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# Parental Consent for the use of Electronic Software (Docusign & Enterclaims) and Electronic Signatures

Child’s Name: Child’s EI #: \_\_\_\_\_\_\_\_\_\_D.O.B.:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Parent’s Name: E-mail Address: \_

The New York State Department of Health has reviewed the federal guidance provided by the United States Department of Education Office of Special Education Programs (OSEP), pertaining to Part C Procedural Safeguards and the use of electronic or digital signatures to indicate that the parent provides consent under Part C of the Individuals with Disabilities Education Act (IDEA) for early intervention services.

Federal guidance permits a State Lead Agency (State LA) or EI provider to accept an electronic or digital signature to indicate that the parent provides consent under Part C of the IDEA when required for screening (if a State has opted to offer screening), the evaluation, assessment, provision of early intervention services (EIS), including before the initiation of each early intervention services, disclosure of personally identifiable information (PII), or the use of benefits or insurance for their infant or toddler, as long as the State LA or EIS provider ensures there are appropriate safeguards for the parental consent required under Part C of IDEA under 34 C.F,R. § 303.71.

OSEP has advised that these safeguards include that the electronic signature: 1) is signed and dated; 2) identifies and authenticates a particular person as the source of the electronic consent; 3) indicates such person’s approval of the information contained in the electronic consent; and 4) is accompanied by a statement that the person understands and agrees.

Parental consent must be obtained before PII is disclosed to parties other than authorized representatives, officials, or employees of participating agencies (which includes the State LA and EIS provider) unless a specific exception applies under 34 C.F.R. § 303.414(b) of the IDEA Part C regulations, which incorporates the exceptions under the Family Educational Rights and Privacy Act (FERPA) regulations in 34 C.F.R. Part 99.31.

IDEA requires State LAs and EIS providers to obtain informed written consent from parents, consistent with 34 C.F.R.

§ 303.7 for their child’s screening (in States that have adopted screening procedures), evaluations and assessments, and before the provision of early intervention services, including before the initiation of each early intervention service. Parental consent is also required before the disclosure of PII under certain circumstances in accordance with 34 C.F.R. § 303.414 or prior to the use of public benefits or insurance or private insurance in certain circumstances in accordance with 34 C.F.R. § 303.520 and 34 C.F.R. § 303.420(a)(1)-(4) Because of social distancing and other restrictions during the pandemic, it may not be possible to obtain a parent’s signed, written consent in-person.

By acknowledging and signing below, parent/guardian understands the items above and agrees that **Important Steps**, **Inc**. may accept an electronic or digital signature to indicate that the parent provides consent under Part C of the IDEA when required for screening, multidisciplinary evaluation, assessment, provision of EIS, to initiate services on the child’s Individualized Family Service Plan (IFSP), disclosure of PII or the use of benefits or insurance for their infant or toddler.

# Parental Acknowledgement and Agreement

I acknowledge that I have read, understand, and agree to the items above which describe the use of electronic software (Docusign) and electronic signatures within the Early Intervention Program. I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (parent name), authorize all employees, representatives, and officials, of **Important Steps, Inc.** to utilize electronic software (Docusign) in order to obtain my electronic signature (consent) on all required Early Intervention paperwork for the purposes of evaluation, assessment, and/or provision of early intervention services and participation in the Early Intervention Program (EIP). This includes but is not limited to communication regarding service delivery, child progress in the EIP and any other related matters.

Parent’s Signature Date