

Parents' Rights, Responsibilities, and Resources in Early Intervention

*Under Part C of the Individuals with
Disabilities Education Improvement Act*



Revised July 2012

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Welcome to Early Intervention

This handbook has been prepared to help you understand your rights, responsibilities, and resources as the parent of a child with a disability or developmental delay being served in an early intervention program.

The Baby Watch Early Intervention Program (BWEIP) is the name of Utah's statewide system of early intervention services for infants and toddlers, from birth to three (3) years of age, who have disabilities or developmental delays. The BWEIP network consists of fifteen (15) early intervention programs throughout the State of Utah.

Raising a child with a disability or developmental delay can be challenging for parents. You are faced with sorting through the advice of professionals and making decisions that you think are in the best interest of your child and family. You must deal with greater demands on your time, energy, personal relationships, and financial resources. It is important to consider the needs of all family members – the child with special needs, other children, and close relatives. You may struggle too, with your own emotions, disappointments, and concerns about the future. The good news is that there is a lot of help, understanding, and assistance for you, your child, and your family through the BWEIP and other community resources.

The main purpose for this booklet is to provide you with information regarding your rights as parents under the BWEIP. These rights will be reviewed with you at the time you give consent for your child to be evaluated for eligibility for early intervention services, at each Individualized Family Service Plan (IFSP) meeting, and when you or your child's early intervention program proposes or refuses to change your IFSP services.

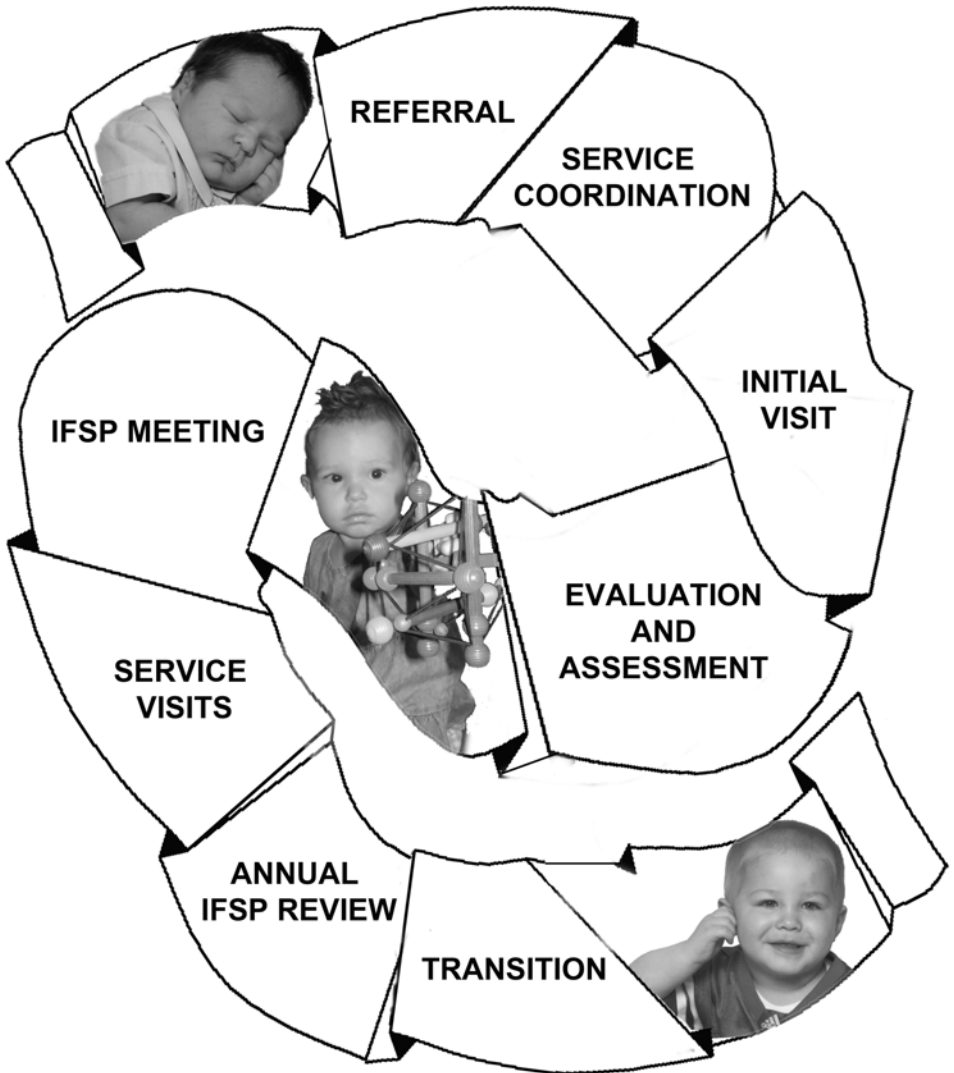
To help you understand where these rights are outlined in federal statute and regulation, citations are provided in the margins of this booklet to enable you refer to the specific language found in the law.*

You will have many questions as you read through this important information. It is important for you to understand your rights, responsibilities, and resources; so you are encouraged to ask for clarification during your participation in early intervention. Your early intervention program is eager to help you and can also connect you to other resources; so please feel free to ask questions.

****The federal law governing the BWEIP is PL 108-446 under the Individuals with Disabilities Education Improvement Act (IDEIA). The federal regulations are found in the Code of Federal Regulations 34 CFR part 303. The administrative rule governing early intervention in Utah is UT admin code R398.20, effective 10-01-03.***

Guide to Early Intervention

From Birth to Three Years of Age
Steps of the early intervention process.



Parents' Roles and Responsibilities

As the parent of an infant or toddler with a disability or developmental delay, you take on many roles and responsibilities. Your roles and responsibilities include:

- Learning all you can about your child's disability or developmental delay and how it affects him or her;
- Thinking about the impact of your child's special needs on your family;
- Providing information about your child and family to help your early intervention providers understand your child's and family's needs;
- Participating in developing appropriate goals and services to address the needs you have identified;
- Working with your early intervention providers to carry out the services identified to help your child reach his or her goals;
- Watching your child's progress and communicating any concerns to your early intervention providers;
- Talking to your early intervention providers about any issues that may affect your child's services;
- Ensuring that you and your child are available and prepared to meet with your early intervention providers at the scheduled time;
- Always notifying your early intervention providers in a timely manner when you are not able to keep an appointment; and
- Promptly paying monthly fees (if this applies to you).

Please remember, there is help available. In addition to the information included in this booklet, some helpful resources are listed towards the back of this handbook.

*The **Parents' Rights, Responsibilities, and Resources*** handbook was developed in partnership with the BWEIP Interagency Coordinating Council Parents' Rights subcommittee.

Important Terms

This section contains definitions of key words that you may not be familiar with.

§303.7

Consent:

When the parent has been fully informed of all information relevant to the activity for which consent is sought, and when:

- The parent understands and agrees in writing to the carrying out of the activity for which the parent's consent is sought, and the consent form:
 - ◆ Describes the activity they are consenting to; or
 - ◆ Lists the early intervention records that will be released and to whom they will be released to.
- The parent understands the granting of consent is voluntary on the part of the parent and may be revoked at any time; and
- It is provided in the parent's native language or other method of communication, unless clearly not feasible to do so.

§303.11

Early Intervention Program:

The organization that provides early intervention services to your child and family. Fifteen (15) programs provide early intervention services under the BWEIP.

Family Education Rights and Privacy Act (FERPA):

The federal law that protects the privacy of child education records (20 U.S.C. § 1232g; 34 CFR part 99).

Individuals with Disabilities Education Improvement Act (IDEIA):

The federal law that governs special education (Public Law 108-446) that includes early intervention services under part C of the Act. The federal regulations for part C are found in the Code of Federal Regulations 34 CFR part 303.

§303.20

Individualized Family Service Plan (IFSP):

A written plan for providing early intervention services to an infant or toddler with a disability or a delay (hereafter, referred to as the child) and the child’s family that:

- Is based on the child’s evaluation and assessments, including present levels of functioning of: cognitive, motor, communication, social and emotional, adaptive, and physical, including (health, hearing, and vision);
- A meeting is conducted to develop the IFSP within a forty-five (45) day time period from the date of initial referral to early intervention;
- Includes the parent of the child, other family members, advocates, and anyone requested by the parent;
- Also includes the service coordinator, person(s) involved in conducting evaluations and assessments, and anyone who may be providing early intervention services to the child and their family; and
- Is implemented as soon as possible once parental consent for the early intervention services in the IFSP is obtained.

§303.25

Native Language:

The language or mode of communication normally used by the parent of a child referred for early intervention services.

§303.27

Parent:

The term “parent” is broadly defined to include anyone serving in that role for a child – a natural or adoptive parent, an individual acting in place of a natural or adoptive parent such as a grandparent, a foster parent, a guardian, or a surrogate parent.

Part B:

A federal grant within the IDEIA that assists states in providing educational and related services to all children and youth from ages three (3) to twenty-two (22).

Part C:

A federal grant within the IDEIA that assists states in providing early intervention services for infants and toddlers with disabilities from birth through the age of three (3) and their families.

§303.29

Personally Identifiable Information:

- The child’s name;
- The name of the child’s parent(s) or other family members;
- The address of the child or child’s family;
- A personal identifier, such as the child’s social security number or early intervention identification number;
- Other indirect identifiers, such as the child’s date of birth, place of birth, and mother’s maiden name;
- Other information that, alone or in combination, is linked or linkable to a specific child that would allow a reasonable person in an early intervention service community, who does not have personal knowledge of the relevant circumstances, to identify the child with reasonable certainty; or
- Information requested by a person who the early intervention agency or institution reasonably believes knows the identity of the child to whom the early intervention record relates.

Procedural Safeguards:

Rules that protect the interests of families of infants and toddlers with special needs and the early intervention system.

§303.34

Service Coordinator

The individual assigned to a child and family who is responsible for coordinating the development of supports and services to assist in the delivery of appropriate early intervention services.

§303.12

Service Provider:

An individual who provides direct early intervention services to the child and the family.

The Right to be Fully Informed of Your Rights Under Early Intervention

As a parent of a child eligible for early intervention services, you have rights that guarantee you and your child certain privileges under IDEIA. These rights protect your family and child. Your rights within the early intervention process begin as soon as you are referred to an early intervention program and continue as long as you and your child participate in the program.

Procedural safeguards ensure that your family is provided your rights under the law. These rights will be reviewed with you when you give your consent for your child to be evaluated for eligibility for early intervention services, at each IFSP meeting, and when you or the program proposes or refuses to change your IFSP services.

The Right to Prior Notice to Ensure Your Participation

The information you share will help us make sure that the evaluations and services are individualized for your child and family. The “paper work” assures that you get the details you need.

§303.421

You must be notified in writing a reasonable time before:

- Any evaluation is conducted or completed on your child;
- Any time an evaluation is requested by you and refused;
- Your child is determined eligible or ineligible for early intervention services;
- Any IFSP meeting is held;
- Services are proposed, initiated, or refused on the IFSP, or if the IFSP is amended; and
- A transition conference is held.

As the parent or guardian you should:

- Be able to understand the action that is being proposed or refused and the reasons for taking the action.
- Receive a copy of the procedural safeguards, (which is this handbook) ***Parents’ Rights, Responsibilities, and Resources in Early Intervention***, also available at www.UtahBabyWatch.org.
- Be provided the state complaint procedures that are detailed within the ***Options for Dispute Resolution*** section of this handbook, including a description of how to file a complaint.
- Receive the information in your native language, unless clearly not feasible to do so.

If your native language or other mode of communication is not a written language, the service provider will ensure that the notice is translated orally, or by other means, or by other mode of communication. The service provider will make sure that you understand the notice and that there is written evidence that the requirements have been met.

If you are deaf, blind or have no written language, the mode of communication will be that normally used by the parent (such as Sign Language, Braille, or oral communication).

The Right to a Timely and Comprehensive Evaluation

Once your child is referred to an early intervention program contracted by the BWEIP and you give consent, your child will receive an evaluation and assessment that considers all areas of your child's development. This evaluation is used to determine eligibility for the program. This process will be repeated at least every twelve (12) months. You will also be asked to participate in a voluntary family-directed assessment which helps inform the early intervention program of how to best serve your family.

§303.420

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

- Understand and provide voluntary consent in writing before the initial evaluation and assessment of your child;
- Understand and be fully aware of the nature of the evaluation and assessment that is available; and
- Understand that your child will not be able to receive the evaluation and assessment, unless your consent is given.

You will be asked to give your consent in writing before your child is evaluated or is provided services by an early intervention program. You should be certain you fully understand the recommended services and by being involved, you will help the early intervention program plan appropriate services for your child and family. The early intervention program will explain what happens if you give your consent and if you choose not to give your consent for an evaluation.

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Determination that a child is not eligible:

If, based on the evaluation conducted, the early intervention program determines that your child is not eligible for early intervention services the program must provide you with prior written notice that includes sufficient details of the reasons for the determination. The notice should also include your right to dispute the eligibility determination through dispute resolution options such as:

- Discussion with your service coordinator;
- Discussion with the early intervention program manager;
- Mediation (*You may request this at anytime*);
- Written state complaint; and
- Written due process complaint.

The Right to an Individual Family Service Plan within 45 Days of Referral

§303.340 **An Individual Family Service Plan (IFSP) is a written plan for providing early intervention services to your eligible child and family. A meeting must take place within forty-five (45) calendar days of referral to the early intervention program to share the results of the evaluation and to develop the initial IFSP, if your child is determined eligible.**

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

- Understand and provide voluntary consent in writing before the start of early intervention services;
- Understand and be fully aware of the nature of the services that are available; and
- Understand that your child will not be able to receive the services unless consent is given.

§303.342 **IFSP reviews:**
A periodic review of your child's IFSP must take place at least every six (6) months or more frequently if you request a review, or if conditions warrant a review.

§303.342 **Annual IFSP:**
An IFSP meeting must be conducted at least annually to evaluate, and assess how your child is doing, confirm continued eligibility, and revise the IFSP for your child and family, as appropriate.

§303.420 **Parent's right to decline services:**
As the parent, you may decide whether to accept or decline any early intervention service at any time, and may decline a service after first accepting it, without jeopardizing other early intervention services.

The Right to Participate in the Development of Your Child's IFSP

The primary safeguard provided for in part C of IDEIA is the clear acknowledgement of the family's role as a team member in developing an IFSP. Part C regulations strengthen and clarify your right to accept or reject any service without jeopardizing other early intervention services you may want.

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During the development and implementation of an IFSP, you have the right as a parent or guardian to:

- Receive prior written notice informing you of the IFSP meeting;
- Attend the IFSP meetings as a team member and participate in developing the IFSP;
- Invite other family members, an advocate, or persons other than family members to attend and participate in the IFSP meetings, if feasible;
- Hold the meeting in a time and place that is convenient for you;
- Have pertinent records made available to you at the IFSP meeting;
- Have the contents of the IFSP fully explained in your native language or other mode of communication, unless it is clearly not feasible to do so; and
- Give written consent to services proposed on the IFSP.

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You have the right to receive services in natural environments:

Early intervention services must be provided in natural environments to the maximum extent appropriate to meet the needs of your child and family. Natural environments are settings that are natural or typical for same-aged infants or toddlers without disabilities. Natural environments include the home or community settings. If a service is not provided in a natural environment, a written justification must be included in the IFSP as to why the service cannot be achieved in the natural environment.

System of Payments & Family Fees

Utah Admin.
Code
398.20

Utah law requires families to pay a fee according to a sliding scale based on your families' income. Your service coordinator will assist you in completing the *Family Fee Determination Form*.

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Fees will not be charged for services that your child is otherwise entitled to receive at no cost, such as:

- Child find (referral to early intervention);
- Evaluation and assessment;
- Service coordination;
- Development and review of the IFSP;
- Provisions of procedural safeguards;
- Services provided by the Utah Schools for the Deaf and the Blind; and
- Transition services.

§303.520

A fee determination process determines your family's ability to pay. Parent rights guarantee that:

- Early intervention programs will consider extenuating circumstances that affect your family's financial situation;
- Your family will receive, at a minimum, an annual review of your family fee;
- Your family has the right to appeal the amount of your family fee through the state's complaint and conflict resolution procedures;
- Your family is entitled to receive uninterrupted services during the process of having a complaint reviewed;
- Services will not be denied because of an inability to pay; and
- You will be notified that in the event your child has public insurance, it will be used to pay for early intervention services.

Charges for failure to keep or cancel an appointment:

A service will be considered provided and your family will be expected to pay the monthly fee for the following reasons:

- No show: You fail to keep an appointment for an IFSP service with a service provider in your home, community, or other setting;
- Untimely cancellation: You fail to cancel an appointment for an IFSP service with a service provider in your home, community, or other setting prior to 9:00 am on the day of the scheduled service; and
- Unless there are extenuating circumstances.

The Right to Confidentiality and Access Your Child's Records

The early intervention program must maintain electronic and written records on any child referred to part C. The information you provide to your local early intervention program about your child and your family is confidential. Such information will only be shared with authorized persons involved in your child's services, except as mandated by the Family Education Rights and Privacy Act (FERPA).

§303.404 The types of information maintained are records relating to your child and family demographics, evaluations and assessments, eligibility determinations, IFSP information, complaints, and any other relevant records.

§303.401 **As a parent or guardian, you have the right to confidentiality:**

- §303.414
- Early intervention ensures that, as parents of a child referred to part C you are afforded the right to confidentiality of personally identifiable information, including the right to written notice of, and written consent to, the exchange of that information among agencies, consistent with Federal laws.
 - Your early intervention program may not:
 - ◆ Provide, release, or disclose any personally identifiable information to anyone other than officials of participating agencies, or as otherwise allowed under FERPA and IDEIA, unless you provide written consent;
 - ◆ Use information for any purpose other than meeting a requirement of early intervention; and
 - ◆ Release records to participating agencies without your consent unless, authorized under FERPA, part (99).

§303.209 **Referral to part B preschool:**

All early intervention programs are required to provide referral information to the State Education Agency and the Local Education Agency where you reside, if your child is potentially eligible for pre-school services, unless you object. Your service provider or service coordinator will discuss this option with you.

If your child is referred to part B, you will be given the opportunity to give written consent to make your child's early intervention record available to your local school district.

The Right to Examine and Access Your Child's Records

§303.401 **You may inspect and review your child's early intervention records relating to:**

- Evaluations and assessments;
- Eligibility determinations;
- Development and implementation of IFSPs;
- Individual complaints dealing with your child: and
- Any other information contained in the early intervention file involving records about your child and your family.

§303.405 **As a parent or guardian you have the right to:**

- §303.407
- Inspect and review your child's records within ten (10) days of the request, and before any meeting regarding an IFSP or any hearing;
 - Request reasonable explanations and interpretations of the records;
 - Request copies of the records to effectively exercise your right to inspect and review;
 - Have a representative designated by you inspect and review the records; and
 - Inspect and review only the information relating to your child or be informed of that specific information if any early intervention record includes information on more than one child.

§303.405 **Your early intervention program will:**

§303.409 Presume that you have the authority to inspect and review records relating to your child unless the early intervention program has been advised that you do not have the authority under applicable state law governing such matters such as: guardianship, separation, and divorce.

Following each IFSP meeting, your early intervention program must provide at no cost to you:

- A summary of evaluations and assessments of the child and family; and
- A copy of the IFSP.

Your early intervention program may not charge a fee to search for or to retrieve records.

The Right to Review Records and the Right to a Hearing

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You have the right to request that the records be amended, the right to a hearing regarding the contents of the records, and if the hearing decision is not in your favor, the right to put an explanation in the file.

- You may request an amendment of your child's and family's records if you believe information is inaccurate, misleading, or violates the privacy or other rights of your child or family.
- Your early intervention program must decide whether to amend the information within a reasonable period of time of receipt of your request.
- If your early intervention program refuses to amend the information in accordance with the request, the early intervention program must inform you of the refusal and advise you of your right to a hearing.
- You may request that the BWEIP provide you an opportunity for a hearing to challenge information in your child's early intervention records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of your child or family.
- If, as a result of the hearing, the BWEIP decides the information is inaccurate, misleading, or otherwise in violation of privacy or other rights of your child and family; they will amend the information and inform you in writing of the action taken.
- If, as a result of the hearing, the BWEIP decides the information is accurate, not misleading or otherwise in violation of the privacy or other rights of your child or family, you have the right to place a statement in the record commenting on the information or any note expressing disagreement with the decision made by the BWEIP.

Safeguards and Destruction of Records

§303.415

Your early intervention program will ensure that the confidentiality of personally identifiable information is protected at the stages of:

- Collection;
- Storage;
- Disclosure; and
- Destruction.

§303.406

Your early intervention program will:

§303.408

- Maintain a current listing of the names and positions of those employees who may have access to personally identifiable information;

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- Maintain a record documenting the name, date, and purpose for parties obtaining access to child early intervention records, except for access by parents and authorized employees of your early intervention program;
- At your request provide you with a list of the types and locations of early intervention records collected, maintained, or used;
- Request your consent before personally identifiable information is disclosed to anyone other than authorized representatives, officials, or participating agencies; or used for any other purpose other than meeting a requirement of early intervention;
- Inform you of the records retention timeline; and
- Destroy information at the request of the parents. However, a permanent record of a child's name, date of birth, parent contact information, (including address and phone number), names of service coordinator(s) and early intervention provider(s), and exit data (including year and age upon exit, and any programs entered into upon exiting) may be maintained without time limitation.

Options for Dispute Resolution

Many disagreements can be resolved at the lowest level. If there is a disagreement:

- Try talking to the person with whom you disagree or your service coordinator.
- Talk to the supervisor or director of your early intervention program.

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IDEIA provides three (3) formal ways to resolve disagreements:

- Mediation; (*You may request this at any time during this process*).
- Written Complaint; and
- Due Process Complaint.

As a parent or guardian you have the right to:

- Be informed of your right to file a complaint;
- File a complaint if you believe there has been a violation of any law governing early intervention services under the Baby Watch Early Intervention Program;
- Request a mediation conference and/or a due process hearing any time an early intervention program proposes or refuses to initiate or change the identification, evaluation, assessment, placement, and/or provision of appropriate early intervention service(s);
- Receive services currently being provided and those services identified on the IFSP that are not in dispute; and
- Be notified of free and inexpensive legal services and other resources in your area.

Any proceeding held in connection with mediation, written complaint, and due process hearing, must be carried out in a time and place reasonably convenient to the parent.

To request mediation, file a written complaint, or request a due process hearing, write to:

Program Manager
Baby Watch Early Intervention Program
P.O. Box 144720
Salt Lake City, UT 84114-4720
Fax: (801) 584-8496

(Sample letters are provided at the end of this handbook)

Mediation

Mediation is a way to handle disputes. It is available to parents and the early intervention program at any time when differences or a dispute cannot be resolved. Through mediation, you and a representative from your early intervention program will meet with a neutral person to help you and the program resolve the problem. The BWEIP will arrange for mediation when requested, including the identification of a mediator.

§303.431

Mediation:

- Is voluntary on the part of all parties;
- Is conducted by a qualified and impartial mediator who is trained in effective mediation techniques;
- Cannot be used to deny or delay your right to a due process hearing or any other rights afforded under part C of the IDEIA; and
- Results in a written agreement.

You have the right to:

- Request mediation at anytime;
- Receive mediation at no cost to you;
- Have the meeting carried out at a time and in a location that is reasonable and convenient for you and other parties involved;
- Have all personally identifiable information maintained in a confidential manner; and
- Be assured that discussions that occur during the mediation process will be kept confidential and will not be used as evidence in any subsequent due process hearing or civil proceedings.

Written Complaint

An individual or organization may file a signed, written complaint with the Baby Watch Early Intervention Program alleging violations of federal or state early intervention statutes or regulations. The alleged violation must have occurred within one (1) year prior to the date the BWEIP received the written complaint.

§303.434

- The complaint must be in writing and must include:
 - ◆ A statement that the BWEIP or an early intervention program has violated a requirement of IDEIA;
 - ◆ The facts on which the complaint is based;
 - ◆ The signature and contact information for the individual filing the complainant; and
 - ◆ If alleging violations with respect to a child;
 - The name and address of the residence of the child;
 - The name of the early intervention program serving the child;
 - A description of the nature of the problem including related facts; and
 - A proposed resolution to the problem.
 - ◆ A copy of the complaint must be forwarded to the early intervention program at the same time the complaint is filed with the BWEIP.

§303.432

§303.433

- You have the opportunity to submit additional information either orally or in writing.
- During the pendency of a complaint, unless the BWEIP and you otherwise agree, your child must continue to receive the appropriate early intervention services currently being provided, and if the complaint involves an application for initial or additional services, your child must receive those services that are not in dispute.
- The BWEIP will investigate and issue a written response within sixty (60) calendar days from the filing of a complaint, unless exceptional circumstances exist.
- In resolving the complaint, if the BWEIP finds a failure to provide appropriate services, the BWEIP will address how to remediate the denial of those services, including corrective actions appropriate to address the needs of your child and family such as compensatory services or monetary reimbursement.
- Receive appropriate future provision of services.

Due Process Complaint

Any individual or organization may file a due process complaint on any of the matters relating 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 under the law.

§303.440

- The due process complaint must allege a violation that occurred not more than two (2) years before the date the complaint was made.
- The due process complaint must be filed with the BWEIP manager.
- The person filing the complaint must also provide a copy of the complaint to the early intervention program serving the child (which must remain confidential).
- The BWEIP must inform you of any free or low cost legal or other relevant services available.
- The timeline for resolution is thirty (30) days.

§303.441

- The due process complaint must include:
 - ◆ The name of the child;
 - ◆ The address and residence of the child;
 - ◆ The name of the early intervention provider serving the child;
 - ◆ A description of the nature of the problem relating to the proposed, refused, or change to early intervention;
 - ◆ Facts relating to the problem; and
 - ◆ A proposed resolution of the problem, to the extent known.
- The hearing officer and the BWEIP will determine if it meets all requirements of a due process complaint.

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Due Process Complaint (*Continued*):

- **You or any party to a due process hearing has the right to:**
 - ◆ Be accompanied and advised by counsel and/or by individuals with special knowledge with respect to early intervention services for children under the age of three (3) with disabilities;
 - ◆ Present evidence and confront, cross-examine, and compel the attendance of witnesses;
 - ◆ Prohibit the introduction of any evidence at the proceeding that has not been disclosed to the parent at least five (5) days prior to the hearing;
 - ◆ Obtain a written or electronic verbatim transcript of the hearing, at no cost to the parent;
 - ◆ Receive a written or electronic copy of the findings of fact and decisions, at no cost to the parent;
 - ◆ Make the hearing open to the public (parent only);
 - ◆ A completion of the proceeding no later than thirty (30) days after the BWEIP receives the parent's due process complaint;
 - ◆ Receive services currently provided and identified on the IFSP that are not in dispute; and
 - ◆ Bring a civil action in state and federal court against the other party following completion of the proceeding, if you disagree with the result.

Sample - Mediation Request

(Date)

Program Manager
Baby Watch Early Intervention Program
P.O. Box 144720
Salt Lake City, UT 84114-4720

RE: Mediation Request

Dear Baby Watch Early Intervention Program Manager:

I would like to request mediation to resolve an issue. I am concerned about the early intervention services that my child, *(name of child and family)*, is receiving or should be receiving.

The specific reasons for this request are as follows: *(state the nature of the problem)*.

My child's address and place of residence is *(child's address and place of residence)*. The name of the early intervention program serving my child is *(name of the program and staff, if appropriate)*.

I understand that someone will contact me to make arrangements for mediation or discuss this request with me. The best time to reach me is on *(days and times)*.

Sincerely,

(Name)
(Address)
(Phone)

Sample - Written Complaint

(Date)

Program Manager
Baby Watch Early Intervention Program
P.O. Box 144720
Salt Lake City, UT 84114-4720

RE: Written Complaint

Dear Baby Watch Early Intervention Program Manager:

I would like to file a written complaint because I believe that (*name of child and family*) is not receiving early intervention services as required by part C regulations of IDEIA. I would like the Baby Watch Early Intervention Program to investigate the following.

(*Statement of complaint*) Cite specific regulation from part C of IDEIA that you believe is being violated. Provide a description of the nature of the problem including related facts; and propose a resolution to the problem, if known.

My child's address and place of residence is (*child's address and place of residence*). The name of the early intervention program serving my child is (*name of the program and staff, if appropriate*).

I am also sending a copy of this complaint to my child's early intervention program.

The best time to reach me is (*days and times*).

Sincerely,

(Name)
(Address)
(Phone)

Sample - Written Due Process Complaint

(Date)

Program Manager
Baby Watch Early Intervention Program
P.O. Box 144720
Salt Lake City, UT 84114-4720

RE: Written Due Process Complaint

Dear Baby Watch Early Intervention Program Manager:

I would like to file a written due process complaint because I believe that *(name of child and family)* is not receiving early intervention services as required by part C of IDEIA. I would like the Baby Watch Early Intervention Program to investigate the following.

(Statement of complaint) Cite specific regulation from part C of IDEIA that you believe is being violated. Provide a description of the nature of the problem including related facts; and propose a resolution to the problem, if known.

My child's address and place of residence is *(child's address and place of residence)*. The name of the early intervention program serving my child is *(name of the program and staff, if appropriate)*.

I am also sending a copy of this complaint to my child's early intervention program.

The best time to reach me is *(days and times)*.

Sincerely,

(Name)
(Address)
(Phone)

Resources

For more information on your rights, responsibilities, resources, and answers to any questions, or for assistance with how to write a letter to file a complaint, request mediation or a due process hearing, you may contact:

Baby Watch Early Intervention Program

Consists of the fifteen local early interventions programs throughout the State of Utah.

PO Box 144720

Salt Lake City, UT 84114-4720

Phone: (801) 584-8226

Toll-Free: (800) 961-4226

Website: <http://utahbabywatch.org>

Utah Parent Center

Utah's Parent Training and Information Center serving parents of children, youth, and young adults with all disabilities.

230 West 200 South, Suite 1101

Salt Lake City, UT 84101

Phone: (801) 272-1051

Toll-Free: (800) 468-1160

Spanish: (801) 272-1067

Website: www.utahparentcenter.org

Disability Law Center

Utah's not-for-profit protection and advocacy agency serving individuals with disabilities.

205 North 400 West

Salt Lake City, UT 84103-1125

Phone: (801) 363-1347

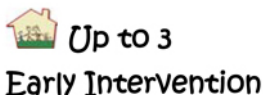
Toll-Free: (800) 662-9080

Website: www.disabilitylawcenter.org

Call 211

For general statewide information and referral to agencies, organizations, and programs.

Baby Watch Early Intervention Programs



Utah Schools for the Deaf and the Blind