

YOUR FAMILY RIGHTS IN EARLY INTERVENTION

The New York City Early Intervention Program (EI) recognizes that the family is an essential part of the early intervention team. The program will do its best to meet the needs of your family and your child. However, you may have concerns that you feel are not being addressed, or disagreements with decisions. Your family has rights that are guaranteed by the Individuals with Disabilities Education Act (IDEA):

- You have the right to say yes or no to having your child screened or evaluated.
- You have the right to choose the evaluator and on-going service coordinator.
- You have the right to say yes or no to any EI service without risking your right to other services.
- You have the right to look at and request a change to your child's written record.
- You have the right to keep information about your family private.
- You have the right to be told about and to appeal any possible changes to your child's evaluation or any other early intervention service before changes are made.
- You have the right to take part in – and ask other people of your choice to attend – all meetings where decisions will be made about changes in your child's evaluation or services.
- You have the right to an explanation of how your insurance may be used to pay for early intervention services.
- You have the right to due process (appeal) procedures - mediation, impartial hearing or systems complaint to resolve concerns: (*see below).
- You have the right to use due process procedures if your child is not found eligible for early intervention services.

If you have concerns or do not agree with a decision:

- **First, discuss your concern or disagreement with your Service Coordinator. S/he will explain your options and rights in further detail.**
- **You can call the Early Intervention Official Designee (EIOD) or an Assistant Director in the Early Intervention Regional Office at the number below:**

<u>Brooklyn:</u> 718 722-3310	<u>Queens:</u> 718 480-2249	<u>Staten Island:</u> 718 420-5357
<u>Bronx:</u> 718 410-4110	<u>Manhattan:</u> 212-436-0900	
- **Or, you can call the EI Director of Consumer Affairs, Beverly Samuels, at (347) 396-6828.**

Due Process – If you still have a concern or disagreement, you can appeal the decision by requesting:

- **Mediation** – This is a way to discuss your concerns and reach agreement with a mediator and the Early Intervention Program. Your Service Coordinator can help request mediation, or you can send a letter to the address below.
- **Impartial Hearing** – This is another way to settle disagreements. It is more formal and carried out by hearing officers who are administrative law judges (ALJs) assigned by the NYS Department of Health. The ALJs make the final decision about the complaint. You can send a letter to address below.
- **Systems Complaints** – This is a way to request that the NYS Department of Health investigate how the Early Intervention Program is working. If you believe that your Early Intervention Official, service provider, or service coordinator is not doing their job under the law (IDEA), you can write to the address below.

Mediation Requests

Director of Consumer Affairs
NYC Early Intervention Program
Gotham Center #12,42-09 28th St., 18th Floor
Queens, NY 11101
347 396-6828 (Phone)
347 396-8977 (Fax)

Impartial Hearing or Systems Complaints

NYS Department of Health
Bureau of Early Intervention
Corning Tower, Empire State Plaza
Albany, NY 12237
518 473-7016 (Phone)
518 486-1090 (Fax)

