

KERN EARLY START SERVICES

- KERN REGIONAL CENTER - (661) 327-8531 • FAX (661) 327-8676
- BAKERSFIELD CITY SCHOOL DISTRICT SELPA - (661) 631-5850 • FAX (661) 631-3289
- KERN COUNTY CONSORTIUM SELPA - (661) 636-4817 • FAX (661) 636-4810
- SIERRA SANDS SELPA - (760) 499-1702 • FAX (760) 446-1639

PARENT RIGHTS AND RESPONSIBILITIES IN THE EARLY START PROGRAM

This is provided as a summary of the parent rights and safeguards under Part C. The full rights document should be reviewed or you may call one of the offices above for more detailed information.

Evaluation and Initial Assessment

Developing an Individualized Family Service Plan (IFSP) includes the completion of a timely, comprehensive, multidisciplinary evaluation and assessment of every child under age 3 who is suspected of having a disability. If your child is determined to be eligible, you have the right to appropriate early intervention services. You have the right to provide information throughout the process and are encouraged to make decisions about your child's early intervention services. Procedural safeguards make certain that children and their parents or guardians are provided their rights under the law.

As a parent or guardian, you have the right to:

1. Be given the opportunity to begin the evaluation and initial assessment process.
2. Within 45 days after the referral of your child to regional center or local education agency, the evaluation and assessment activities must be completed and an IFSP meeting must take place to develop the IFSP.
3. Review the procedures and tests used in the assessment and evaluation.
4. Provide written permission before any evaluations or assessments are administered and refuse any evaluations, assessments, and early intervention services.
5. Be fully informed of the results of evaluations and assessments.
6. Have access to records, including the right to examine and obtain copies of records relating to your child and the right to request an amendment of records of any participating agency relating to your child.
7. Have an advocate assist you in dealings with the early intervention system, including regional center and local education agencies.
8. Obtain independent assessments and evaluations.
9. Have personally identifiable information maintained in a confidential manner.
10. Request a due process hearing to challenge the findings of any evaluations or assessments.
11. Attend a meeting to develop an IFSP within 45 days from referral.

Evaluation means the procedures used by appropriate, qualified personnel to determine your child's initial and continuing eligibility for early intervention services under the Early Start Program. The procedures require that:

1. Evaluation and assessment materials are administered in the native language of a child's parent/family or other mode of communication, unless it is clearly not feasible to do so.
2. Evaluation and assessment procedures and materials are selected and administered so as not to be discriminatory by race, sex, culture, or disabling condition.
3. Evaluation and assessment materials shall be appropriate for the specific purposes for which they are being used.

4. Evaluation and assessments are conducted by qualified personnel.
5. Evaluations or assessments administered to individuals with known visual, hearing, or communication impairments shall be selected to accurately reflect the individual's aptitude or achievement level whichever factor is the subject of measurement.
6. Evaluation and assessment materials shall be designed to assess the specific areas of developmental and/or educational needs and not be designed to provide solely intelligence quotient measurement.
7. Assessments and evaluations are administered in the five developmental areas, including, where appropriate, health and development, vision, hearing, motor abilities, language functions, and social and emotional status.

Individualized Family Services Plan (IFSP)

If your child is determined to be eligible for early intervention, a meeting to develop your IFSP must take place within 45 days of the referral to the Regional Center or local education agency. You have the following rights in developing and implementing the IFSP. The right to:

1. Attend the IFSP meeting and participate in determining eligibility and developing the IFSP.
2. Request the attendance of other family members.
3. Request the attendance and participation of an advocate at the IFSP meeting.
4. Have the contents of the IFSP fully explained in your native language.
5. Give specific consent to each service listed on the IFSP. If you do not give consent to a service, it will not be provided. You may withdraw consent after initially receiving a service.
6. Provide concurrence to an assessment of your resources, priorities, and concerns regarding enhancing the development of your child.
7. Be notified in your native language and in advance, before an agency or service provider proposes or refuses to initiate or change the identification, evaluation, assessment, or educational placement of your child, or the provision of appropriate early intervention services to your child or your family.
8. Consent to the transmission of information about your child to the local education agency during transition to services under Part B of IDEA (Part B serves children 3-21).

Administrative Proceedings

Parents may file written complaints regarding evaluation, assessment, placement, or service provision issues described above. Any parents involved in an administrative resolution of a complaint have the right to:

1. Be accompanied and advised by counsel and by individuals with special training with respect to early intervention services for children under age three.
2. Present evidence and confront, cross-examine, and compel the attendance of witnesses.
3. Prohibit the introduction of any evidence at the proceeding that has not been disclosed to you at least five days before the proceeding begins.
4. Obtain written or electronic verbatim transcription of the proceeding.
5. Obtain written findings of fact and decisions within 30 days from the date the complaint is filed.
6. Have all personally identifiable information maintained in a confidential manner.
7. Require that the proceeding is carried out at a time and in location which is reasonably convenient for you.
8. Bring civil action upon the other party in the complaint following completion of the proceeding.