

Rights and Responsibilities of Families Receiving Early Intervention Services

Rights & Responsibilities of Families

The State of Nevada, Department of Health and Human Services, IDEA Part C Office believes families are equal partners in assisting their child in receiving necessary services required for optimal growth and development. The following is a summary of family rights and responsibilities under the Individuals with Disabilities Education Act (IDEA). A more in-depth explanation can be found in your Parent Handbook provided through your Nevada Early Intervention Provider. It can also be found at the following website: http://dhhs.nv.gov/Programs/IDEA/Early_Intervention_Programs/

As a Parent/Guardian if you have continuing concerns for your child's development that do not appear to be evident as part of the screening process, it is your right to request an evaluation be completed by your Nevada Early Intervention Provider.

Family's Responsibilities

It is important for families to play an active role in the planning and provision of early intervention services and supports. As an equal partner and decision maker with the early intervention team, families share the responsibility of identifying resources, solving problems and following through with the recommended intervention strategies for your child and family. If you have questions related to your family's rights, please contact your service coordinator.

Family's Right To An Evaluation and an Individualized Family Service Plan (IFSP)

Once your child has been referred for early intervention services, the early intervention program has 45 days to complete your child's evaluation and, if eligible, develop an Individualized Family Service Plan (IFSP) with you. You are an active member of the IFSP team. You have the right to timely initiation of services on your IFSP. Services must begin within 30 days from your consent to the IFSP or as determined by the IFSP team.

Family's Right to Notice to Participate

You must be notified in writing in a reasonable amount of time whenever there is a proposal to review or change the IFSP or if the program is refusing to provide a service. The IFSP includes the major outcomes for your child and family; how progress will be measured; what and where services will be provided; when they will begin and for how long; and transition planning prior to your child's third birthday. The IFSP is written for a one year time period and is reviewed at least every six months or more frequently if requested by you or the program.

Surrogate Parent

If your child is a ward of the state and you cannot be located or choose not to participate, a surrogate parent will be appointed to make decisions on behalf of your child.

Family's Right to Assistance

You may have anyone you wish present at the IFSP meeting including other family members, a friend, or an advocate (supporter).

Family's Right to Examine Records

You have a right to review your child's records concerning the early intervention services your family is receiving. You may also request a copy of your child's records. A copy of the record will be made available to parents at no cost. Copies for other entities will be made in accordance with State policy.

Services At No Cost To Families

In Nevada, early intervention services are provided at no cost to families. With your permission health insurance may be billed to assist with service costs. The early intervention program is responsible for any deductible or co-payment amounts assigned by your insurance company.

Family's Right to Give Permission

You must be fully informed before any evaluation or services are provided, and you must agree to those services in writing. Parents may determine whether they, their child, or other family members will accept or decline any early intervention service and may decline a service without jeopardizing other early intervention services.

Family's Right to Understand

If English is not your native language, or if you need to use sign language, or any other means of communication, you have the right to be given the information in the manner you can understand best. Your rights should be explained to you at all key decision making meetings.

Family's Right to Service Coordination

As soon as you are referred for services, you have the right to have assistance in organizing the services you need through a service coordinator. Your service coordinator will be your family's main point of contact for obtaining information, services, and supports. Your service coordinator will help your family by explaining information you receive. The service coordinator is responsible for explaining your rights to you, for arranging the evaluations and assessments your child needs, and will work with you and the rest of your team to help determine what services and supports your family needs. Your service coordinator will also help your family resolve concerns if they arise.

To find out more about your rights and responsibilities, talk with your service coordinator:

Phone: _____

**or call the IDEA Part C Office at
(775) 687-0587 or (800) 522-0066**

Family's Right to Confidentiality

All information on your child and family is confidential. Your early intervention program may need to request or share information about your child to determine eligibility or to receive services. Your program must get your permission to request information from, or share information with, other agencies, service providers, or professionals. It is up to you if you want to share this information.

Family's Right to Disagree

If you disagree with any of the recommendations being made or think you are not receiving the services you are entitled to, you are encouraged (but not required) to discuss the issues with: 1) your early intervention service coordinator, 2) your early intervention program supervisor, and/or, 3) your early intervention program manager.

Procedural safeguards are available to you by law, to assist in resolving disagreements. You may file a letter of complaint and/or a request for mediation and/or a due process hearing at any time. You may request any or all of these at the same time, however if a complaint is received that is also the subject of a due process hearing the State must set aside any part of the complaint that is being addressed in the due process hearing, until the conclusion of the hearing.

A **complaint** must be filed within one year from the date the violation occurred and submitted in writing to the IDEA Part C Office at 4126 Technology Way, Suite 100, Carson City, Nevada, 89706. The complaint must be resolved within 60 days .

Mediation is voluntary and both parties must agree to participate. To request Mediation call (775) 687-0587 or write to the address above. Mediation should be conducted as soon as possible after receipt of the request.

During the complaint investigation, any services your child receives will continue as stated on the IFSP unless otherwise agreed upon by all parties. If the complaint has to do with initial

services, any services not in dispute must begin as soon as possible.

A **due process hearing** must be initiated in writing and include a statement of the reason of the request. The written request must be simultaneously sent to the program manager of the early intervention program serving your family and the IDEA Part C Office. The program must offer a Resolution Session to attempt to resolve issues prior to the hearing. A due process decision must take place within 45 days of the request. If you don't agree with the Due Process decision you have the right to take civil action in State or Federal court.

STATEWIDE FAMILY SUPPORTS AND ADVOCACY ORGANIZATIONS

Project ASSIST

Nevada's central resource directory for anyone seeking information about organizations, programs or agencies that provide services and supports for children with disabilities, and their families.

Information is available on:

- ◆ parent support groups, respite care,
- ◆ screening, diagnosis and assessment,
- ◆ early intervention programs for infants and toddlers,
- ◆ education, health, and social service agencies,
- ◆ vocational training, therapies,
- ◆ counseling or psychological services,
- ◆ advocacy organizations,
- ◆ life planning, financial or legal assistance,
- ◆ as well as many other services.

Toll Free: 1-800-522-0066

ProjectAssist@dhhs.nv.gov

Nevada P.E.P. (Parents Encouraging Parents)

Nevada P.E.P. is the Parent Training and Information Center for Nevada. It provides family focused, community based support services for families of children with disabilities. PEP provides information and referral, training workshops, "TIPS" information articles, public awareness, resource library, individual assistance to families, and a community specialist network.

Toll Free: 1-800-216-5188

Family TIES (Training, Information & Emotional Support)

A parent directed partnership of:

- Family Voices of Nevada - Families and friends of children with special health care needs working at state and grassroots levels to positively shape health care policies.

Toll Free: 1-866-326-8437

Nevada Disabilities Advocacy & Law Center (NDALC)

Nevada's federally mandated protection and advocacy system for the human, legal, and service rights for individuals with disabilities.

**Toll Free: 1-800-992-5715
(Northern Nevada)**

**1-888-349-3843
(Southern Nevada)**