

YOUR RIGHTS AS A PARENT IN THE EARLY INTERVENTION PROGRAM

Parents have rights under the Early Intervention Program that you should know. Your Early Intervention Official is responsible for making sure you know about your rights. These rights include:

- The right to say yes or no to having your child evaluated or screened and taking part in a family assessment.
- The right to say yes or no to participating in the Early Intervention Program, without risking the right to take part in the future.
- The right to say yes or no to any certain type of early intervention service without risking your right to other types of early intervention services.
- The right to keep information about your family private.
- The right to look at and change your child's written record under the Early Intervention Program.
- The right to be told by your Early Intervention Official about any possible changes in your child's evaluation or other early intervention services before any changes are made.
- The right to take part – and ask others to take part – in all meetings where decisions will be made about changes in your child's evaluation or services.
- The right to use due process procedures to settle complaints.
- The right to an explanation of how your insurance may be used to pay for early intervention services.

Part of your service coordinator's job is to explain these rights to you and make sure you understand them and help you carry them out.

Your Child's Records

Your child's record includes all written materials developed or used for the Early Intervention Program. Your child's record may include:

- Information gathered as part of your child's referral to the Early Intervention Official.
- Screening and evaluation reports and summaries.
- Your family assessment (if you took part IN ONE).
- Your Individualized Family Service Plan and all documents related to the plan.
- Progress notes and other information about your child's and family's services prepared by early intervention service providers (including your service coordinator).
- Any records about complaints you may have filed.
- All other records involving your child and family.

All information in your child's record must be kept confidential by the Early Intervention Official and early intervention evaluators, service providers, and service coordinators. You must give your written permission to allow information in your child's record to be released. There are two types of "releases" that you can sign:

- A *selective release* – this type of release requires you to identify the persons who can access the information in your child's record and from whom they can get the information.
- A *general release* – this type of release will allow information to be shared with individuals and agencies that will be providing services to your child and family.

No matter what type of release you sign, you can change your decision about who can access your child's record at any time.

As a Parent, You Have the Right to...

- Ask what materials are being collected and kept in your child's record by your Early Intervention Official and service providers.
- Ask who has access to your child's record and who has seen or has copies of the record.
- Review – in person or through a representative – your child's record at any time. Your service coordinator can help you arrange to see your child's record.
- Ask for copies of any of the materials in your child's record. You may be charged a small fee for copying.
- Request that changes be made to your child's record. If you feel that any information in your child's record is wrong, misleading, or violates your child's and family's privacy and rights, you may ask your Early Intervention Official, service coordinator, evaluator, or service provider to correct or change the information. Once you ask for a change, the person you asked must tell you in 10 days whether:
 - the change has been made as you requested; or,
 - your child's record has not been changed.

If your Early Intervention Official, service coordinator, evaluator, or service provider disagrees and will not make the change you asked for, you may have a statement placed in your child's record about your concerns.

You can also appeal the decision and ask your Early Intervention Official for an administrative hearing. The hearing will be conducted by a local official who has no direct interest in the hearing results. This hearing must be held within 30 days and conducted in accordance with the Family Educational Rights and Privacy Act (FERPA).

If You and Your Early Intervention Official Disagree

Sometimes, parents and Early Intervention Officials do not agree on what early intervention services should be in the Individualized Family Service Plan (IFSP). For example, you may not agree with your Early Intervention Official about:

- The kinds of services your child and family should have.
- How often services should be provided.
- How long services should be provided.
- What service model is best.
- Where services should be provided.

Parents have the right to use either *mediation*, an *impartial hearing*, or both to resolve disagreements with their Early Intervention Official about early intervention services. There is no cost to you for either a mediation or an impartial hearing.

An early intervention service in the IFSP that you and your Early Intervention Official agree on can be provided while you take part in either mediation or an impartial hearing.