

# Problem Solving in Early Intervention

## First Steps in Problem Solving

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Questions or concerns about Early Intervention (EI) programs and services should first be addressed by contacting your service coordinator (Infant/Toddler EI program) or early interventionist (Preschool EI program). Families and EI programs are encouraged to utilize the resolution process at the local level as a first step in resolving the issue(s)

since their familiarity with the issue(s) is likely to result in a more timely resolution. Within seven days of your request, a meeting time and place will be coordinated. Any change that results from the meeting will be documented on the Individualized Family Service Plan (IFSP) or Individualized Education Program (IEP).

## What if I still have concerns?

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Children and families receiving Early Intervention have five choices available to them if concerns persist. Any of these choices may be used by families at any time. They are:

### 1) Complaint Resolution Process

Parents should contact their Bureau of Early Intervention Services Advisor by calling 717-346-9320, to assist them in solving the problem before a written complaint to the Office of Child Development and Early Learning is filed. The EI Advisor will contact the child's EI program to determine if there can be an immediate resolution. If no immediate resolution is available, the parents have the option of filing a written complaint.

### 2) Filing a Complaint

Parents may file a written complaint if they believe the EI program hasn't followed proper steps in the EI process. The most common reasons for filing this kind of complaint are when there are long delays in evaluating a child or in providing EI services.

Complaints are filed with the Pennsylvania Office of Child Development and Early Learning (OCDEL), which investigates the complaint within 60 days.

If a problem is identified, a plan of correction will be developed within 30 days after the investigation. For more information, please refer to the Procedural Safeguards Notice or ask the service coordinator or preschool early interventionist.\*

### 3) IFSP/IEP Facilitation

IFSP/IEP Facilitation is a voluntary option available at no cost to parents and EI staff. Both parties must agree that it would be valuable to have a neutral person – the facilitator – present at an IFSP/IEP team meeting to assist in discussing issues regarding the IFSP/IEP. Facilitation is a less formal mechanism for resolving disagreements than more formal proceedings such as due process. Facilitation is voluntary. Families can request a form from their service coordinator or preschool early interventionist\* or they can obtain a form from the Office for Dispute Resolution at <http://odr.pattan.net>.

### 4) Mediation

Parents may use mediation when there is a disagreement about services on the IFSP/IEP, such as the choice of a service, how often a service is provided, or where a service takes place. In mediation, everyone agrees to work together with a

mediator, a person trained to assist in the meeting without taking sides. Mediators don't make "decisions." Mediation is offered at no cost, is informal, and happens quickly. You can get more information about mediation by calling the Office for Dispute Resolution (ODR) at 1-800-222-3353 or by visiting their website at <http://odr.pattan.net>

### 5) Due Process Hearing

Families may use the due process system anytime there are disagreements about EI services, such as the choice of a service, how often a service is provided, or where a service takes place.

Parents can request a due process hearing by asking their service coordinator or early interventionist\* to arrange for one, by calling ODR at 1-800-222-3353, to request a form or by visiting their website at <http://odr.pattan.net>. These are formal hearings at which all sides can present witnesses, including experts.

Problem solving procedures in EI are similar for families with infants, toddlers, and preschool age children. However there are some differences specific to due process procedures.

#### Families with infants and toddlers under three

If you request a hearing, the hearing officer will set a date and send out a notice to the family. If there is a problem with the date, the hearing can be rescheduled.. The hearing must be held, and a decision reached, within 30 days.

#### Families with preschool children age three to five

If you request a hearing, you and your preschool program representative will be required to meet to resolve disagreements at the local level through dispute resolution. There is a time frame for the dispute to be resolved. Both parties can agree to waive this dispute resolution meeting in writing or they may agree to try mediation. If the preschool program does not hold a local dispute resolution meeting within 15 calendar days, the parent may ask the Hearing Officer to move forward with the due process meeting. The hearing must be held, and a decision reached within 45 days. For more information, contact your preschool early interventionist\* or call the Office for Dispute Resolution (ODR) at 1-800-222-3353.

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\*An early interventionist could be your Early Intervention teacher, therapist, or service coordinator.

## What do you do if you are not satisfied with the Early Intervention services your child receives?



Discuss your concerns and disagreements with your service coordinator or preschool early interventionist. *If your concerns persist...*



Discuss your concerns and disagreements with your local Early Intervention program supervisor. *If your concerns persist...*



Contact PA Office for Dispute Resolution at 800-222-3353 for the assistance of a trained mediator to help solve disagreements.

OR

Contact the Office of Child Development and Early Learning at 717-346-9320 to discuss issues and/or file a complaint.

You may request a due process hearing or mediation conducted by the Office for Dispute Resolution at any time by: (a) contacting your service coordinator at the local Early Intervention infant/toddler county office if your child is under three years of age; (b) putting a request in writing to your Early Intervention program preschool supervisor if your child is three to the age of beginners\*; (c) calling the Office for Dispute Resolution at 800-222-3353; or (d) visiting their website at <http://odr.pattan.net>.

If you have any questions about which process to follow, call one of the phone numbers listed above.

\* Age of entrance into first grade

## Questions about problem solving in Early Intervention?

Call the Office of Child Development and Early Learning at 717-346-9320



*Serving Children with Developmental Delays*

Disability Rights Network is a statewide, nonprofit corporation designated as the federally-mandated organization to advance and protect the civil rights of adults and children with disabilities. [www.drnpa.org](http://www.drnpa.org)

