

# Problem Solving in Early Intervention

## First Steps in Problem Solving

Questions or concerns about Early Intervention (EI) programs and services should first be addressed by contacting your service coordinator (infant/toddler EI program) or your EI representative (preschool EI program). You are encouraged to meet with staff at your EI program as a first step in resolving concerns.

This is likely to result in a more timely resolution. Any change that results from the meeting will be documented on the Individualized Family Service Plan (IFSP) or Individualized Education Program (IEP). If you ask for a meeting to talk about your concerns, the meeting must be held within seven days of your request.

## What if parents still have concerns?

You have five choices available to you if concerns persist. Any of these choices may be used at any time.

**1) Contact the Bureau of Early Intervention Services and Family Supports** You may contact the Bureau of Early Intervention Services and Family Supports (BEISFS) by calling 717-346-9320. BEISFS can assist in resolving the concern before a more formal written complaint is filed.

A BEISFS Advisor will contact your child's EI program to determine if there can be an immediate resolution. If no immediate resolution is available, you can file a written complaint.

### **2) File a Written Complaint**

You may file a written complaint to resolve concerns if you believe the EI program hasn't followed proper steps in the EI process.

BEISFS will investigate the complaint within 60 days.

If a concern is identified, a plan of correction will be developed within 30 days after the investigation.

### **3) IFSP/IEP Facilitation**

A state process, not required under the Individuals with Disabilities Education Act. You may ask for IFSP/IEP facilitation, a voluntary process that can be used when parents and EI staff agree that a neutral person would help to achieve a successful IFSP/IEP meeting. This is a less formal way to resolve disagreements than more formal proceedings such as due process. **You can get more information from your service coordinator or preschool EI representative or by contacting the Office for Dispute Resolution at 1-800-222-3353 or [www.odr-pa.org](http://www.odr-pa.org).**

### **4) Mediation**

You may use mediation when there is a disagreement about

a child's evaluation or services on the IFSP or 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 help resolve concerns without taking sides. Mediators don't make "decisions," but help parties come to an agreement. Mediation is offered at no cost, is informal, and happens quickly.

**You can get more information about mediation by contacting the Office for Dispute Resolution at [www.odr-pa.org](http://www.odr-pa.org) or 1-800-222-3353.**

### **5) Due Process Hearing**

You may request a due process hearing, a more formal process for resolving disagreements about EI services, such as the choice of service, how often a service is provided, or where a service takes place. These are formal hearings at which all sides can present witnesses, including experts.

There are some differences in due process for families with infants and toddlers, and those with preschool age children.

#### **Parents with infants and toddlers under three years of age**

You may request a hearing, and the hearing officer will set a date and send a notice to you. 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.

#### **Parents with preschool children three to five years of age**

If you request a hearing, you and your preschool EI representative will be required to meet before a hearing takes place to resolve disagreements at the local level through a resolution meeting. Both parties can agree to waive the resolution meeting in writing, or they may agree to try mediation. If the preschool program does not hold a local resolution meeting within 15 calendar days, you may ask the hearing officer to move forward with the due process hearing. The hearing must be held, and a decision reached within 45 days. **For more information on due process hearings, you can contact your preschool EI representative or call the Office for Dispute Resolution at 1-800-222-3353 or visit [www.odr-pa.org](http://www.odr-pa.org).**

\*An EI representative could be your EI teacher, therapist, or service coordinator.