**Section 500.135 Minimum Procedural Safeguards**

a) The following minimal procedural safeguards are required by IDEA, regarding Part C EI services:

1) The timely administrative resolution of complaints by parents and the right to bring civil action with respect to the complaint in State or federal court, consistent with Section 500.140;

2) The right to confidentiality of personally identifiable information, including the right of parents to written notice and written consent to exchange of information among agencies, consistent with federal and State law, consistent with Section 500.150;

3) The right of the parents to determine whether they, their child or other family members will accept or decline any EI service under this Part without jeopardizing other EI services under this Part, consistent with Section 500.155;

4) The opportunity for parents to examine records relating to evaluation, screening, eligibility determination, and the development and implementation of the IFSP, consistent with Section 500.150;

5) Procedures to protect the rights of the child when the parents are not known or cannot be found, or the child is a ward of the State, including the assignment of an individual (who is not an employee of a State agency, a family member or an EI services provider) to act as a surrogate, consistent with Section 500.160;

6) Written prior notice to the parents of the child when the State agency or service provider proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, or placement of the child in, or the provision of, appropriate EI services, consistent with Section 500.165;

7) Procedures designed to ensure that the written prior notice in subsection (a)(6) fully informs the parents in the parents' native language, consistent with Section 500.155;

8) The right of parents to use Mediation under Section 500.145, file a State Complaint under Section 500.170 or request a Due Process Hearing under Section 500.140, in accordance with IDEA (20 USC 1439(a)(6) through (7)).

b) Regional intake entities and other providers of Part C EI services shall not violate the procedural safeguards and rights set forth in subsection (a). Furthermore, to the extent that they participate in any activity requiring procedures and rights in subsection (a), they shall comply with those procedures, assure the protection of those rights, and give clients timely and effective notice of those rights.

(Source: Amended at 38 Ill. Reg. 11086, effective May 12, 2014)