



State of Arizona  
Department of Education



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### **Alert to Special Education Directors and Program Administrators: Electronic Signatures**

The Arizona Department of Education, Exceptional Student Services (ADE/ESS), has been asked if public education agencies (PEAs) can use electronic signatures to obtain parent consent where necessary per the Individuals with Disabilities Education Act (IDEA). In accordance with the Office of Special Education Programs (OSEP) [question and answer guidance document](#) on procedural safeguards issued on June 30, 2020, electronic signatures can be used, if needed, during the pandemic with [the appropriate safeguards](#).

A PEA may determine that a “signed and dated written consent” may include a record and signature in electronic form that identifies and authenticates a particular person as the source of the consent and indicates such person’s approval of the information contained in the electronic consent. These safeguards also should include a statement that indicates that the parent has been fully informed of the relevant activity and that the consent is voluntary on the part of the parent, consistent with the IDEA definition of “consent” in [34 C.F.R. § 300.9](#).

ADE/ESS encourages PEAs to utilize an authentication service or software program and determine the need for secure-send software to ensure that a student’s personally identifiable information (PII) is protected. ADE/ESS further encourages PEAs to discuss with their legal counsel their plans to implement the use of electronic signatures to ensure that a PEA’s plan meets all the required safeguards.

ADE/ESS will be updating the Guide Steps to include information related to electronic signatures for PEAs that choose to utilize this method when needed. For additional information, please contact your [Program Support and Monitoring specialist](#).