons for MSDH/First Steps EIP's final decision, and is sent to the complainant, respondent and all parties involved.	Part C Coordinator or designated Central Office staff	Within 60 days of receipt of the Written State Complaint
The Dispute Resolution Log is documented with the date of resolution.	Part C Coordinator	Within 60 days of receipt of the Written State Complaint*

*An extension of the 60 day time limit for resolution of the Written State Complaint may be granted based on exceptional circumstances or an agreement of the parties involved.

Mediation (§303.431)

Mediation is a confidential procedure that allows parties to dispute any matter under Part C of IDEA, including matters arising prior to filing a Due Process Complaint, to resolve disputes. A Mediator will meet with both parties to assist them find a solution to the complaint and reach an agreement in an informal, non-adversarial atmosphere. Mediation is:

- Voluntary on the part of the parties;
- Not used to deny or delay a parent’s right to a Due Process Hearing, or deny any other rights afforded under Part C of IDEA; and
- Is conducted by a qualified and impartial Mediator, who is trained in effective mediation techniques, is knowledgeable of Part C of IDEA, and is selected by the MSDH/First Steps EIP from a list on a random, rotational, or other impartial basis to do Mediation.

Each MSDH/First Steps EIP Public Health District bears the cost of Mediation in the District, including the costs of meetings or Mediation sessions. Each session in the Mediation process is scheduled in a timely manner and held at a time and in a location that is convenient to the parties to the dispute.

Mediation Agreement (§303.431)

If the parties resolve a dispute through Mediation, the parties must execute a legally binding Mediation Agreement that sets forth that resolution and is signed by all parties. The Mediation Agreement must also state that all discussions that occurred during the Mediation process will remain confidential and may not be used as evidence in any subsequent Due Process Hearing or civil proceeding. The agreement is signed by both the parent and a representative of the MSDH who has the authority to bind such an agreement. Once the written Mediation Agreement is signed, it is enforceable in any Mississippi court of jurisdiction or in a district court of the United States. Any discussions that occur during the Mediation process must be confidential and may not be used as evidence in any subsequent Due Process Hearing or civil proceeding of any Federal court or Mississippi court. All parties will receive a copy of the signed Mediation Agreement and be required to sign a Confidentiality Statement.

Impartiality of Mediator (§303.431)

An individual who serves as a Mediator under Part C of IDEA:

- may not be an employee of the MSDH or an EI service program/provider;
- may not be an EI service program/provider that is involved in the provision of EI services or other services to the child; and
- must not have a personal or professional interest that conflicts with the person’s objectivity.

A person who otherwise qualifies as a Mediator is not an employee of the MSDH or an EI service program/provider solely because he or she is paid by the MSDH to serve as Mediator.

Meetings to Encourage Mediation (§303.431)

The MSDH/First Steps EIP offers to parents and EI service programs/providers that choose not to use Mediation an opportunity to meet, at a time and location convenient to the parents, with a disinterested party who would explain the benefits of and encourage the use of Mediation. This disinterested party may be under contract with an appropriate alternative dispute resolution

entity, or a parent training and information center or community parent resource center in Mississippi.

How to File a Mediation Request

To initiate Mediation, you may use the attached Complaint Form under Part C of IDEA – Mississippi State Department of Health/First Steps EIP or send a letter to the attention of the Part C Coordinator, Mississippi State Department of Health, First Steps Early Intervention Program, P. O. Box 1700, Jackson, MS 39215, to request Mediation. Upon receipt of your letter or completed and signed form with the Mediation option checked, a Mediation session (meeting) will be scheduled within two weeks at a place and time that is convenient to you, unless you ask for more time. The following chart outlines the Mediation process:

MSDH/First Steps EIP – Mediation Procedures

Actions	Responsibility	Time Frame
The date is stamped on the Mediation request when it is when received in the MSDH-First Steps EIP office.	Administrative Secretary	Date of receipt of the Mediation request
Copies of the Mediation request are distributed as follows: The original to the Part C Coordinator; a copy to the Quality Monitor and/or designated Central Office staff; and a copy to all parties identified in the Mediation request.	Administrative Secretary	Within 5 days of receipt of the Mediation request
The Mediation request is logged on the Dispute Resolution Log. A Tickler is set on the Dispute Resolution Log at First Steps EIP to monitor timely resolution of the Mediation procedure.	Part C Coordinator	Within 5 days of receipt of the Mediation request
If a party to a dispute decides to utilize Mediation after filing a Written State Complaint, or chooses Mediation as their first a means to resolve the dispute, an impartial Mediator is assigned by MSDH/First Steps EIP. The Mediation request, including any additional written information, is submitted to the Mediator.	Part C Coordinator	Within 2 weeks of receipt of the Mediation request
A Mediation session date is set. Notification of the date and time includes a statement that the child’s current EI services will continue as listed on the IFSP, unless a written request is received from parent to terminate any service(s) during Mediation. Additional Mediation sessions are scheduled as deemed necessary or upon agreement.	Mediator, Complainant, Respondent, and others as appropriate or specified in the Mediation request	Scheduled in a timely manner and in a convenient location to the parties in dispute.
An agreement is reached and a Mediation Agreement is written (including a Confidentiality Statement).	Mediator, Complainant and Respondent	Agreed upon by both Complainant and Respondent
A copy of the Mediation Agreement is sent to the First Steps EIP Part C Coordinator, the Complainant, Respondent, and others, as appropriate, involved in the Mediation.	Mediator	Within 5 days of reaching a Mediation Agreement
Dispute Resolution Log documented with date of resolution. Copies of the Mediation Agreement are filed in the First Steps EIP Central Office and the child’s EI record.	Part C Coordinator	Within 5 days of receipt of the Mediation Agreement

Due Process Hearings (§303.430)

An impartial Due Process Hearing is another option to resolve complaints or disputes regarding the provision of EI services to the infant or toddler with a disability and that infant's or toddler's family. This formal hearing is conducted by a trained impartial Hearing Officer according to regulations in Part C of IDEA.

Impartial Hearing Officer Duties (§303.435)

The MSDH/First Steps EIP has impartial Due Process Hearing Officers available who have been trained in Dispute Resolution procedures, have knowledge of Part C of IDEA and early intervention services available for infants and toddlers with disabilities and their families.

Hearing Officers perform the following duties:

- Listen to the presentation of relevant viewpoints about the Due Process Complaint;
- Examine all information relevant to the issues;
- Seek to reach a timely resolution of the Due Process Complaint; and
- Provide a record of the proceedings, including a written decision.

Definition of Impartial (§303.435)

Impartial means the due process Hearing Officer appointed to implement the due process hearing under Part C of IDEA:

- is not an employee of the MSDH or an EI service program/provider involved in the provision of EI services or care of the child; and
- does not have a personal or professional interest that would conflict with his or her objectivity in implementing the process.

A person who otherwise qualifies as an impartial Due Process Hearing Officer is not an employee of an agency solely because the person is paid by the agency to implement the Due Process Hearing procedures or Mediation procedures under Part C of IDEA.

Parental Rights in Due Process Hearings (§303.436)

The MSDH/First Steps EIP ensures that the parents of a child referred to Part C of IDEA are afforded certain rights in the Due Process Hearing. Any parent involved in a Due Process Hearing has the right to:

- Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to early intervention services for infants and toddlers with disabilities;
- Present evidence and confront, cross-examine, and compel the attendance of witnesses;
- Prohibit the introduction of any evidence at the hearing that has not been disclosed to the parent at least five (5) days before the hearing;
- Obtain a written or electronic verbatim transcription of the Due Process Hearing at no cost to the parent; and
- Receive a written copy of the finding of fact and decisions at no cost to the parent.

Convenience of Hearings and Timelines (§303.437)

Any Due Process Hearing must be carried out at a time and place that is reasonably convenient to the parents. The MSDH/First Steps EIP ensures that, not later than thirty (30) days after the receipt of a parent's Due Process Complaint, the Due Process Hearing is completed and a written

decision is mailed to each of the parties. An impartial Hearing Officer may grant specific extensions of time beyond the thirty (30) day time period at the request of either party.

Civil Action (§303.438)

Any party aggrieved by the findings and decision issued pursuant to a Due Process Hearing has the right to bring a civil action in Mississippi or a Federal court.

How to File a Due Process Hearing Request

A Due Process Hearing request may be initiated by submitting the attached form, Complaint Form under Part C of IDEA – Mississippi State Department of Health/First Steps EIP, and or by submitting a written request to the Part C Coordinator, Mississippi State Department of Health, First Steps Early Intervention Program, P. O. Box 1700, Jackson, MS 39215. Upon receipt of the Due Process Hearing request, an impartial Due Process Hearing Officer is appointed.

MSDH/First Steps EIP – Due Process Hearing Procedure

Actions	Responsibility	Time Frame
The date is stamped on the Due Process Hearing request when received in MSDH/FS EIP office.	Administrative Secretary	Date of receipt of the Due Process Hearing request
Copies of the Due Process Hearing request are distributed to: Original to Part C Coordinator; copy to Quality Monitor or designated EI staff; and the party(s) identified in the Hearing request.	Administrative Secretary	Within 5 days of receipt of the Due Process Hearing request
The Due Process Hearing request is logged on the Dispute Resolution Log.	Part C Coordinator	Within 5 days of receipt of the Hearing request
An impartial Due Process Hearing Officer is appointed and the Hearing request is forwarded.	Part C Coordinator	Within 5 days of receipt of the Hearing request
The Due Process Hearing Officer contacts the parents (complainants) to advise them of their rights during the Due Process Hearing and to schedule a date for the hearing at a time and place that is reasonably convenient to the parents. The complainants are informed that: <ul style="list-style-type: none"> ▪ A decision may be made to utilize Mediation at any time during the Due Process Hearing; and ▪ The child’s EI services will continue as consented to on the IFSP unless a written request is received from the parents to terminate any service(s). (303.431(d)) 	Due Process Hearing Officer and complainant	Due Process Hearing Officer determines the date of contact with the complainant and the date of the hearing on a date that is reasonably convenient to the parent(s). The Due Process Hearing Officer may grant an extension of time at the request of either party.
The Due Process Hearing Officer contacts the respondent (person or agency against whom the complaint is made), provides a copy of the Due Process Complaint, and advises of the Due Process Hearing procedure including timelines.	Due Process Hearing Officer, respondent	Date determined by the Due Process Hearing Officer
The Due Process Hearing is held, with full transcription, and a written decision is mailed to the complainant, respondent, First Steps EIP, and others, as appropriate.	Due Process Hearing Officer	Due Process Hearing completed within 30 days of receipt of the request for the Due Process Hearing
A copy of the Due Process Hearing decision is filed at MSDH/First Steps EIP Central Office and in the child’s EI record. The Dispute Resolution Log is documented with the date of the resolution.	Part C Coordinator, Service Coordinator	Within 5 days of receipt of the written decision

COMPLAINT FORM UNDER PART C of IDEA
Mississippi State Department of Health/First Steps EIP

Please add any additional comments:

Name of Person filing the Complaint (Please Print) _____

Relationship to Child _____ **Are you the child's legal guardian?** ___ Yes ___ No

Signature of the Person filing the Complaint _____

Address _____

Telephone(s) _____

Name of Organization, if Applicable _____

Contact information _____

Send completed form to: Mississippi State Department of Health
First Steps Early Intervention Program
Attn: Part C Coordinator
P.O. Box 1700, 570 E. Woodrow Wilson Drive
Jackson, MS 39215-1700
Fax: (601) 576-7540

SECTION III: GLOSSARY

Child and Family Rights/Procedural Safeguards Glossary First Steps Early Intervention Program

Assessment: (§303.321) The ongoing procedures used by qualified, multidisciplinary personnel to identify (a) the child's unique strengths and needs and the services appropriate to meet those needs; (b) the family's resources, priorities, and concerns, and the supports and services necessary to enhance the family's capacity to meet the developmental needs of their infant or toddler with a disability; and (3) the nature and extent of early intervention services that are needed by the child and the child's family to meet the needs in (a) and (b) above throughout the period of the child's eligibility under Part C of IDEA. The **Initial Assessment** refers to the assessment of the child and the family assessment prior to the child's first IFSP meeting, which must be completed within 45 calendar days from the time First Steps EIP or the EI service program/provider receives the referral of the infant or toddler.

At-Risk Infant or Toddler: (§303.5) An at-risk infant or toddler means an individual under three years of age who would be at risk of experiencing a substantial developmental delay if early intervention services were not provided to the individual. An at-risk infant or toddler may include an infant or toddler who is at risk of experiencing developmental delays because of biological or environmental factors that can be identified including low birth weight, respiratory distress as a newborn, lack of oxygen, brain hemorrhage, infection, nutritional deprivation, a history of abuse or neglect, and being directly affected by illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure.

Business Day: A business day is defined as a working day that excludes weekends and holidays.

Child: (§303.6) Child means an individual under the age of six and may include an infant or toddler with a disability. First Steps EIP provides services to eligible infants or toddlers under three years of age.

Child Abuse Prevention and Treatment Act (CAPTA): CAPTA (PL 93-247) defines child abuse and neglect while providing federal funding to States in support of prevention, assessment, investigation, prosecution, and treatment activities to reduce child abuse and neglect.

Day: (§303.9) A day means a calendar day unless otherwise indicated.

Developmental Delay: (§303.10) A child with a developmental delay is defined as a child who has not attained developmental milestones expected for the child's chronological age (adjusted for prematurity) in one or more of the following areas: cognitive, physical development (including vision and hearing), communication, social/emotional, or adaptive skills. The child must be experiencing a 33% delay in one area of development or a 25% delay in two or more areas of development; or score 2.0 standard deviations below the mean in one developmental area or 1.5 standard deviations below the mean in each of two developmental areas on individually administered standardized instruments. A child may have a diagnosed physical or mental condition that has a high probability of resulting in developmental delay.

Due Process Complaint: A Due Process Complaint may include the First Steps EIP or EI service program/provider proposing or refusing to initiate or change the identification, evaluation, or placement of an infant or toddler, or the provision of early intervention services to an eligible infant or toddler and his or her family.

Due Process Hearing: The Mississippi State Department of Health (MSDH), as lead agency under Part C of IDEA, provides a procedure in which to resolve complaints with respect to a particular child. Upon

receipt of a written Due Process Request, an impartial Due Process Hearing Officer is appointed to implement the Complaint Resolution process. The hearing is carried out at a time and place that is reasonably convenient to parents. The Due Process Hearing is completed and a written decision is mailed to each of the parties within 30 days of receipt of the written complaint.

Disclosure: To permit access to or the release, transfer, or other communication of the child's early intervention records or the personally identifiable information (PII) contained in those records, to any party. Disclosure may be by multiple means, including oral, written, or electronic means.

Early Intervention Services (EI services): (§303.13) Developmental services that are: (1) Provided under public supervision; (2) Selected in collaboration with parents; (3) Provided at no cost to eligible children and their families; (4) Designed to meet the developmental needs of an infant and toddler with a disability and the needs of the family to assist appropriately in the infant's or toddler's development, as identified by the IFSP Team; (5) Meet standards of the State in which early intervention services are provided; (6) Include the services set forth in Part C of IDEA; (7) Are provided by qualified personnel; (8) Are provided in natural environments to the maximum extent appropriate; and (9) Are provided in conformity with an IFSP.

Early Intervention Service Provider: (§303.12) An entity, whether public, private, or nonprofit, or an individual that provides early intervention services under Part C of IDEA to infants and toddlers with disabilities. In Mississippi, such a provider is referred to as an Early Intervention service provider or EI provider and may be an agency or an individual hired by or under contract with an EI service provider that is responsible for the supervision and/or provision of early intervention services. An EI service provider may participate in the ongoing assessment of the child and the family-directed assessment of the resources, priorities and concerns of the infant's or toddler's family in the development of the goals and outcomes for the IFSP, provide early intervention services, and consult with and train parents and others regarding the provision of EI services.

Evaluation: The procedures used by qualified personnel (see definition below) to determine a child's eligibility (initial and ongoing) for early intervention services. An **initial evaluation** determines a child's initial eligibility for EI services and must be conducted in a timely manner (within 45 days of receipt of referral) and with parental consent. An evaluation must be comprehensive (include all areas of development), and be administered by a multidisciplinary evaluation team (see definition below) in the child's native language, unless clearly not feasible to do so.

Family: Defined according to each family's definition of itself, including significant others.

Family Assessment: Identification of the family's resources, priorities, and concerns, and the identification of the supports and services necessary to enhance the family's capacity to meet the developmental needs of their child.

Family Educational Rights and Privacy Act (FERPA): A law that protects the privacy of student education records, which includes early intervention records under Part C of IDEA. FERPA is found in statute at 20 U.S.C. §1232g, and in regulations at 34 CFR Part 99.

First Steps Early Intervention Program (First Steps EIP): The legislated program under the Mississippi State Department of Health that coordinates a statewide system of services in Mississippi for eligible children ages birth to three who have developmental delays, disabilities and/or diagnosed mental or physical conditions.

Free and Appropriate Public Education (FAPE): (§303.15) Special education and related services that: (a) Are provided at public expense, under public supervision and direction, and without charge; (b) Meet the standards of the State educational agency; (c) Include an appropriate preschool, elementary or secondary school education; and (d) Are provided in conformity with an Individualized Education Plan (IEP).

Hearing Officer: An impartial Due Process Hearing Officer is appointed to implement the Dispute Resolution process when a complaint is received under Part C of IDEA. The person appointed must have knowledge of the provisions of Part C and the needs of and the early intervention services available for infants and toddlers with disabilities and their families. The Hearing Officer will listen to viewpoints regarding the complaint, examine all relevant information, seek a timely resolution, and provide a record of the decision, including a written decision.

Homeless Children: (§303.17) Individuals, as defined in section 725 (42 U.S.C. 11434a) of the McKinney-Vento Homeless Assistance Act as amended, 42 U.S.C. 11431 *et seq.*, who lack a fixed, regular, and adequate nighttime residence. Homeless children includes those who are sharing the housing of other persons due to loss of housing, economic hardship or similar reason; are living in motels, camp grounds, trailer parks, emergency shelters or abandoned in hospitals or are awaiting foster care placement; are living in cars, parks, public or private places not designed for or ordinarily used as regular sleeping accommodation; or migratory children.

Impartial Due Process Hearing: The Mississippi State Department of Health (MSDH), as lead agency under Part C, provides a procedure in which to resolve complaints with respect to a particular child. Upon receipt of a written Due Process Hearing Request, an impartial Due Process Hearing Officer is appointed to implement the Dispute Resolution Process. The hearing is carried out at a time and place that is reasonably convenient to the parents. The Due Process Hearing is completed and a written decision is mailed to each of the parties within 30 days of receipt of the written complaint and the Due Process Hearing request.

Individuals with Disabilities Education Act (IDEA): A federal grant statute in which states may choose to participate, that provides financial assistance for early intervention services designed to meet developmental needs of eligible infants and toddlers from birth to age three (3) under Part C and special education and related services for eligible children ages three (3) to twenty-one (21) under Part B. IDEA provides for Procedural Safeguards for all eligible children and their families.

Individualized Education Program (IEP): The written individualized plan required for eligible children under Part B of IDEA, which specifies the special education and related services designed to meet the individual child's unique educational needs.

Individualized Family Service Plan (IFSP): (§303.20) A written plan under Part C of IDEA for providing early intervention services to an infant or toddler with a disability and to the infant's or toddler's family. A meeting to develop the initial IFSP must occur forty-five (45) calendar days from the date of the child's referral, if the child is determined eligible for services after evaluation. The IFSP:

- is based on an evaluation and assessment that is completed within 45 days of referral;
- includes the specified content required by Part C;
- is implemented as soon as possible (30 business days in Mississippi) once parental consent for EI services is obtained; and
- is developed in accordance with the IFSP procedures as outlined in Part C.

Infant and Toddler with a Disability: (§303.21) An individual under three years of age in need of early intervention services because the individual is experiencing a developmental delay, as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: cognitive, physical (including vision and hearing), communication, social or emotional development, adaptive development or has a diagnosed physical or mental condition that has a high probability of resulting in developmental delay. In Mississippi, an “at risk” infant or toddler may be screened and monitored (tracked) if no delay is present. If a delay is identified, the child may receive a comprehensive, multidisciplinary evaluation and assessment.

Informed Consent: (§303.7) Informed consent means that the parent has been fully informed in his or her native language of all information relevant to the activity for which consent is sought; the parent understands and agrees in writing to the carrying out of the activity for which the parent’s consent is sought; and the consent form describes that activity and lists the early intervention records (if any) that will be released and to whom they will be released. The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time. Revocation of consent is not retroactive, which means that it does not apply to an action that occurred before the consent was revoked.

Least Restrictive Environment (LRE): An environment in which an eligible student under Part B may receive free appropriate public education (FAPE) and, to the maximum extent appropriate, with non-disabled peers.

Local Health Districts: Refers to the Mississippi State Department of Health, who administers the First Steps Early Intervention system through each of the nine Public Health Districts throughout Mississippi.

Local Education Agency (LEA): (§303.23) Refers to the public board of education or other authority to perform a service function for public elementary schools or secondary schools in a city, county, township, school district or a combination of districts or counties. The LEA provides special educational services for eligible children ages three (3) to twenty-one (21) and procedural safeguards under Part B of IDEA. In Mississippi, the LEA is the local public school district in which the child resides.

Mediation: A process (voluntary on the part of parents) that helps parents, First Steps, and service providers resolve a disagreement in an informal, timely (within 60 days of filing a written complaint), and non-adversarial atmosphere. Mediation is conducted by a trained, qualified and impartial mediator in a location convenient to the parties in dispute. Mediation may be concluded with the development of a legally binding Mediation Agreement that is signed by both the parent and a representative of the lead agency (MSDH). Mediation is not used to deny or delay a parent’s right to a Due Process Hearing or to deny any other rights under Part C of IDEA. The child’s services will continue during this time unless a parent chooses to end the current services.

Mississippi Department of Education (MDE): The state lead agency for receiving federal funds to administer the State’s responsibilities under Part B of IDEA for eligible children ages three to age twenty-one.

Mississippi State Department of Health (MSDH): (§303.22) The lead agency appointed by the governor to administer a statewide system of early intervention services for infants and toddlers ages birth to three in accordance with Part C of IDEA.

Multidisciplinary: (§303.24) The involvement of two or more separate disciplines with respect to evaluation of the child and assessments of the child and family. A **multidisciplinary evaluation team** may include one individual who is qualified in more than one discipline or two individuals who are

qualified in different disciplines. A service coordinator may serve as one of the two disciplines, if qualified and approved by the District Coordinator.

Native Language: (§303.25) The language normally used by an individual, or, in the case of a child, the language normally used by the parents of the child. When used with respect to an individual who is deaf or hard of hearing, blind or visually impaired, or for an adult with no written language, native language means the mode of communication that is normally used by the individual (such as sign language, Braille, or oral communication).

Natural Environments: (§303.26) Settings that are natural or typical for a same aged infant or toddler without a disability and may include the home or community settings, and must be utilized to the maximum extent appropriate for the provision of early intervention services.

Parent: (§303.27) “Parent” means the biological or adoptive parent of a child, a foster parent, a guardian generally authorized to act as the child’s parent (but not the State, including the child’s social worker, if the child is a ward of the State); an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives or an individual who is legally responsible for the child’s welfare; or a surrogate parent who has been appointed in accordance with Part C of IDEA requirements.

Payor of Last Resort (POLR): Part C of IDEA funds that may be used only for early intervention (EI) services that an infant or toddler needs but is not entitled to receive or have payment made from any other Federal, State, local or private source.

Personally Identifiable Information (PII): (§303.29) Any information that, when read or heard by another person, would clearly identify who was being discussed. Examples include names, date of birth, social security numbers, addresses, phone numbers, mother’s maiden name, or other information that, alone or in combination, is linked or linkable to a specific child that would allow a reasonable person in the Early Intervention service community, who does not have personal knowledge of the relevant circumstances, to identify the child with reasonable certainty.

Procedural Safeguards: The provision of protections for infants and toddlers and their families eligible under Part C of IDEA, which include confidentiality of and access to records, parental consent and notice, dispute resolution options and the appointment of a surrogate parent when needed.

Qualified Personnel: (§303.31) Personnel who have met State approved or recognized certification, licensing, registration, or other comparable requirements that apply to the areas in which the individuals are conducting evaluations or assessments or providing early intervention (EI) services.

Screening: A process used by a qualified evaluator to determine if a child who is “at risk” meets the state’s eligibility criteria to qualify for EI services under Part C of IDEA. Procedures may include the administration of a standardized developmental instrument, family information/observation, and clinical observations.

Service Coordinator (SC): A person assigned to assist and enable an infant or toddler with a disability and the child’s family to receive the services and rights under Part C of IDEA. A Service Coordinator serves as a single point of contact and is responsible for coordinating all services required under Part C of IDEA across agency lines. Service Coordination is an active and on-going process that involves coordinating screenings, evaluations and assessments; participating in the IFSP development; assisting parents of eligible infants and toddlers in gaining access to and coordinating the provision of EI and other services identified on the IFSP; informing families of their rights and procedural safeguards; coordinating

funding for EI services; and facilitating the development of a transition plan to preschool services under Part B of IDEA, or other services.

State Lead Agency or Lead Agency: (§303.22) Refers to the Mississippi State Department of Health (MSDH), appointed as the state lead agency to receive funds to administer the State's responsibilities under Part C of IDEA for children with disabilities ages birth through two years in Mississippi.

Surrogate Parent: (§303.422) A person appointed by the lead agency within 30 days of determining a child needs a representative parent to ensure that the rights of the child are protected. A surrogate parent is appointed when no parent can be identified for the child; a parent cannot be located, or the child is a ward of the State. The surrogate parent cannot have personal or professional interests that conflict with the interest of the child he or she represents and cannot be an employee of the lead agency, any other public agency, or an EIS provider that provides early intervention services, education, care, or other services to the child or any family member of the child. A surrogate parent must have knowledge and skills that ensure adequate representation of the child.

Transition: The activities that ensure the toddler and the toddler's family make a smooth transition from Part C of IEA services to a preschool program under Part B of IDEA or other appropriate services. Components of transition include: (a) On-going discussions of the transition steps and services with the parent; (b) Notifying MDE and sending a written child find letter to the Local Education Agency (LEA) when the child is 27 months of age; (c) Holding a transition conference at least 90 days and not more than 9 months prior to the toddler's third birthday and includes the lead agency, the LEA, and the family; and (d) a transition plan which includes services needed by the toddler and his or her family to support the transition of the child.

Ward of the State: (§303.37) A child who, as determined by the State where the child resides, is a foster child or a ward of the state or in custody of a public child welfare agency. Ward of the state does not include a foster child who has a foster parent who meets the definition of a parent in Part C of IDEA.

Written State Complaint: A complaint may include the lead agency or an EI service program/provider proposing or refusing to initiate or change the identification, evaluation, or placement of an infant or toddler, or the provision of early intervention services to the infant or toddler and the family. A Written State Complaint may be filed by an organization or individual and allege the violation occurred not more than one year prior to the date the complaint is received. The Written State Complaint must include a statement that a requirement of Part C of IDEA has been violated, include facts on which the statement is based, and be signed by the complainant and include the complainant's contact information. The complaint must be investigated and a resolution letter sent to the complainant within 60 days of receiving the Written State Complaint.

Prior Written Notice (PWN): A written notice given to parent prior to the lead agency or an EI service program/provider proposes, or refuses, to initiate or change the identification, evaluation, or placement of their infant or toddler, or the provision of early intervention services to the infant or toddler with a disability and the family. The prior written notice must be received by the parent at least five (5) business days prior to the action and include the action being proposed or refused, reasons for taking the action and all procedural safeguards, including how to file a Written State Complaint, Mediation request and a Due Process Hearing request and any timelines applicable to those procedures.

SECTION IV: EARLY INTERVENTION RESOURCES

Early Intervention Resources

First Steps EIP maintains an online Resource Directory of statewide resources and services available to children and families in Mississippi. This Resource Directory may be accessed through the Mississippi State Department of Health website at http://msdh.ms.gov/msdhsite/_static/41,0,163.html under Maternal and Child Health Programs. The following is a partial listing of agencies and advocacy groups available to assist families in Mississippi:

<p>The ARC of Mississippi 7 Lakeland Circle #600 Jackson, MS 39216 Phone: (601) 982-1180 Toll free: (800) 717-1180 Fax: (601) 982-5792 Email: matt@arcms.org Website: www.arcms.org</p>	<p>Division of Medicaid Office of the Governor Walter Sillers Building, Suite 1000 550 High Street Jackson, MS 39201 Phone: (601) 359-6050 Toll free: 1-800-421-2408 Website: www.medicaid.ms.gov/</p>
<p>Blind and Physically Handicapped Library Services/MS Library Commission 3881 Eastwood Drive Jackson, MS 39211-6473, Phone: (601) 432-4116, Toll free: (800) 446-0892 Fax: (601) 432-4476 Website: www.mic.lib.ms.us</p>	<p>March of Dimes, Mississippi Chapter 1991 Lakeland Drive, Suite G Jackson, MS 39216 Phone: (601) 933-1071 Fax: (601) 933-1152 Website: www.marchofdimes.com/mississippi</p>
<p>Brain Injury Association of Mississippi P.O. Box 55912 2727 Old Canton Road, Suite 191 Jackson, MS 39296 Phone: (601) 981-1021, Toll Free: (800) 641-6442 Fax: (601) 981-1039 Website: www.members.aol.com/biaofms</p>	<p>Mississippi Council on Developmental Disabilities 100 Robert E. Lee Bldg., 239 North Lamar Street Jackson, MS 39201 Phone: (601) 359-1270, (601) 359-6238 TDD: (601)359-6230, Fax: (601) 359-5330 Email: info@cdd.md.gov</p>
<p>Central Mississippi Autism Support Group 149 Dry Creek Road Magee, MS 39111 Phone: (601) 594-9314 Fax: (601) 849-3981 Website: http://www.teaam.org/supportgroups.htm</p>	<p>Mississippi Department of Education Office of Special Education Director's Office P.O. Box 771 Jackson, MS 39205-0771 Phone: (601) 359-3498 Website: www.mde.k12.ms.us/special_education/</p>
<p>Coalition for Citizens with Disabilities 615 Barksdale Street Jackson, MS 39202 Phone: (601) 969-0601 Website: www.mscoalition.com</p>	<p>Mississippi Families as Allies for Children's Mental Health 5166 Keele Street, Building A Jackson, MS 39206 Phone: (601) 981-1618, Toll Free: (800) 833-9671 Fax: (601) 981-1696 Email: info@msfaacmh.org Website: www.msfaacmh.org</p>

<p>Mississippi Family-2-Family Center The University of Southern Mississippi Institute for Disability Studies 118 College Drive , Hattiesburg, MS 39406-0001 Toll Free: (888) 671-0051 and/or Resource Library, Suite 480, 350 W. Woodrow Wilson Dr., Jackson, MS 39213 Toll Free: (888) 313-1718 Website: http://www.usm.edu/ids/f2fc</p>	<p>Mississippi State Department of Health Children’s Medical Program 350 West Woodrow Wilson, Suite 3504 Jackson, MS 39213 Phone: (601) 987-3965 Toll Free: (800) 844-0898 Website: http://msdh.ms.gov/msdhsite/_static/41,0,163.html</p>
<p>Mississippi Head Start Association 921 N. Congress Street Jackson, MS 39202 Phone: (601) 969-6979 Fax: (601) 969-6728 Email: nthomps@bellsouth.net</p>	<p>Mississippi State Department of Health Genetics Department 570 East Woodrow Wilson Blvd., P.O. Box 1700 Jackson, MS 39215-1700 Phone: (601) 576-7427 FAX: (601) 576-7498</p>
<p>Mississippi Head Start Collaboration Office Office of the Governor P.O. Box 139 Jackson, MS 39205 Phone: (601) 576-2021, Fax: (601) 576-2791 Email: hspivey@governor.state.ms.us</p>	<p>Mississippi Protection and Advocacy 5330 Executive Plaza, Suite A Jackson, MS 39206 Phone: (601) 981-8207 Toll Free: (800) 772-4057 Website: www.mspas.com</p>
<p>Mississippi Department of Human Services Office of Children and Youth P.O. Box 352 Jackson, MS 39205 Phone: (601) 359-4551 Email: jill.dent@mdhs.ms.gov</p>	<p>Social Security Administration Federal Building 100 West Capitol Street Jackson, MS Toll free 1-800-772-121, (866) 331-8135 TDD Phone for the Deaf: (601) 965-5418 Website: www.ssa.gov/</p>
<p>Mississippi Parent Training and Information Center (PTI) 2 Old River Place, Suite A Jackson, MS 30202 Phone: (601) 969-0601, Toll Free: (800) 421-7255 Fax: (601) 709-0250 Website: www.mspti.org</p>	<p>University Centers for Excellence in Developmental Disabilities The Institute for Disability Studies University of Southern Mississippi 118 College Drive, #5163 Hattiesburg, MS 39406-0001 Phone: (601) 266-5163. Fax: (601) 266-5114 TTY: (888) 671-0051 Website: www.ids.usm.edu</p>

SECTION V: (Parent Copy)

Child's name _____ FSIS Number _____

**Contact Information
Acknowledgement of Receipt of Child and Family Rights/Procedural Safeguards
Consent to Screen, Evaluate and/or Assess**

First Steps EIP strives to maintain open communication among personnel and families. Your concerns, questions, and opinions are important to us. If you wish to contact your Service Coordinator, the District Coordinator (your Service Coordinator's supervisor), or the Part C Coordinator, their contact information is provided below:

Service Coordinator	District Coordinator	Part C Coordinator
		Part C Coordinator
		Mississippi State Dept. of Health
		507 E. Woodrow Wilson
		P.O. Box 1700, Jackson, MS 39215
		601-576-7427 or 1-800-451-3903
		Fax 601-576-7540
		@msdh.state.ms.us

**Acknowledgement of Receipt of the
Child and Family Rights/Procedural Safeguards**

I, _____ (parent's name) acknowledge that I have received a verbal explanation of the Child and Family Rights/Procedural Safeguards and a copy of this booklet has been given to me by _____ (name) on _____ (date). I also understand if I have any questions, I may contact my Service Coordinator using the above contact information.

Parent Signature _____ Date _____

Service Coordinator Signature _____ Date _____

Consent to Screen, Evaluate and/or Assess

I, _____ (parent's name) acknowledge that the developmental screening, evaluation and assessment has been fully explained to me. I understand the developmental screening, evaluation and assessment are provided at no cost to my child or family. I further understand that I may request a comprehensive, multidisciplinary evaluation during or after my child's developmental screening, even if the screening indicates no developmental delays. Complete and/or initial the following:

I have been fully informed and (parent's initial) _____ **give my consent** or _____ **do not give my consent** for my child _____ (child's name) to receive a developmental:

(parent's initial, as applicable) ___ **Screening** ___ **Evaluation** ___ **Reevaluation** ___ **Assessment** ___ **Reassessment**.

Parent Signature _____ Date _____

Service Coordinator Signature _____ Date _____

SECTION V: (EI Record Copy)

Child's name _____ FSIS Number _____

**Contact Information
Acknowledgement of Receipt of Child and Family Rights/Procedural Safeguards
Consent to Screen, Evaluate and/or Assess**

First Steps EIP strives to maintain open communication among personnel and families. Your concerns, questions, and opinions are important to us. If you wish to contact your Service Coordinator, the District Coordinator (your Service Coordinator's supervisor), or the Part C Coordinator, their contact information is provided below:

Service Coordinator	District Coordinator	Part C Coordinator
		Part C Coordinator
		Mississippi State Dept. of Health
		507 E. Woodrow Wilson
		P.O. Box 1700, Jackson, MS 39215
		601-576-7427 or 1-800-451-3903
		Fax 601-576-7540
		@msdh.state.ms.us

**Acknowledgement of Receipt of the
Child and Family Rights/Procedural Safeguards**

I, _____ (parent's name) acknowledge that I have received a verbal explanation of the Child and Family Rights/Procedural Safeguards and a copy of this booklet has been given to me by _____ (name) on _____ (date). I also understand if I have any questions, I may contact my Service Coordinator using the above contact information.

Parent Signature _____ Date _____

Service Coordinator Signature _____ Date _____

Consent to Screen, Evaluate and/or Assess

I, _____ (parent's name) acknowledge that the developmental screening, evaluation and assessment has been fully explained to me. I understand the developmental screening, evaluation and assessment are provided at no cost to my child or family. I further understand that I may request a comprehensive, multidisciplinary evaluation during or after my child's developmental screening, even if the screening indicates no developmental delays. Complete and/or initial the following:

I have been fully informed and (parent's initial) _____ **give my consent** or _____ **do not give my consent** for my child _____ (child's name) to receive a developmental: (parent's initial, as applicable) ___ **Screening** ___ **Evaluation** ___ **Reevaluation** ___ **Assessment** ___ **Reassessment**.

Parent Signature _____ Date _____

Service Coordinator Signature _____ Date _____

