

# Electronic Communications Policy

**NAME OF PART C/PART B 619 PROGRAM**

**PURPOSE**

The purpose of this policy regarding electronic communications is to establish authority and a process for ensuring protection of PART C OR PART B 619 personally identifiable information (PII) and other important data when sharing these data/this information from the PART C/PART B 619 PROGRAM NAME through electronic communications (e.g., texting, email, instant messaging, video chatting, Instagram, Facebook, Twitter).

**DEFINITIONS**

“Authentication of identity” means ensuring that the recipient of education records or the party who receives or transmits students’ records is in fact the authorized or intended recipient or sender. Authentication is the process by which an education agency or institution establishes the appropriate level of identity authentication assurance or confidence in the identity of the person or entity requesting access to the records. This assurance is established through the use of a variety of vetting methodologies, which employ so-called “authentication factors” individually or in concert, to raise the level of confidence that the party being granted access is the person or entity it claims to be.

“Record” as defined by FERPA regulations at 34 CFR 99.3 is, “any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.”

**AUTHORITY**

NAME OF STATE is federally required to protect personally identifiable PART C OR PART B 619 data during electronic communication. The following federal AND POTENTIALLY NAME OF STATE requirements (statutes/regulations/rules/policies) apply to electronic communication:

34 CFR Part 300 – Part B Regulations

* 34 CFR 300.505

34 CFR Part 99 – FERPA Regulations

* 34 CFR 99.3
* 34 CFR 99.31(c)

The NAME OF STATE statute, regulations, and current policies that address electronic communication are:

* RELEVANT STATE STATUTE
* RELEVANT STATE REGULATIONS/RULES
* RELEVANT STATE POLICIES

**RESPONSIBILITY**

It is the responsibility of AGENCY, PROGRAM, ROLE, ETC overseeing the data for the PART C/PART B 619 PROGRAM NAME to establish and implement policies related to electronic communication. The policy is specified at the STATE LEVEL/LOCAL PROGRAMS’/AGENCIES’ LEVEL.

AGENCY, PROGRAM, ROLE, ETC is responsible for ensuring adherence to this policy in PART C/PART B 619 PROGRAM NAME. AGENCY, PROGRAM, ROLE, ETC is responsible for monitoring adherence to this policy. AGENCY, PROGRAM, ROLE, ETC will answer any questions regarding the use of electronic communication. AGENCY, PROGRAM, ROLE, ETC will provide training and technical assistance on electronic communication when requested. This policy will be reviewed INSERT TIMELINE by AGENCY, PROGRAM, ROLE, ETC , and it will address failures to adhere to this policy. AGENCY, PROGRAM, ROLE, ETC and AGENCY DIRECTOR shall consider and determine what, if any, sanctions or consequences are to be levied on those responsible for violations of this policy and what procedures are in place to report this occurrence within the agency.

The public will be informed about this policy through AGENCY, WEBSITE, MANUAL, ETC and the policy is included in the agency’s privacy statement (IF APPLICABLE).

# APPLICABILITY

This policy applies to NAME OF PARTICIPATING AGENCY(IES) under TYPE OF MECHANISMS (e.g., contracts, subgrants, or interagency agreements). This includes staff from NAME OF LOCAL PROGRAMS/AGENCIES directly associated with NAME OF PARTICIPATING AGENCY(IES). All local programs, agencies, contractors, and staff identified in this policy must adhere to this policy.

Communication methods covered by this policy include TEXTING, EMAIL, INSTANT MESSAGING, VIDEO CHATTING, FACEBOOK, INSTAGRAM, TWITTER.

Parents will elect or choose these forms of communication through PROCESS/MECHANISM [COMPLETION OF FORM]

**SPECIFIC PROVISIONS**

PII can be communicated electronically by agency/program/vendor staff through INSERT CIRCUMSTANCES. Procedures required to authenticate the recipient’s identity include INSERT PROCEDURES.

Policies governing the use of personally owned devices (e.g., mobile, computers) for electronic communication and *transference of PII* include INSERT POLICIES.

Policies governing the use of personally owned devices (e.g., mobile, computers) for electronic communication *when PII is not being transmitted* include INSERT POLICIES.

Virus protection policies include INSERT POLICIES.

Circumstances under which encryption of electronic communication is required include INSERT CIRCUMSTANCES.

Procedures required when a device is lost or damaged include INSERT PROCEDURES.

Circumstances under which the information that is communicated electronically is included in the child’s early intervention or educational record are INSERT CIRCUMSTANCES.