

## Promises to Families

### Policy Concepts: Rights and Roles Guiding Services for Families of Infants and Toddlers with Disabilities

**Introduction/Purpose:** The purpose of this document is to provide a resource for early intervention professionals on parental rights and procedural safeguards for provision of just-in-time support to the early intervention teams to include parents and professionals.

**Policy Concept: Confidentiality** - assures a families’ right to protect information about their family.

**General Rights:** Parents have the right to be informed of, and have control over, who has access to information about their family outside the program/agency providing their early intervention services. This right extends within the agency with the promise of collection and access only by those who have a reason for collection or access or “need to know”. Parents have the right to share only the information they are comfortable sharing.

**Promises to Families Specific Rights):** Parents have control over the type and amount of information they choose to share with agency.

Parents have control over who has access to information about their family. (34 CFR 303.414)

If parents choose to give access to information about their family outside the agency, they will provide consent for access in writing. (34 CFR 303.401)

There are a few exceptions when information can be shared without parental consent. Parents need to be fully informed about these exceptions. For example,

1. The state lead agency has access for purposes of monitoring the records of the local agency;
2. The local lead agency provides information for referral to the state education agency and the lead education agency at transition to age three. Without consent, they can only share the child’s name, date of birth, and the parent contact information (names, addresses, and telephone numbers). (34 CFR 303.401)

The agency is responsible for protecting personally identifiable information from collection to destruction. Parents need to know how their information is protected and when and how destruction occurs. (34 CFR 303.415)

#### **Role of Family**

Know you are in control of who sees information about your child and family.

Know you are in control of the amount and type of information you choose to share with the agency.

Know that you can ask for what purpose confidential information is collected.

Know that in order for the program to share any information, the program must first obtain your consent in writing.

#### **Role of Service Coordinator and Other Practitioners (Duty)**

Help parents understand that they are in control of, if, when, or what, in terms of information they share with the early intervention program. They can choose to answer all or none of the questions presented if they are not comfortable doing so.

Help parents understand they can ask why specific information, they consider confidential, is being collected and how it will be used.

Help parents to understand how and when information is shared within the program.

Help parents to understand how and when information might be shared outside the program contingent on their approval.

<p>Know that the information that is protected involves any information that would allow someone to personally identify your family. The program must ask for written permission before sharing name, address, telephone number, social security number or list of personal characteristics or other information that would make it possible to identify your child, yourself, or other family members.</p> <p>Know that protection of information includes anything shared verbally or in writing. This includes information stored electronically.</p> <p>Know that protection is extended in every step of the process to include collection, sharing, storage and how and when records are destroyed.</p> <p>Know that there must be a record of anyone who has reviewed the record by name, date and reason.</p>	<p>Ask parents to sign consent to share any confidential information outside the early intervention team.</p> <p>Only share information verbally, electronically, or in hard copy if the parents have given written permission.</p> <p>Understand that confidentiality means one never talks about a family outside the work place and only in the context of the planed services for the child and family.</p> <p>Understand the need to explain additional safeguards in place to protect confidentiality according to other local, state, or federal laws. In particular, to explain to parents their confidentiality protections according to the Family Educational Rights and Privacy Act (FERPA).</p>
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**Policy Concept: Family Decision Making** - assures that families make decisions about their own family's life and have those decisions honored by others. Family decision making recognizes that families are the ultimate decision makers related to services for their child and family.

**General Rights:** Family Decision Making helps families to "stay in charge" of the decisions made for and about their family. Family Decision Making assures the autonomy of the family.

**Promises to Families (Specific Rights):** Parents must receive prior written notice in their native language (notice that is given in writing before the program proposes or refuses to start or change identification, evaluation or placement of an infant or toddler or before any early intervention service is provided to the infant or toddler or his/her family). This notice must let the parents know the reason for the action and must outline their rights in regard to the action and the procedural safeguards in place to protect these rights. (34 CFR 303.421)

Parents must give consent before any service. This includes screening, evaluations, assessments, and provision of services. (34 CFR 303.420)

Parents can decline any service. If parents decline, the program has a responsibility to make sure parents are fully aware of the nature of the evaluation and assessment of the child or early intervention services that would be available, and that the child will not be able to receive evaluation, assessment, or early intervention unless consent is given. (34 CFR 303.420)

Parents can decline a service after first accepting it without jeopardizing other early intervention services. (34 CFR 303.420)

Parents have many rights in relation to use of their public benefits or insurance. There are times when notification and/or consent may be required. (34 CFR 303.520)

Use of private insurance is only permissible with parental consent. (34 CFR 303.520)

Programs may not force a family to apply for public or private insurance to pay for Part C. If parents deny consent, services listed on the IFSP must still be provided. (34 CFR 303.520)

**Role of Family**

Ask questions to make sure you understand and agree with every activity in the process.

Expect the program to offer information in your native language.

Understand that your agreement is voluntary and at any step in the process, you can refuse to accept or decline any activity, request, or service.

Understand that if you refuse to accept or decline an activity, request or service it does not jeopardize receiving the activities and services you do agree with.

**Role of Service Coordinator and Other Practitioners (Duty)**

Ask about the native language of the family and provided information in the native language of the family.

Offer information needed so that parents understand what is happening in every activity in the process.

Ask parents if they agree with what is happening at each step of the process and confirm their agreement in writing.

**Policy Concept: Partnership** - encompasses two or more parties being trusted allies in making and implementing wise decisions. Partnership in Part C is reflected in the shared responsibility and decision making power that occurs when families and practitioners work together. Autonomy is reflected in partnership in that the ultimate decision a family can make is to decline or accept services and/or request mediation or due process.

**General Rights:** Parents have the right to fully participate in all decision making about their child’s and family’s services.

**Promises to Families (Specific Rights):** Parents must receive prior written notice in their native language (notice that is given in writing before the program proposes or refuses to start or change identification, evaluation or placement of an infant or toddler or before any early intervention service is provided to the infant or toddler or his/her family. This notice must let the parents know the reason for the action and must outline their rights in regard to the action and the procedural safeguards in place to protect these rights. (34 CFR 303.421)

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Parents can decline a service after first accepting it without jeopardizing other early intervention services. (34 CFR 303.420)

**Role of Family**

Attend and fully participate in all meetings with the program staff.

Expect to be a partner in all decisions made, especially those that involve a change in eligibility or a change in the services for your child and family.

Expect a written notice, in your native language, before any meeting in which a decision is to be made around eligibility or services for your child or family.

Expect that the notice given before a meeting and that it be given early enough to plan to attend the meeting and invite others if needed or wanted. If the program asks you to waive the usual time period labeled “reasonable amount of time”, then only

**Role of Service Coordinator and Other Practitioners (Duty)**

Invite parents to all meetings and ensure that meetings are scheduled at a time and place to support family participation.

Provide parents with written notice before any meeting takes place that involve evaluation, assessment, eligibility, IFSP meetings, beginning or changing services or refusing services.

Fully explain any action for which they you are seeking permission or consent.

Obtain written permission or consent from parents before the child is evaluated, and before services begin or changed.

Practitioners should make sure parents know they can revoke their consent at anytime for all or any one service(s).

agree if you are comfortable with the decision to do so.

**Policy Concept: Comprehensive Evaluation and Individualized Family Assessment** - assures families that eligibility decisions are based on the child as a “whole” and that assessment is focused on the needs of the “whole” family.

**General Rights:** Parents have the right to a timely, comprehensive, multidisciplinary evaluation of the child and if child is eligible an assessment of the unique strengths, needs, resources, priorities and concerns of the family.

**Promises to Families (Specific Rights):** Screening, initial evaluation and assessment, must be completed within 45 days from the date the program receives the referral of the infant or toddler. (34 CFR 303.310)

A lead agency may adopt the procedures to screen children referred to the program to determine whether they are suspected of having a disability (in need of evaluation). (34 CFR 303.320)

Parents must receive prior written notice of the intent to screen. Parents may request and consent to an evaluation at any time during the screening process even if the provider has determined through screening that the child is not in need of further evaluation (suspected of having a disability). (34 CFR 303.320)

If a child is determined to not be in need of an evaluation, as a result of a screening, parents must receive prior written notice of the decision to not evaluate. (303.320)

If a child is referred for evaluation or early intervention services and is suspected of having a disability, the child is assured of an evaluation. The evaluation must be timely, comprehensive, and multidisciplinary (involve least two separate disciplines). (34 CFR 303.321)

If a child is determined eligible, a multidisciplinary assessment will be conducted to identify the unique strengths and needs of the child and services appropriate to meet those needs. (34 CFR 303.321)

If a child is determined eligible, a family-directed assessment of the resources, priorities and concerns of the family and the identification of the supports and services necessary to enhance the family’s capacity to meet the developmental needs of the eligible infant or toddler will be conducted. (34 CFR 303.321)

The assessments of the child and family and the evaluation may occur simultaneously. (34 CFR 303.420)

If, based on the evaluation, the child is determined to be not eligible; the parent must be provided prior written notice. The notice must include information about the parent’s right to dispute the eligibility decision and the process to do so. (34 CFR 303.322)

No single procedure may be used as the sole criterion for determining a child’s eligibility under this part. Procedures to determine eligibility must include informed clinical opinion, administration of an evaluation instrument, taking the child’s history, interviewing the parent, identifying the child’s level of functioning in the five developmental areas, use of other sources for information such as family members, caregivers, medical providers, social workers, and educators and reviewing of medical, educational, or other records. (34 CFR 303.321)

Eligibility can be established using a child’s medical and other records (without conducting an evaluation of the child). The program must still conduct an assessment of the child and family. (34 CFR 303.321)

Informed clinical opinion must be used by qualified personnel when conducting evaluation and assessment. Informed clinical opinion may be used as an independent basis to establish eligibility. (34 CFR 303.321)

Evaluations and assessments must be nondiscriminatory and conducted in the language normally used by the child if determined developmentally appropriate for the child by the qualified personnel conducting the evaluation or assessment (34 CFR 303.321)

**Role of Family**

Know you can accept a screening if offered but only if you are comfortable with starting with a quick look at development, which will let you and the early intervention team know if a full evaluation is needed.

Know that if you are not comfortable with just a screening or the results of the screening, you can request a full evaluation at any time in the process. This is true even if a screening is conducted and the program is not recommending evaluation.

Expect a comprehensive evaluation and quality assessment that offer the best possible chance to identify your child as eligible and identify the strengths and needs of your child and family. This means that the evaluation and assessment, which may occur separately or simultaneously, will:

- happen as soon as possible after the family has first contact with the program.
- involve information collected from you as parent(s) and others involved in the care of the child.
- look at all five domains of development to include how the child thinks, moves, talks, understands language, takes care of his or her needs, and how he or she feels and behaves.
- screen and or assess vision, hearing, and nutrition.
- review of medical, educational, and other records.
- conducted by at least two different practitioners/professionals from two different disciplines.
- include a variety of ways to collect information about the child and your family including the use of at least one tool plus interview, record review, and observations.
- include assessment of family concerns, resources, and priorities.

Know you have the right to written notice and a full explanation of the evaluation if your child is found not eligible for services.

**Role of Service Coordinator and Other Practitioners (Duty)**

Provide parents with written notice before screening, evaluation, or assessment.

Fully explain the screening, evaluation, or assessment for which they are seeking permission or consent.

Obtain written permission or consent from parents before the child is evaluated or assessed or before information is collected about their family.

Make sure parents know they can revoke their consent at anytime for the evaluation and assessment.

**Policy Concept: Family Capacity Development** - encompasses enhancing all family members' abilities to meet the special needs of the infant or toddler, as well as the special needs of the family as those needs relate to the infant or toddler's disability. This assures a right to services that will lead to positive child and family outcomes.

**General Rights:** Parents have the right to services that focus not only on the needs of their child but on the needs of the whole family in terms of what the family needs in order to support the special needs of the child. This requires a focus on family outcomes, identification of family resources and identification of family concerns.

**Promises to Families (Specific Rights):** A family-directed assessment must be conducted by qualified personnel in order to identify the family's resources, priorities, and concerns and the supports and services necessary to enhance the family's capacity to meet the developmental needs of the family's infant or toddler with a disability. The family-directed assessment must:

1. Be voluntary on the part of each family member participating in the assessment.
2. Be based on information obtained through an assessment tool and also through an interview with those family members who elect to participate in the assessment.
3. Include the family's description of their resources, priorities, and concerns related to enhancing the child's development. (34 CFR 303.321)

**Role of Family**

Family members should share information about their child and family's daily routines and activities as well as strengths and needs in order to help the practitioners design the best possible plan for your child and family.

Be ready to share what your family needs in order to be able to best support your child. This could include learning more about how to specifically support your child to grow and learn. However, the family can expect that the program also support needs of the family that may or may not be specific to the child but that affect the whole family. Examples could include the need for:

- family education around the diagnosis.
- individual or family counseling.
- supports to meet basic needs of food, shelter, clothing.
- support to find childcare.
- support to participate in community activities.

Expect that the program will use the information you provide, specifically, your concerns, resources, and priorities to focus on outcomes that will support the whole family.

**Role of Service Coordinator and Other Practitioners (Duty)**

Understand that supporting an infant or toddler to learn and grow means supporting the child's family.

Be open to moving beyond his or her training to understand how to provide family support.

Know and be able to effectively use a variety of assessment tools and strategies to support the identification of the strengths and needs of the child and family.

Support the family in the prioritization of identified concerns and match resources and services to those priorities.

Know program and community resources that can be accessed and utilized to support the family.

Interact with the family in a way that builds competence and confidence in supporting child learning and development.

**Policy Concept: Individualized Services** - encompass providing services that are personally tailored to both children and families.

**General Rights:** Parents have the right to partner with practitioners in order to develop an Individual Family Service Plan (IFSP) that tells the story of their child, their family. (34 CFR 303.114)

**Promises to Families (Specific Rights):** Every infant or toddler with a disability and his or her family receive an IFSP. (34 CFR 303.114)  
The parents must attend the IFSP and give consent to the contents of the IFSP, which must be fully explained, to the parents. (34 CFR 303.342)

IFSP meetings must be conducted at times convenient for the family and in the native language of the family or other mode of communication used by the family, unless clearly not feasible to do so. (34 CFR 303.342)

Parents must be given prior written notice of the date of the IFSP early enough so they can make arrangements for the participants they wish to invite to be able to plan attendance. This could include other family members or advocates. (34 CFR 303.342)

The parent must be involved in the IFSP review, which must be conducted every six months or more frequently if needed or if requested by the family. (34 CFR 303.343)

The IFSP team must include the parent and two or more individuals from separate disciplines or professions and one of these must be the service coordinator. (34 CFR 303.24) (34 CFR 303.343)

An advocate or person outside of the family may participate in the IFSP meeting and review at the request of the parent. (34 CFR 303.343)

Other family members may participate in the IFSP meeting and review at the request of the parent. (34 CFR 303.343)

Part C services must be provided by qualified personnel. This means personnel that have met requirements that apply to the areas in which the individuals are practicing early intervention. (34 CFR 303.31)

Types of early intervention services:

- assistive technology device and service
- audiology
- family training, counseling, and home visits
- health
- medical
- nursing
- nutrition
- occupational therapy
- physical therapy
- psychological
- service coordination
- sign language and cued language
- social work
- special instruction
- speech-language pathology services
- transportation and related costs
- vision

This is not a comprehensive list of the types of services that may constitute early intervention services. (34 CFR 303.13)

Early intervention services for an eligible child and family may commence before the completion of the evaluation and assessment with the written consent of the parent. (34 CFR 303.345)

The IFSP will be reviewed annually at a minimum. The purpose of the annual meeting will be to evaluate, and revise the IFSP. (34 CFR 303.340)

The content of the IFSP will include:

- information about the child's status,
- family information,
- results or outcomes,
- early intervention services,
- other services, and
- a plan for transition at age 3.

A service coordinator shall be named on the IFSP. (34 CFR 303.344)

The program and providers who have a direct role in provision of services is responsible for making a good faith effort to assist each eligible child in achieving the outcomes on the IFSP. However, the law does not require the program or provider be held accountable if an eligible child does not achieve the growth projected in the child's IFSP. (34 CFR 303.346)

**Role of Family**

Know what an Individual Family Service Plan (IFSP) means for your family.

Help the team to develop and prioritize outcomes on the IFSP that will help you to help your child participate in the daily routines and activities of the family.

**Role of Service Coordinator and Other Practitioners (Duty)**

Before an IFSP meeting, prepare the family with information about what is an IFSP, what will happen, what will be decided, how it will be decided and who will or can be present at the IFSP meeting.

Make sure the parents understand the array of services available under Part C of IDEA.

Provide parents with written notice before IFSP meeting and before any review of the IFSP.

<p>Expect your child's outcomes to be individualized for your child and family.</p> <p>Expect and participate at the same level of partnership at every review of the IFSP.</p> <p>Invite anyone you think needs to be there to support the development of the IFSP. This could include friends, advocates, other service providers, and childcare providers.</p> <p>Be an active partner in the selection of services intended to meet the outcomes your family has selected. Ask questions if the services on the IFSP do not seem to match the outcomes you have for your child and family.</p> <p>Know that there are seventeen services available through early intervention. Ask questions if there is a service not offered that you believe would be helpful to your family.</p> <p>Know that the services selected are intended to help your family actualize the best possible outcomes. Know that you have the right to request the IFSP start before evaluations and assessments are complete if the needs of your child and family are urgent.</p>	<p>Explain to parents that an IFSP review can happen at anytime but must happen at least every six months.</p> <p>Make sure the IFSP reflects the family and their individual strengths, needs and the outcomes intended to support them in obtaining participation for their child in daily routines and activities.</p> <p>Fully explain IFSP services for which they are seeking permission or consent.</p> <p>Make sure all services that are needed based on the information from the assessment, whether they are currently available, are identified, listed on the IFSP, and are provided to the child and family.</p> <p>Obtain written permission or consent from parents before IFSP services start. Practitioners should make sure parents know they can revoke their consent at anytime for all or any service on the IFSP.</p>
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<p><b>Policy Concept: Natural Environment</b> - refers to children with disabilities participating in home and community settings in which children without disabilities participate. This includes the daily activities of their families; and it also encompasses children and families participating in the typical activities of their community that align with their preferences.</p>
<p><b>General Rights:</b> Parents have the right to services in their home and/or community to the fullest extent possible.</p> <p><b>Promises to Families (Specific Rights):</b> Natural environments means settings that are natural or typical for a same-aged infant or toddler without a disability may include the home or community settings. (34 CFR 303.26)</p> <p>Early intervention services must be implemented in natural environments:</p> <ol style="list-style-type: none"> <li>1. to the maximum extent appropriate, in natural environments,</li> <li>2. in settings other than the natural environment that are most appropriate, as determined by the parent and the IFSP Team, only when early intervention services cannot be achieved satisfactorily in a natural environment. (34 CFR 303.126)</li> </ol>

<p><b>Role of Family</b></p> <p>Expect services after evaluation and assessment to be offered in your home or your typical community setting/activities. These services should revolve around the child and family participation in the places you would typically need and want to be.</p> <p>Request that a specific service be offered outside the home or community setting in a non-typical environment (e.g. clinic or special school) if the identified outcome for your child is impossible to achieve in the home or community. This non-typical placement will be used in conjunction with a plan to return services to the home/community as soon as possible.</p>	<p><b>Role of Service Coordinator and Other Practitioners (Duty)</b></p> <p>Explain the concept of natural environments to families. Help them understand that services are to be provided in the places in which their family needs support in order for their child or family to participate as fully as possible in those activities they would want and need to be involved in.</p> <p>Fully explain when, how and why services would be considered and delivered outside the natural environment.</p> <p>Give parent written notice and obtain consent if location of services is changed through an IFSP review after the initial IFSP.</p>
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**Policy Concept: Transition** - involves supporting families during a move from Part C early intervention services to other appropriate services at age three.

**General Rights:** Every family has a right to a smooth transition from early intervention to the next step.

**Promises to Families (Specific Rights):** The service coordinator must assure/facilitate the development of a transition plan to preschool, school, or, if appropriate, to other services. (34 CFR 303.34)

Toddlers identified with having a disability and their families are assured a smooth transition to preschool or other appropriate services. (34 CFR 303.209)

The state education agency and the lead education agency must be notified (referral) not fewer than 90 days before the third birthday that a toddler with a disability may be eligible for preschool services under Part B-619 of IDEA. (34 CFR 303.209)

The only exception to the 90-day timeline is for late referrals to Part C. They are as follows:

1. If a toddler is determined eligible for early intervention more than 45 days but less than 90 days before the third birthday, the notification (referral) should happen as soon as possible after determining eligibility. (34 CFR 303.29)
2. If a toddler is referred fewer than 45 days before the third birthday and that child may be eligible for Part B-619 preschool than the Part C refers the toddler, with parental consent to the State Education Agency (SEA) and the Lead Education Agency (LEA) but is not required to conduct evaluation, assessment or conduct an initial IFSP. (34 CFR 303.29)

A conference to discuss services, or transition conference, must be conducted for every potentially eligible toddler. Potentially eligible is a term defined by the State. The conference is only held upon approval of the family. If the conference is held, both Part C and Part B staff must be in attendance. (34 CFR 303.29)

If a child is not considered potentially eligible per the state definition, the Part C staff, with the approval of the family, makes reasonable efforts to have a conference with the family and providers of other appropriate services to discuss next steps for the toddler after exit from Part C. (34 CFR 303.29)

A transition plan must be completed for each family of a toddler served under Part C. Development of this plan is the responsibility of the service coordinator but must include the family. The plan includes:

- options for the toddler from the third birthday through the remainder of the school year.
- steps for the family to exit from the Part C program.
- any transition services identified by the IFSP team as needed by the family. (34 CFR 303.29)

The plan must be included in the IFSP not fewer than 90 days and, at the discretion of all parties, not more than 9 months before the toddler's third birthday. The transition plan is a part of the IFSP and can be developed at initial IFSP, an annual IFSP or at an IFSP review. (34 CFR 303.29)

<p><b>Role of Family</b></p> <p>Expect that your service coordinator serve as your guide through transition but that he or she includes you in all steps of the process.</p> <p>Know that you are entitled to a transition plan, which is a part of your IFSP.</p> <p>Expect to be included in development of the transition plan.</p> <p>Expect your service coordinator to review your rights and procedural safeguards at this step so you understand all of your options.</p> <p>Know that a referral is made to the preschool program if your child meets the criteria for potentially eligible. The need for parental consent to make this referral varies by state. In Kansas, the referral is to be without parental consent. Ask if your consent is needed before information about your child is transmitted. Generally, this is basic demographic information such as the names of parents and identified child, date of birth, mailing address and telephone number. Any further information can ONLY be sent with parent consent. For example, the IFSP, evaluation, and assessment results and associated records can only be sent with parent consent.</p> <p>Know that referral to Part B must happen not less than 90 days before your child turns three unless your child entered the program between 0 and 90 days before your child turns three.</p> <p>Know that a transition conference must be offered to you, but will only happen if you consent to the conference and is only mandatory if the child is considered potentially eligible. If you accept the conference, you, representatives from the early intervention program and the preschool program must be present. Others participants include those invited or agreed upon by you.</p> <p>Know that the transition conference must happen at least 90 days and, at the discretion of all parties, not more than 9 months before the child's third birthday.</p>	<p><b>Role of Service Coordinator and Other Practitioners (Duty)</b></p> <p>Discuss with parents what "transition" from early intervention means, including steps for the toddler to exit from your program.</p> <p>Know and help parents understand how "potentially eligible" is defined in Kansas. Explain the rights parents have in reference to transmission of the information about their child for purposes of referral to Part B/619 preschool services.</p> <p>Review with parents their rights and procedural safeguards at this step so they understand all of their options.</p> <p>Schedule a transition meeting, with parental approval, not less than 90 days or more than 9 months prior to the child's third birthday.</p> <p>Invite the Part B 619 (preschool) program to the transition meeting with parental approval.</p> <p>Develops in concert with the family, a transition plan not fewer that 90 days and not more than 9 months prior to the child's third birthday.</p>
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<p>Know that if your child is not considered potentially eligible, then the program should make a reasonable effort to have a meeting with you to discuss transition, and to invite other community partners if they can offer services the family might need or want.</p> <p>Ask for information about all options for services at age three. This will include the services provided by the Part B preschool program but could also include discussion of other community services.</p> <p>Be sure to think about everyone in the family. Is there a service that you (both parents), other family member or another child in the family is receiving now that will stop when Part C stops? What are the plans for providing that service or an appropriate alternative if the service is still needed?</p> <p>Expect to be offered an opportunity to receive information from the preschool program, and to be offered a visit if you choose to do so to aide in your decision making about transition.</p>	
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<p><b>Policy Concept: Service Coordination</b> - involves partnering with families to ensure comprehensive braiding of services and supports to fully address child and family needs in order to accomplish desired outcomes.</p>	
<p><b>General Rights:</b> Parents have a right to service coordination.</p> <p><b>Promises to Families (Rights):</b> Service coordination services are provided by a service coordinator to assist and enable an infant or toddler with a disability and the child’s family to receive the services and rights, including procedural safeguards, required under this Part C of IDEA. Every family is assigned one service coordinator who is responsible for coordinating all early intervention services on the IFSP and coordinating the other services in the IFSP that are needed by, or being provided to, the infant or toddler with a disability. The service coordinator is responsible for ten specific services all designed to help parents access and coordinate services and to monitor the delivery of required services. This person is responsible for facilitating the development of a transition plan at age three. (34 CFR 303.34)</p> <p>The service coordinator is responsible for implementation of the IFSP (34 CFR 3030.343)</p>	
<p><b>Role of Family</b> Expect only one person on the early intervention team to serve in the capacity of service coordinator.</p>	<p><b>Role of Service Coordinator and Other Practitioners (Duty)</b> Know what the qualifications identified in IDEA 2004 and any state regulations are that required for a person to be identified as a service coordinator.</p>

<p>Expect the service coordinator to help you identify, access, obtain, and coordinate the services your child and family need.</p>	<p>Assign one service provider to be the single point of contact for a family and identify the service coordinator in the child's IFSP.</p> <p>Be aware of the roles and responsibilities of a service coordinator. Know specific services are identified in IDEA 2004 as service coordination services, and explain those to parents so they know what they can ask/expect from you.</p> <p>Know the specific activities that may be required of you as the service coordinator.</p> <p>Have a working knowledge of the services of the program and other potential community services and support families knowledge of and access to needed supports and services.</p>
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**Policy Concept: Dispute Resolution Options-** assures that parents have a voice when they believe their rights are not being protected by their early intervention service program.

**General Rights:** Parents have the right to resolution of complaints through mediation, state complaint procedure, and due process hearing procedures.

**Promises to Families (Specific Rights):** The parents of infants or toddlers who are referred to, or receive services, are afforded the opportunity to inspect and review all early intervention records about the child and the child's family, including records related to evaluations and assessments, screening, eligibility determinations, development and implementation of IFSPs, provision of early intervention services, individual complaints involving the child, or any part of the child's early intervention record. (34 CFR 303.401 b 2)

A parent who believes that information in the child's record is inaccurate, misleading, or violates the rights of the child or parent may request that the agency amend the information. The participating agency must decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request. If the participating agency refuses to amend the information in accordance with the request, it must inform the parent of the refusal and advise the parent of the right to a hearing. (34 CFR 303.410)

The lead agency must make available the opportunity for mediation, and have procedures in place for state complaints, and due process hearings. (34 CFR 303.430)

If a due process complaint is in process, the child must continue to receive the services outlined on the IFSP unless the lead agency and the parents otherwise agree. If the complaint is about initial services, the child must receive those services not in dispute. (34 CFR 303.430)

A parent, early intervention provider, or a lead agency may file a due process complaint on any of the matters related to the identification, evaluation, or placement of a child, or the provision of early intervention services to the infant or toddler with a disability and his or her family. The due process complaint must allege a violation that occurred not more than two years before the date the parent or early intervention provider knew, or should have known, about the alleged action that forms the basis of the due process complaint, or, if the State has an explicit time limitation for filing a due process complaint, in the time allowed by that State law, except for identified exceptions. Parents are to be informed of any free or low-cost legal and other relevant services. (34 CFR 303.440a-b)

**Role of Family**

At any time the family believes it is necessary, ask to see the written records for your child to make sure that what is written is what you believe is true and accurate. Parents have access to every piece of information the program stores about the child or family. If you disagree with the written information, you can ask that the program amend or change the information. If the program disagrees, you can ask for a hearing to request the amendment.

As a parent if you have a concern that you believe is not being addressed you may request mediation with the program by requesting that an impartial person hear and discuss your concerns with the service program.

You may file a formal complaint if you believe the local early intervention program is not listening to your concerns and there seems to be no resolution between you and the provider. Know that you must do so within two years of the event in question.

Know you can request mediation or a due process hearing as a way to resolve parent/program disagreements.

Know that while you are working to resolve a dispute, the services already agreed to for your child on the IFSP should stay in place during the time it takes to resolve the agreement, as long as the child has not yet turned three years old.

Know that parents can file a formal complaint if you believe you need to, and that there are people at the state lead agency that can help you file the complaint.

Know how to access the state lead agency if you need assistance with conflict resolution.

Know that parent training and resource centers exist in every state to help you find information on how to work through the process of conflict resolution.

**Role of Service Coordinator and Other Practitioners (Duty)**

Know the rules for access to records by parents including timelines, costs, etc.

Keep records in a secure location and limit access to only those team individuals that are necessary to provide services.

Explain to parents how to access records and the process for requesting amendment of records. Help parents understand their right to a hearing if they believe information needs to change in the record and your program disagrees.

Provide parents information about how to file a formal complaint and how to request due process/mediation at entry to the program, at every review or change, and when parents express any concern with the services or activities of the program.

Upon entry to the program, at every review or change, and when parents express any concern with the services or activities of the program, make sure the family has contact information for both the state lead agency and the parent training and resource center. If parents believe there is a conflict that is not being resolved at the local level with you or your program. Help parents understand the process they can take if they disagree.

Ask if there are free or low cost legal or other relevant services that could assist you in filing the complaint.	
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[Early Intervention Program for Infants and Toddlers with Disabilities: Final Regulations](#) - Federal Register, Vol. 76, No. 188, September 28, 2011