

Kev Kawm Ntawv Tshwj Xeeb Cov Cai rau Cov Niam Txiv thiab Cov Menyuum

**Nyob rau Tsub Cai Individuals with Disabilities Education Act, Part B, thiab tsub
cai California *Education Code***

Kev Hais Qhia Paub rau Kom Ua Raws Li Txoj Xub Ke Tsub Cai Tej Kev Qhia Ua

Rov Qab Sau Dua Kaum hli 2016

Kev Qhia Ntsiab Tseem Ceeb: Lo lus tsev kawm ntawv district tau siv rau tag nrho cov ntaub ntawv khaws tseg no yuav piav qhia txhua txhua tsoom fwm koos haum kawm ntawv kev saib xyuas ua rau muab kev npaj rau koj tus menyuum qhov kev kawm ntawv tshwj xeeb kev kawm (program). Lo lus kev soj ntsuam tshau yog tau siv rau qhov txhais tias kev luj xyuas lossis kev tshau ntawv. Tsoom fwm thiab xeev cov cai yog tau muab sau dua rau tag nrho cov ntawv no rau siv ua lus Askiv luv luv (English abbreviations), uas yuav tau muab piav qhia nyob rau qhov zaj lus hais tiav log (glossary) nyob rau nplooj kawg tom qab rau qhov kev hais qhia paub no.

Dab tsi yog qhov Lus Hais Qhia Paub Kom Ua Raws Li Txoj Xub Ke Tej Kev Qhia Ua?

Cov lus hais paub no npaj rau koj li yog cov niam txiv, cov neeg muaj cai saib xyuas, thiab sawv cev ua cov niam txiv rau cov menyuum muaj tej kev tsis taus (disabilities) nyob rau (3) xyoos mus txog lub hnub nyoog nees nkaus-ib (21) thiab cov tub/ntxhais kawm ntawv leej twg hnub nyoog muaj kaum yim (18), lub hnub nyoog loj, muaj qhov rov qab xyuas dua rau koj muaj cov cai kawm ntawv lossis kom ua raws li txoj xub ke qhia kom ua li tsub cai.

Qhov Lus Hais Qhia Paub rau Txoj Xub Ke Ua Raws Li Txoj Cai Qhia Kom Ua yog xav kom nyob rau tsub cai Individuals with Disabilities Education Act (in English, hais mus rau li yog IDEA) thiab yuav tsum tau npaj rau nej:

- Thaum koj thov rau ib pob ntawv
- Thawj zaug koj tus menyuum tau muab xa mus rau kev kawm ntawv tshwj xeeb qhov kev muab soj ntsuam tshau
- Txhua zaum koj tau npaj muab kev soj ntsuam tshau rau muab koj tus menyuum luj xyuas
- Nyob raws li daim ntawv sau tseg tau txais rau thawj zaug lub xeev lossis qhov kev ua tawm tsam tsis txaus nyob rau hauv ib xyoos kawm ntawv, thiab
- Thaum muab kev txiav txim siab yog tau ua qhov muab tshem tawm uas yog tag li qhov muab pauv rau chaw kawm ntawv

(20 USC 1415[d]; 34 CFR 300.504; EC 56301[d] [2], EC 56321, and 56341.1[g] [1])

Dab tsi yog tsub cai Individuals with Disabilities Education Act (IDEA)?

IDEA yog tsoom fwm txoj cai uas xav kom tsev kawm ntawv districts yuav tau npaj “tsoom fwm kev kawm ntawv dawb zoo phim rau” (nyob rau Askiv, hais mus rau li yog FAPE) rau cov menyuum muaj kev tsim nyog txaus txais li muaj tej kev tsis txaus (disabilities.) Qhov tsoom fwm kev kawm ntawv dawb zoo phim rau txhais hais tias kev kawm ntawv tshwj xeeb thiab cov kev pab cuam muaj zoo ib yam li qhov tsis tau yog yuav tsum tau npaj li yog tau piav qhia nyob rau

qhov individualized education program (nyob rau Askiv, tau paub li yog IEP) thiab nyob rau tsoom fww kev saib xyuas rau koj tus menyuam nyob rau qhov tsis muaj nqi tsub rau koj them.

Kuv puav koom tau nyob rau cov kev txiav txim siab hais txog kuv tus menyuam txoj kev kawm ntawv?

Yuav tsum tau muab cov cib fim rau koj koom ua nyob rau txhua qhov kev txiav txim siab-kev sib ntsib hais txog koj tus menyuam qhov kev kawm ntawv tshwj xeeb kev kawm (program). Koj muaj cai yuav koom ua nyob rau IEP pab neeg cov rooj sab laj hais txog qhov kev txheeb nrhiav (muaj kev tsim nyog txaus tau txais), kev soj ntsuam tshau, lossis qhov chaw muab tso kawm ntawv rau koj tus menyuam thiab lwm yam tej teeb meem muaj zoo ib yam li rau koj tus menyuam qhov muab tso rau tsoom fww kev kawm ntawv dawb zoo phim (FAPE.) (20 *USC* 1414[d] [1]B–[d][1][D]; 34 *CFR* 300.321; *EC* 56341[b], 56343[c])

Niam txiv lossis tus saib xyuas, lossis koos haum kawm ntawv hauv zos (Local Education Agency), muaj cai yuav koom ua nyob rau qhov kev tsim muaj rau qhov IEP thiab yuav xub hais qhia lawv kom muab lub thev kaw rau cov kev ua rau IEP pab neeg cov lus sib tham rau cov rooj sab laj. Nyob tsawg kawg 24 teev ua ntej rau lub rooj sab laj, niam txiv lossis tus neeg saib xyuas yuav tsum tau hais qhia cov mej zeej paub rau IEP pab neeg rau lawv yuav tsum tau muab kaw lub rooj sab laj cov lus sib tham. Yog hais tias niam txiv lossis tus saib xyuas tsis sau npe pom zoo tso cai rau lub LEA kom muab lub thev kaw lub rooj sab laj IEP, lub rooj sab laj IEP yuav tsum tsis kaw nyob rau lub thev kaw.

Koj muaj cov cai tag nrho cov lus hais qhia paub hais txog qhov kev muaj peev xwm ua tau txawm peem rau FAPE, muaj tag nrho cov kev xaiv kawm, thiab tag nrho lwm cov kev kawm muaj txawm peem, ob qho li tsoom fww thiab tsis yog tsoom fww. (20 *USC* 1401[3], 1412[a][3]; 34 *CFR* 300.111; *EC* 56301, 56341.1[g][1], and 56506)

Kuv yuav nrhiav tau kev pab ntau nyob qhov twg?

Thaum koj muaj qhov kev txhawj hais txog koj tus menyuam qhov kev kawm ntawv, nws yog tseem ceeb tias koj tus menyuam tus xib hwb lossis tus thawj saib yuav tham hais txog koj tus menyuam thiab txhua cov teeb meem koj pom. Cov neeg ua hauj lwm nyob rau koj lub tsev kawm ntawv district lossis seem kev kawm ntawv tshwj xeeb kev npaj hauv zos (special education local plan area) (SELPA) mam li teb cov lus nug hais txog koj tus menyuam qhov kev kawm ntawv, koj cov cai, thiab cov kev qhia kom raws li tsab cai qhia kom ua. Ib yam nkaus, thaum koj muaj ib qho kev txhawj, qhov kev sib tham tab mab das no txhua zaum dawb tau qhov teeb meem thiab pab tau rau qhib kev sib tham cev lus ib yam mus ntxiv.

Koj yuav tsum tau hu mus rau ib tug neeg rau ntawm qhov chaw California parent organizations (Family Empowerment Centers thiab Parent Training Institutes) ib yam, uas yog tau muab tsim kho kom ntau ntxiv kev ua hauj lwm nyob nruab nrab cov niam txiv thiab cov neeg muaj kev kawm ntawv kom zoo dua qub ntxiv tuaj txoj cai kawm ntawv (educational system.) Hu nug cov lus hais qhia paub rau cov koos haum no yog tau nrhiav pom nyob rau qhov CDE special education California Parent Organizations Web page yog <http://www.cde.ca.gov/sp/se/qa/caprntorg.asp>.

Muaj cov chaw paub ntxiv pab yog tau sau tseg nyob rau tom qab kawg rau cov ntawv no rau pab koj kom nkag siab kev ua li kom ua raws li cov kev qhia ua.

Dab tsi yog hais tias kuv tus menyuam yog lag ntseg, thiab hnov lus nyuab, dig muag, qhov muag tsis pom kev zoo, lossis lag ntseg-dig muag?

Lub Xeev Cov Tsev Kawm Ntawv Tshwj Xeeb npaj cov kev pab cuam rau cov tub/ntxhais kawm ntawv leej twg lag ntseg, hnov lus nyuab, dig muag, qhov muag tsis pom kev zoo, lossis lag ntseg-dig muag nyob rau txhua qhov rau nws peb qhov chaw: California Cov Tsev Kawm Ntawv rau qhov Lag Ntseg nyob rau Fremont thiab Riverside thiab nyob rau California Tsev Kawm Ntawv rau qhov Dig Muag nyob rau Fremont. Tau tsim muaj chaw rau nyob thiab kawm ntawv leej hnuv cov kev kawm (programs) yog tau muaj rau cov tub/ntxhais kawm ntawv nyob rau thaum menyuam mos ab mus txog rau hnuv nyoog 21 nyob rau ob qhov Xeev Cov Tsev Kawm Ntawv rau qhov Lag Ntseg. Zoo li yog cov kev kawm (programs) tau muaj rau cov tub/ntxhais kawm ntawv hnuv nyoog tsib mus txog 21 nyob rau California Tsev Kawm Ntawv rau qhov Dig Muag. Lub Xeev Cov Tsev Kawm Ntawv Tshwj Xeeb ib yam li tau muaj kev soj ntsuam tshau cov kev pab cuam thiab kev pab rau. Xav paub ntau tshaj ntxiv cov lus hais qhia paub hais txog lub Xeev Cov Tsev Kawm Ntawv Tshwj Xeeb, thov mus saib qhov chaw California Department of Education (CDE) Web site at <http://www.cde.ca.gov/sp/ss/> lossis nug rau cov lus hais qhia paub ntau ntxiv nyob rau cov mej zeej rau koj tus menyuam pab neeg IEP.

Kev Qhia Paub, Sau Npe Pom Zoo Tso Cai, Kev Soj Ntsuam Tshau, Sawv Cev Ua Niam Txiv Teev Caij Sib Ntsib, thiab Nkag Tau Mus Muab Cov Ntaub Ntawv Khaws Tseg

Sau Ntawv Hais Qhia Paub Ua Ntej

Thaum twg thiaj yog qhov xav tau kev hais qhia paub?

Qhov kev hais qhia paub no yuav tsum tau muab rau thaum tsev kawm ntawv district sib tham qhia lossis tsis kam yuav sib tham kho qhov pauv nyob rau qhov kev txheeb nrhiav, kev soj ntsuam tshau, lossis qhov chaw muab tso kawm ntawv rau koj tus menyuam muaj tej kev xav tau tshwj xeeb lossis qhov muab kev pom zoo rau tsoom fww kev kawm ntawv dawb thiab chaw kawm zoo phim rau. (20 *USC* 1415[b][3] and (4), 1415[c][1], 1414[b][1]; 34 *CFR* 300.503; *EC* 56329 thiab 56506[a])

Lub tsev kawm ntawv district yuav tsum hais qhia koj paub hais txog tau sib tham qhia cov kev muab luj xyuas rau koj tus menyuam nyob rau kev sau ntawv hais qhia paub lossis txoj kev npaj rau kev soj ntsuam tshau nyob nrog kaum tsib (15) hnuv rau koj sau ntawv thov rau qhov kev muab luj xyuas. Qhov kev hais qhia paub yuav tsum yog muaj kev nkag siab zoo thiab nyob rau koj hom lus lossis lwm yam kev sib tham cev lus, ntshe yog nws paub meej tseeb tias tsis muaj kev yooj yim/ua tsis tau li ntwv xwb. (34 *CFR* 300.304; *EC* 56321)

Daim Ntawv Yuav Hais Qhia Kuv Paub Dab Tsi?

Qhov Sau Ntawv Hais Qhia Paub Ua Ntej yuav tsum muaj tag nrho li nram qab no:

1. Qhov kev piav qhia rau cov kev ua tau sib tham hais txog lossis tau tsis kam ua nrog lub tsev kawm ntawv district
2. Qhov kev piav qhia rau vim li cas qhov kev ua yog tau sib tham hais txog lossis tau tsis kam ua

3. Qhov kev piav qhia rau txhua qhov kev ua muab kev soj ntsuam tshau, cov ntaub ntawv, lossis cov lus hais qhia lub koos haum tau siv raws li rau qhov kev ua tau sib tham hais txog lossis tau tsis kam ua
4. Qhov lus uas cov niam txiv rau tus menyuam muaj qhov kev tsis taus muaj kev tiv thaiv nyob rau qhov kev ua cov kev qhia kom ua (procedural safeguards)
5. Cov kev muaj pab rau cov niam txiv kom hu mus cuag kom tau txais kev pab nyob rau kev nkag siab zoo rau cov kev pom zoo rau qhov no
6. Qhov kev piav qhia rau lwm cov kev muaj tias IEP pab neeg tau xav hais tias muab kev kho thiab tej nuj nqis cov kev muaj ntawv yog tau muab tshem tawm; thiab
7. Qhov kev piav qhia rau txhua yam lwm cov ntsiab tseem ceeb nthuav qhia muaj tseeb rau qhov kev ua tau sib tham hais txog lossis tau tsis kam. (20 *USC* 1415[b][3] and [4], 1415[c][1], 1414[b][1]; 34 *CFR* 300.503)

Kev Niam Txiv Sau Npe Pom Zoo Tso Cai Ua

Thaum twg yog kuv muab kev pom zoo yuav tsum tau muab rau kev soj ntsuam tshau?

Koj muaj cai yuav muab koj tus menyuam xa mus rau kawm ntawv tshwj xeeb cov kev pab cuam. Yuav tsum tau hais qhia koj paub, sau ntawv pom zoo tso cai ua ntej koj tus menyuam qhov thawj zaug kawm ntawv tshwj xeeb yuav tsum tau muab kev soj ntsuam tshau. Niam txiv muaj tsawg kawg kaum tsib (15) hnuv nyob rau daim ntawv sau khaws tseg rau qhov tau tham txog npaj muab kev soj ntsuam tshau tuaj txog muab qhov kev txiav txim siab rau. Qhov kev soj ntsuam tshau yuav pib tom qab kiag nyob nruab nrab daim ntawv sau khaws tseg rau qhov kev pom zoo tso cai thiab yuav tsum tau ua kom tiav tag thiab qhov IEP tau tsim muaj nyob nrog rau caum (60) hnuv rau koj qhov kev sau npe pom zoo tso cai ua.

Thaug twg kuv muab kev pom zoo xav tau rau cov kev pab cuam?

Yuav tsum tau hais qhia kom paub, kev sau ntawv pom zoo tso cai ua ntej koj lub tsev kawm ntawv district thiaj li npaj tau koj tus menyuam nrog kev kawm ntawv tshwj xeeb thiab cov kev pab cuam muaj zoo ib yam.

Dab tsi yog cov kev ua mus thaum niam txiv tsis npaj muab kev sau npe pom zoo tso cai ua?

Yog hais tias koj tsis npaj muab kev sau npe pom zoo tso cai ua rau qhov thawj zaug muab kev soj ntsuam tshau lossis tsis teb rau qhov thov kom npaj rau qhov kev sau npe pom zoo tso cai ua, tsev kawm ntawv district yuav tau ua mus rau qhov thawj zaug muab kev soj ntsuam tshau nrog kev siv vim yog cov kev yuav tsum tau ua mus.

Yog hais tias koj tsis kam muab kev sau npe pom zoo tso cai ua rau qhov thawj rau cov kev pab cuam, tsev kawm ntawv district yuav tsum tsis npaj kev kawm ntawv tshwj xeeb thiab cov kev pab cuam muaj zoo li yam thiab yuav tsis nrhiav rau kev npaj cov kev npaj cov kev pab cuam los ntawm qhov tag kev yuav tsum tau ua mus.

Yog hais tias koj sau npe pom zoo tso cai ua nyob rau kev sau ntawv rau qhov kev kawm ntawv tshwj xeeb thiab cov kev pab cuam zoo ib yam rau koj tus menyuam tab sis sau npe pom zoo

tso cai rau tag nrho cov kev yuav ua rau qhov IEP, cov kev ua ntawv rau qhov kev kawm rau rau qhov twg koj tau sau npe pom zoo tso cai ua yuav tsum tau ua rau tsis pub muaj kev theem/qeeb.

Yog hais tias tsev kawm ntawv district yuav nrhiav tau paub tseeb tias qhov tau sib tham txog kev kawm ntawv tshwj xeeb kev kawm qhov kev ua rau qhov twg koj tsis sau npe pom zoo tso cai ua yog yuav tau npaj tsoom fww kev kawm ntawv dawb thiab zoo phim rau koj tus menyuam, qhov kev ua plaub hais yuav tau pib ua. Yog hais tias qhov kev ua plaub hais tau muaj lwm, qhov kev hais muab kev txiav txim yuav tsum yog zaum kawg thiab thiab muab tso ke.

Nyob rau qhov yuav rov qab muab cov kev luj xyuas dua, tsev kawm ntawv district yuav tau sau sau cov ntaub ntawv tseg nuj nqis zoo muab kev ntsuas kom tau txais koj kev sau npe pom zoo tso cai ua. Yog hais tias koj plam tsis teb, tsev kawm ntawv district yuav tau ua mus nrog qhov kev rov qab muab luj xyuas tsis tas yuav tau koj kev sau npe pom zoo tso cai ua rau. (20 *USC* 1414[a][1][D] and 1414[c]; 34 *CFR* 300.300; *EC* 56506[e], 56321[c] and [d], and 56346).

Thaum twg kuv mam li mam li rho tau kuv kev sau npe pom zoo tso cai ua tawm?

Yog hais tias nyob rau txhua zaum tom qab kiag rau thawj zaug muab kev pom zoo rau kev kawm ntawv tshwj xeeb thiab cov kev pab cuam zoo ib yam, niam txiv rau tus menyuam muab kev sau npe pom zoo tso cai ua rho tawm tau nyob rau kev sau ntawv rau qhov kev pom zoo ua mus ntxiv rau kev kawm ntawv tshwj xeeb thiab cov kev pab cuam zoo ib yam, tsoom fww lub koos haum:

1. Yuav tsis npaj kev kawm ntawv tshwj xeeb thiab cov kev pab cuam zoo ib yam mus ntxiv rau tus menyuam lawm, tab sis yuav npaj kev sau ntawv hais qhia paub ua ntej nyob raws li nrog tsab cai 34 *CFR* Section 300.503 ua ntej kev los tag zoo li yog cov kev pab cuam
2. Yuav tsis siv cov kev ua mus nyob rau ntau qhov E of Part 300 34 *CFR* (muaj tag nrho cov kev ua daws kho nyob rau tsab cai 34 *CFR* Section 300.506 lossis cov kev los tag ua mus nyob rau tsab cai 34 *CFR* Sections 300.507 mus rau 300.516) ua ntej yuav tau txais kev pom zoo lossis kev hais tau qhia tias cov kev pab cuam yuav tsum tau npaj rau tus menyuam
3. Yuav tsis muaj kev kho rau yog nyob rau qhov yuam cai rau qhov kev yuav tsum tau ua rau tsoom fww kev kawm ntawv dawb thiab zoo phim rau (FAPE) muaj txawm peem rau tus menyuam vim rau qhov plam/tskyis ua rau npaj tus menyuam nrog kev kawm ntawv tshwj xeeb ntau ntxiv mus thiab cov kev pab cuam zoo ib yam
4. Tsis tas yuav kom tuaj rau IEP pab neeg lub rooj sab laj lossis tsim muaj qhov IEP nyob rau tsab cai 34 *CFR* Sections 300.320 thiab 300.324 rau muab kev pom zoo ntau ntxiv rau tus menyuam ntau rau kev kawm ntawv tshwj xeeb thiab cov kev pab cuam muaj zoo ib yam

Thov hais qhia paub, nyob raws li nrog tsab cai 34 *CFR* Section 300.9 (c)(3), ntawv yog hais tias cov niam txiv muab rho tawm kev sau npe pom zoo tso cai ua nyob rau kev sau ntawv rau lawv tus menyuam daim ntawv sau khaws tseg rau kev kawm ntawv tshwj xeeb cov kev pab cuam tom qab tus menyuam thawj zaug tau npaj kev kawm ntawv tshwj xeeb thiab cov kev pab cuam zoo ib yam rau, tsoom fww koos haum yuav tsis tas kom ua kev pauv me me rau tus menyuam qhov kev kawm ntawv cov ntaub ntawv rau muab tshem tawm txhua cov kev ua pov thawj rau tus menyuam daim ntawv sau tseg rau kev kawm ntawv tshwj xeeb thiab cov kev pab cuam muaj zoo ib yam vim rau qhov rau qhov kev muab rho tawm rau kev sau npe pom zoo tso cai ua raws li kev ua tiag tiag lawm.

Sawv Cev Ua Niam Txiv Kev Teev Caij Ntsib

Dab tsi yog hais tias nrhiav tsis tau niam txiv lossis tsis paub nyob rau qhov twg?

Tsev kawm districts yuav tsum tau paub tseeb tias txhua tus yuav tsum tau muab ib tug tso saib xyuas yog sawv cev ua niam txiv rau ob tug niam txiv rau tus menyuam muaj qhov kev tsis taus thaum nrhiav tsis tau niam txiv thiab tsev kawm ntawv district yuav tsis muaj peev xwm nrhiav tau qhov hais txog rau niam txiv.

Tus sawv cev ua niam txiv yuav tsum tau tau rau ua ib yam yog hais tias tus menyuam yog tsis muaj kev saib xyuas tsis muaj tsev nyob (unaccompanied homeless youth), qhov tau muab txiav txim kheej lossis muaj cai muab rau los ntawm tsev hais plaub (court) nyob rau lub xeeb tsab cai state Welfare and Institution Code, thiab tau muab xa mus rau kev kawm ntawv tshwj xeeb lossis twb npaj tau muaj qhov IEP tag lawm. (20 *USC* 1415[b][2] ; 34 *CFR* 300.519; *EC* 56050; *GC* 7579.5 thiab 7579.6)

Kev Soj Ntsuam Tshau Tsis Muaj Kev Cais Tawm Ntxub Ntxaug

Seb yog tau muab kuv tus menyuam soj ntsuam tshau li cas rau kev kawm ntawv tshwj xeeb cov kev pab cuam?

Koj muaj cai yuav cia muab koj tus menyuam soj ntsuam tshau nyob rau tag nrho cov fab yog tau xav hais tias tsis muaj peev xwm (disability). Cov ntawv thiab cov kev ua mus tau siv rau kev soj ntsuam tshau thiab qhov chaw muab tso kawm yuav tsum tsis yog muab cais tawm rau cev nqaij daim tawv txawv, kab lis kev cai koj ntawm haiv, lossis poj niam txiv neej.

Cov ntawv muab kev soj ntsuam tshau yuav tsum tau npaj thiab qhov tau ceev tshau nyob rau koj tus menyuam hom lus lossis qhov rau kev sib tham cev lus thiab nyob rau qhov qauv feem ntau zoo li cov lus hais qhia paub yog nyob rau dab tsi tus menyuam paub thiab ua kev kawm ntawv tau zoo, kev xyaum, thiab kev paub, kev paub, ntshe yog nws paub tseeb tias ua tsis tau li yog npaj rau lossis tus neeg muab ceev tshau xwb.

Tsis muaj ib txoj kev ua mus tej zaum yuav yog qhov zoo li txoj cai rau kev nrhiav tau paub tseeb muaj kev tsim nyog txaus tau txais thiab kev tsim muaj tsoom fww kev kawm ntawv dawb thiab zoo phim rau koj tus menyuam. (20 *USC* 1414[b][1]–[3], 1412[a][6][B]; 34 *CFR* 300.304; *EC* 56001[j] thiab 56320)

Cov Kev Soj Ntsuam Tshau Kev Kawm Ntawv Tawm Txawv Sab Nrauv

Tej zaum koj tus menyuam yuav tsum tau muab tshau tawm txawv sab nrauv nyob rau district's them nqi?

Yog hais tias koj tsis pom zoo nrog cov lus qhia paub/qhab nia rau qhov kev soj ntsuam tshau tau ceev tshau nrog tsev kawm ntawv district, koj muaj cai thov rau thiab kom tau txais qhov kev soj ntsuam tshau kev kawm ntawv tawm txawv sab nrauv rau koj tus menyuam los ntawm tus neeg muaj kev txawj paub tsim nyog rau ceev ua qhov kev soj ntsuam tshau nyob rau tsoom fww them cov nqi.

Tau muab cai rau niam ib zaug xwb kev muab luj xyuas kev kawm ntawv tawm txawv sab nrauv tsoom fww them cov nqi nrog tus niam txiv twg tsis muab kev pom zoo.

Tsev kawm ntawv district yuav tsum teb rau koj qhov thov rau muab kev soj ntsuam tshau tawm txawv sab nrauv thiab npaj cov lus hais qhia paub rau koj hais txog qhov twg yuav tau txais qhov kev soj ntsuam tshau kev kawm ntawv tawm txawv sab nrauv.

Yog hais tias tsev kawm ntawv district ntseeg tau tias lub district qhov kev soj ntsuam tshau yog zoo phim thiab tsis muaj kev pom zoo tias qhov kev soj ntsuam tshau tawm txawv sab nrauv li yuav tau muab tshau xwb, tsev kawm ntawv district yuav tsum thov qhov kev hais ua plaub kom muaj kev ua pov thawj tias nws kev soj ntsuam tshau yog zoo phim. Yog hais tias lub district muaj pov thawj zoo tshaj li qhov txwv, koj tseem muaj cai yuav tau thov qhov kev soj ntsuam tshau tawm txawv sab nrauv tab sis tsis yog tsoom fww them cov nqi lawm. IEP pab neeg yuav tsum tau muab kev kho rau cov kev soj ntsuam tshau tawm txawv sab nrauv.

District kev soj ntsuam tshau cov kev ua mus cia nyob-lub chav kev ntsia saib rau cov tub/ntxhais kawm ntawv. Yog hais tias lub tsev kawm ntawv district cov kev ntsia saib koj tus menyuam nyob rau tus tub lossis tus ntxhais nws lub chav kawm sij hawm tab tom ua qhov kev soj ntsuam tshau, lossis yog hais tias tsev kawm ntawv district yuav tau cai rau ntsia saib koj tus menyuam, qhov kev ceev tshau txhua qhov kev ceev ua kev soj ntsuam tshau kawm ntawv tawm sab nrauv yuav tsum tau cia ntsia saib koj tus menyuam ib yam li nyob rau lub chav kawm.

Yog hais tias tsev kawm ntawv district tau sib tham hais txog qhov chaw muab tso kawm ntawv rau lub tsev kawm ntawv tshiab rau koj tus menyuam thiab qhov kev soj ntsuam tshau kev kawm tawm txawv sab nrauv yog tau ceev tshau, tus neeg muab kev soj ntsuam tshau tawm txawv sab nrauv yuav tsum tau cia rau ntsia saib ua ntej qhov kev tau sib tham hais txog qhov chaw tshiab. (20 *USC* 1415[b][1] and [d][2][A]; 34 *CFR* 300.502; *EC* 56329[b] thiab [c])

Kev Nkag Mus Muab Kev Kawm Ntawv Cov Ntaub Ntawv

Puas Kam Kuv tshuaj xyuas kuv tus menyuam kev kawm ntawv cov ntaub?

Koj muaj txoj cai yuav tshuaj xyuas thiab rov qab xyuas dua tag nrho rau koj tus menyuam qhov kev kawm ntawv cov ntaub ntawv khaws cia tsis muaj kev ncuq qeeb, muaj tag nrho ua ntej rau lub rooj sab laj hais txog koj tus menyuam qhov IEP lossis ua ntej qhov kev yuav mus hais plaub. Tsev kawm ntawv district yuav tsum npaj koj nkag mus rau cov ntaub ntawv khaws tseg thiab luam ib cov, yog hais tias tau thov, nyob nrog tsib (5) hnuv **ua hauj** lwm tom qab qhov thov tau thov hais ua lus lossis nyob rau kev sau ntawv. (*EC 49060, 56043[n], 56501[b][3], thiab 56504*)

Seb Cov Kev Tsis Pom Zoo Yog Daws Tau Li Cas

Kev Ua Plaub Hais

Thaum yog qhov kev ua plaub hais muaj txawm peem?

Koj muaj txoj cai thov qhov kev ua plaub hais kom ncaj ncees rau ob tog hais txog qhov kev txheeb nrhiav tau, kev soj ntsuam tshau, thiab qhov chaw muab koj tus menyuam tso kawm ntawv lossis qhov kev pom zoo rau tsoom fwm kev kawm ntawv dawb thiab chaw kawm ntawv zoo phim (FAPE). Qhov thov rau qhov kev ua plaub hais yuav tsum tau ua ntawv foob nyob nrog ob xyoos nyob rau hnuv tim koj tau paub lossis yuav tau paub hais txog qhov muaj tshwm sim kev ua tias cov qauv rws li raws li qhov kev txiav txim kom ncaj ncees kev tawm tsam tsis txaus siab. (*20 USC 1415[b][6]; 34 CFR 300.507; EC 56501 thiab 56505[l]*)

Kev Daws Kho Ua Ntej thiab Xaiv Lwm Txoj Kev Daws Kho Daws Kev Tsis Pom Zoo

Kuv puas thov tau kev daws kho tau lossis qhov xaiv lwm cov kev daws kho Kkom Ncaj Ncees?

Qhov thov rau kev daws kho ua ntej yuav tau ua ib yam li ua ntej lossis tom qab qhov thov rau qhov kev ua plaub hais yog tau foob tag lawm.

Koj yuav nug tsev kawm ntawv district kom dawb kho cov kev tsis pom zoo los ntawm kev daws kho ua ntej lossis xaiv lwm txoj kev sib kho daws tau kev tsis pom zoo (mediation or alternative dispute resolution (ADR),) qhov twg yog luv tshaj rau ob tog neeg qhov kev ua plaub hais. Tus ADR thiab kev daws kho yog tej hom tuaj yeem dawb rau daws kho qhov kev tsis pom zoo thiab yuav tsis siv rau ua qeeb/theem koj muaj cai yuav ua plaub hais.

Dab tsi yog qhov kev yuav npaj rooj sib tham muab kev daws kho-ua ntej?

Koj yuav nrhiav kev daws kho tau los ntawm kev daws kho ua ntej rau kev ua ntawv foob thov rau qhov kev ua plaub hais. Rooj sib tham yog qhov kev ua thab mab das li kev ua mus rau ceev ua nyob rau qhov kev tsis muaj ob tog neeg yuav daws tej teeb meem muaj zoo ib yam li rau qhov kev txheeb nrhiav tau, kev soj ntsuam tshau, lossis qhov chaw muab tso kawm ntawv rau tus menyuam lossis yuav muab tso kawm rau tsoom fwv kev kawm ntawv dawb thiab chaw kawm ntawv zoo phim.

Nyob rau lub rooj sib tham kev daws kho ua ntej, niam txiv lossis lub tsev kawm ntawv district yuav tsum tau muab neeg nrog thiab tau muab tswv yim qhia nrog cov neeg sawv cev tsis yog kws lis choj thiab yuav sib tham qhia nrog tus kws lis choj ua ntej rau lossis ua raws li lub rooj sib tham. Tab sis, kev thov lossis kev ua nyob rau lub rooj sib tham daws ua ntej yog tsis yog qhov yuav tsum tau ua ntej rau qhov kev thov rau qhov kev ua plaub hais.

Tag nrho cov kev thov rau lub rooj sib tham daws kho ua ntej yuav tsum tau ua ntawv foob nrog tus Superintendent. Ib tog neeg xub pib lub rooj sib tham daws kho ua ntej nrog kev foob sau ua ntawv thov nrog tus Superintendent yuav tsum tau npaj rau tog neeg sab tov rau qhov kev daws kho nrog luam ib pob ntawv rau qhov thov nyob rau tib lub sij hawm qhov thov yog tau ua ntawv foob.

Lub rooj sib tham daws kho ua ntej yuav tsum tau teem caij nyob nrog kaum tsib (15) hnuv rau daim ntawv sau tseg nrog tus Superintendent rau qhov thov rau qhov kev daws kho thiab yuav tsum ua tag nrho ua ntej nyob nrog peb caug (30) hnuv tom qab rau daim ntawv sau tseg rau qhov thov rau kev daws kho ntshe yog ob tog neeg pom zoo kom muab sij hawm rub ntev ntxiv xwb. Yog hais tias qhov kev daws kho tau tag lawm, ob tog neeg yuav tsum tau muab tso tseg qhov raws li txoj cai tiag muab tso ua ke sau ntawv pom zoo tias tso rau mus tom ntej qhov kev daws tau lawm. Tag nrho cov kev sib tham nyob rau sij hawm tab tom qhov kev daws kho kev ua yuav tsum yog txwv tsis pub muab tham/tso cov lus tawm. Tag nrho cov rooj sib tham daws kho ua ntej yuav tsum tau teem caij nyob raws li sij hawm thiab tau muaj nyob rau lub sij hawm teev tseg thiab rau muaj nyob rau lub sij hawm thiab qhov chaw muaj kev yooj yim rau ob tog neeg. Yog hais tias tej teeb meem daws kho tsis tau rau qhov zoo siv tau rau tag nrho ob tog neeg, ib tog neeg nws tau thov rau lub rooj sib tham daws kho muaj qhov kev xaiv rau ua ntawv foob rau qhov kev ua plaub hais. (*EC 56500.3 and 56503*)

Cov Cai Ua Plaub Hais

Dab tsi yog kuv cov cai ua plaub hais?

Koj muaj txoj cai yuav:

1. Muaj qhov ncaj ncees thiab kev ceev hais plaub saib ob tog neeg kom tau txais ncaj ncees ib yam nyob rau lub xeev theem ua ntej ib tug neeg leej twg muaj kev paub zoo rau cov cai muab kev saib xyuas tswj kev kawm ntawv tshwj xeeb thiab kev ceev hais plaub (*20 USC 1415[f][1][A], 1415[f][3][A]-[D]; 34 CFR 300.511; EC 56501[b][4]*)
2. Yuav tsum nyob nrog thiab tau muab tswv yim rau nrog ib tug kws lis choj thiab/lossis txhua cov leej twg muaj kev paub hais txog cov menyuam muaj tej kev tsis taus (disabilities) (*EC 56505 [e][1]*)
3. Muaj pov thawj qhia, sau ntawv sib cav, thiab hais lus sib cav (*EC 56505[e][2]*)

4. Tim ntsej tim muag hais, sib pauv-thom nug, thiab xav kom muaj tus neeg ua pov thawj rau tuaj sawv cev (*EC 56505[e][3]*)
5. Tau txais kev sau ntawv lossis, nyob rau qhov kev xaiv rau niam txiv, lub thev kaw cov lus hais plaub, muaj tag nrho cov kev nrhiav tau rau lub ntsiab thiab cov kev txiav txim siab (*EC 56505[e][4]*)
6. Cia koj tus menyuum tuaj nyob rau ntawm qhov kev hais ua plaub (*EC 56501[c][1]*)
7. Cia qhov kev hais plaub qhib lossis kaw txwv pej xeem (*EC 56501[c][2]*)
8. Tau txais ib pob ntawv rau muaj tag nrho cov ntaub ntawv sau tseg, muaj tag nrho cov kev soj ntsuam tshau tau ua tag nrho nrog hnuv tim ntawv thiab cov kev pom zoo ua, thiab sau cov neeg ua pov thawj tseg thiab lawv seem txhua yam rau kev hais qhia qhov tseeb (testimony) nyob nrog tsib (5) hnuv ua hauj lwm ua ntej qhov kev hais plaub (*EC 56505[e][7]* thiab 56043[v])
9. Yuav tsum tau hais qhia paub nrog lwm cov tog neeg rau tej teeb meem thiab lawv tau sib tham hais txog kev daws tau rau tej teeb meem nyob tsawg kawg kaum (10) hnuv daim ntawv teev hli ua ntej qhov kev hais plaub (*EC 56505[e][6]*)
10. Tau npaj kom muaj tus neeg txhais lus (*CCR 3082[d]*)
11. Thov qhov kev muab rub ntev tshaj rau sij hawm ntev ntxiv ua ntu zus rau kev hais plaub (*EC 56505[f][3]*)
12. Muaj lub rooj sib tham muab kev daws kho nyob rau txhua zaum nyob rau sij hawm tab tom ua plaub hais (*EC 56501[b][2]*), thiab
13. Tau txais daim ntawv hais qhia paub los ntawm lwm tog neeg nyob tsawg kawg kaum hnuv ua ntej rau qhov kev hais plaub tias lwm tog neeg yuav yog tuaj nyob rau ntawv nrog tus kws lis choj (*EC 56507[a]*). (20 *USC* 1415[e]; 34 *CFR* 300.506, 300.508, 300.512 and 300.515)

Kev Sau Ntawv Foob Tawm Tsam Tsis Txaus Siab Kom Ua Ncaj Ncees

Seb kuv yuav thov rau qhov kev ua plaub hais li cas?

Koj yuav tsum tau sau ntawv thov foob rau qhov kev ua plaub hais. Koj lossis koj tus neeg sawv cev yuav tau muab rau raws li cov lus hais qhia paub nyob raws li koj thov:

1. Tus menyuam npe
2. Chaw nyob rau kev nyob rau tus menyuam
3. Tsev kawm ntawv npe rau tus menyuam tab tom mus kawm
4. Nyob rau qhov tshwm sim rau menyuam tsis muaj tsev nyob (homeless), hu rau cov lus hais qhia paub muaj txawm peem rau tus menyuam thiab npe tsev kawm ntawv tus menyuam tab tom mus kawm, thiab
5. Qhov kev piav qhia rau qhov ib txwm xeeb muaj rau qhov teeb meem, muaj tag nrho li cov ntsiab tseem ceeb muaj zoo ib yam li rau (cov) teeb meem thiab qhov tau sib tham hais txog kev daws tau rau (cov) teeb meem

Tsoom Fwv thiab xeev cov cai xav hais tias ib tog neeg twb ua kev foob rau qhov kev hais ua plaub yuav tsum tau npaj muaj luam ib pob ntawv rau kev sau ntawv thov rau tog neeg sab tov. (20 *USC* 1415[b][7], 1415[c][2]; 34 *CFR* 300.508; *EC* 56502[c][1])

Ua ntej yuav ua ntawv foob rau qhov kev ua plaub hais, tsev kawm ntawv district yuav tsum tau npaj lub cib fim rau daws kho qhov teeb meem nrog kev cog ob tog neeg tuaj sib fim lub caij nyoog qhov kev txiav txim siab tiag tiag, qhov twg yog lub rooj sab laj nyob nruab nrab ob tug niam txiv thiab cov mej zeej qhia qhov muaj tseeb rau IEP pab neeg leej twg muaj kev paub zoo tsi ntsees rau cov ntsiab tseem ceeb tau txheeb nrhiav tau nyob rau qhov thov ua plaub hais. (20 *USC* 1415[f][1][B]; 34 *CFR* 300.510)

Dab tsi yog lub caij nyoog muab kev txiv txim muaj tag nrho?

Cov caij nyoog muab kev txiav txim yuav tsum tau hais kom tuaj sib fim nyob nrog kaum tsib (15) hnuab rau kev tau txais daim ntawv rau ob tug niam txiv qhov kev thov ua plaub hais. Cov caij nyoog yuav tsum yog tag nrho tus neeg sawv cev rau tsev kawm ntawv district leej twg tau muab kev txiav txim - kev tso cai thiab tsis yog tag nrho tus kws lis choj rau tsev kawm ntawv district ntshe yog niam txiv muaj nrog tus kws lis choj tuaj. Niam txiv rau tus menyuam yuav sib tham qhov teeb meem rau kev ua plaub hais thiab cov ntsiab tseem ceeb uas ua raws li rau thov ua rau txoj kev ua plaub hais.

Qhov caij nyoog muab kev txiav txim siab tsis tas ua yog hais tias niam txiv thiab tsev kawm ntawv district pom zoo nyob rau kev sau ntawv zam tsis muaj lub rooj sab laj. Yog hais tias tsev kawm ntawv district daws kho tsis tau qhov teeb meem kev ua plaub hais muaj nyob nrog pib caug (30) hnuab, qhov kev ua plaub hais yuav muaj tshwm sim. Yog hais tias qhov kev txiav txim daws kho tau lawm, ob tog neeg yuav tsum tau muab tso tseg li txoj cai muab tso ua ke li kev pom zoo. (20 *USC* 1415[f][1][B]; 34 *CFR* 300.510)

Puas muab kuv tus menyuam pauv qhov chaw kawm ntawv sij hawm tab tom hais plaub?

Tus menyuam muaj feem ua nyob rau txhua qhov kev ceev tswj lossis kev txiav txim raws li txoj cai tsev hais plaub yuav tsum kawm nyob twj ywm ib yam rau qhov chaw muab tso kawm ntawv tam sim no ntshe yog koj thiab tsev kawm ntawv district pom zoo nyob rau lwm qhov kev pauv hloov xwb. Yog hais tias koj tso npe rau thawj zaug kev nkag mus kawm rau koj tus menyuam rau tsoov fwv tsev kawm ntawv kev kawm muaj koj kev sau npe pom zoo tso cai kom txog rau thaum cov kev hais plaub yog tiav tag lawm tso. (20 *USC* 1415[jj]; 34 *CFR* 300.518; *EC* 56505[d])

Qhov kev txiav txim puas yuav rov qab qhib hais dua tau?

Qhov kev hais plaub muab kev txiav txim yog qhov kawg thiab kev muab tso ua ke nyob rau ob tog neeg. Ib tog neeg twg yuav rov qab qhib hais dua rau qhov kev hais plaub muab kev txiav txim tsis taus siab nrog kev ua ntawv foob qhov hu ua civil action nyob rau lub xeev lossis tsoom fww tsev hais plaub nyob nrog 90 hnub rau qhov kev muab kev txiav txim kawg. (20 *USC* 1415[i][2] thiab [3][A], 1415[l]; 34 *CFR* 300.516; *EC* 56505[h] thiab [k], *EC* 56043[w])

Leej twg them rau kuv tus kws lis choj cov nqi?

Nyob rau txhua qhov kev ua lossis cov kev ua hais txog qhov kev ua plaub hais, tsev hais plaub, nyob rau nws kev txiav txim, yuav them nqi txaus rau tus kws lis choj cov nqi yog qhov rau cov nqi tsub rau koj li yog koj yog niam txiv rau tus menyuum muaj qhov kev tsis taus (disability) yog hais tias koj tab tom muaj nyob tsi ntsees ib tog neeg nyob rau qhov kev hais plaub. Cov nqi tsim nyog rau kws lis choj cov nqi tej zaum yuav tsum tau ua raws li qhov kev xaus kawg rau kev ceev tswj hais plaub, nrog qhov kev pom zoo rau ob tog neeg. (20 *USC* 1415[i][3][B]–[G]; 34 *CFR* 300.517; *EC* 56507[b])

Cov nqi tej zaum yuav muab txo kom tsawg yog hais tias txhua yam rau cov kev muaj li nram qab no tsi ntsees:

1. Lub tsev hais plaub nrhiav tau tias koj kev ua qeeb tsis muaj nuj nqis zoo txaus qhov kev txiav txim kawg rau qhov muaj kev cuaj tshuam (controversy)
2. Cov nqi rau tus kws lis choj them raws xuab moos yog ntau tshaj qhov muab ntsuas tsi ntsees nyob rau hauv zos rau cov kev ua hauj lwm pab cuam ib yam nrog cov kws lis choj rau kev muaj nuj nqis zoo li kev txawj ntse sib txawv, kev muaj suab npe, thiab kev txawj paub muaj dhau los
3. Lub sij hawm tau siv thiab cov kev ua hauj lwm li kev cai lis choj tau npaj yog ntau tshaj, lossis
4. Koj tus kws lis choj tsis npaj rau tsev kawm ntawv district cov lus hais qhia paub nyob rau qhov thov hais plaub kom ncaj ncees rau ob tog li thov daim ntawv.

Tus kws lis choj cov nqi yuav tsis muab txo kom tsawg, tab sis, yog hais tias lub tsev hais plaub nrhiav pom tias lub Xeev lossis tsev kawm ntawv district tau ua qeeb tsis muaj nuj nqis zoo tau ua qeeb rau qhov kev txiav txim kawg rau qhov kev ua lossis kev tab tom hais plaub lossis tsias nws yog qhov kev yuam cai rau kem no rau txoj cai (this section of law.) (20 *USC* 1415[i][3][B]–[G]; 34 *CFR* 300.517)

Cov kws lis choj cov nqi muaj zoo ib yam li rau txhua lub rooj sab laj rau IEP pab neeg yuav tsis them nqi phaj tshab rau ntshe yog IEP pab neeg lub rooj sab laj tau caw tuaj sib fim li yog qhov paub rau txoj kev ua rau qhov ua plaub hais lossis kev ua rau muab kev txiav txim. Cov kws lis choj cov nqi tej zaum yuav tsis lees them yog hais tias koj tsis pom zoo li qhov kev hais xaus txiav tau zoo rau li tau ua nrog lub district/tsoom fww lub koos haum kaum (10) hnub ua ntej qhov kev pibhais plaub thiab qhov kev hais plaub muab kev txiav txim tsis yog muaj kev nyiam ntau tshaj qhov muaj rau kev hais tso tseg (settlement). (20 *USC* 1415[i][3][B]–[G]; 34 *CFR* 300.517)

Yuav tau txais cov lus hais qhia paub ntau ntxiv lossis yuav foob rau qhov kev daws ua ntej hais plaub lossis qhov kev ua plaub hais, hu rau:

Office of Administrative Hearings
Attention: Special Education Division
2349 Gateway Oaks Drive, Suite 200
Sacramento, CA 95833-4231
(916) 263-0880
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Tsev Kawm Ntawv Kev Qhuab Qhia Kom Mloog Lus thiab Cov Kev Ua Muab Chaw Kawm Ntawv rau Cov Tub/Ntxhais muaj Cov Kev Tsis Taus (Disabilities)

Tse Kawm Ntawv Kev Qhuab Qhia Kom Mloog Lus thiab Xaiv Lwm Cov Chaw Rau Kawm Ntawv Sij Hawm Ncua Luv

Kuv tus menyuam puas raug tshem lossis rho tawm?

Tsev kawm ntawv cov neeg ua hauj lwm yuav muab kev saib xyuas kho txhua yam tej kev muaj txawv li ib rooj-nrog-ib rooj raws li thaum kev nrhiav tau paub tseeb kev nuj nqis qhov pauv nyob rau chaw muab tso kawm ntawv yog zoo phim rau tus menyuam muaj qhov kev tsis taus (disability) nws yuam cai tus lej cim rau tau ceev tus kawm ntawv ceev tswj los ntawm tus tub lossis tus ntxhais qhov chaw muab tso rau:

- Qhov chaw xaiv rau kawm ntawv sij hawm ncua luv kom zoo phim, lwm cov qhov chaw, lossis kev rho tawm tsis pub muaj ntau tshaj kaum (10) hnuv rau tsev kawm ntawv sib law liag, thiab
- Cov kev muab rho tawm ntau ntxiv tsis pub muaj ntau tshaj kaum (10) hnuv rau tsev kawm ntawv sib law liag nyob rau tib xyoo rau tsev kawm ntawv rau muab cais tawm cov kev tshwm sim ua tsis zoo rau kev coj tsis zoo/tsis mloog lus

Muaj dab tsi tshwm sim tom qab qhov kev muab tshem tawm rau muaj ntau tshaj kaum (10) hnuv?

Tom qab tus menyuam muaj qhov kev tsis taus (disability) tau muab tshem tawm nyob rau tus tub lossis tus ntxhais qhov chaw kawm ntawv tam sim no rau kaum (10) hnuv rau tsev kawm ntawv nyob rau tib xyoo kawm ntawv, nyob rau sij hawm tab tom muaj ntau cov hnuv sib txuas rau kev muab tshem tawm rau tsoom fww koos haum yuav tsum tau npaj cov kev pab cuam li ua tau rau tus menyuam kom kawm mus ntxiv nyob rau kev kawm ntawv txhua yam chaw kawm thiab ua tau zoo mu srau kev ua tau txaus cov hom phiaj teeb nyob rau tus kawm ntawv qhov IEP. Ib yam nkaus, tus menyuam yuav tau txais, yog zoo phim, qhov kev soj ntsuam tshau kev paub coj tau zoo thiab cov kev pab cuam qhia kev coj zoo thiab cov kev hloov, uas yog tau tsum muaj rau hais txog kev coj yuam cai yog li ntawv tias nws tsis rov qab muaj tshwm sim tuaj.

Yog hais tias tus menyuam muaj ntau tshaj kaum (10) hnuv nyob rau qhov chaw muab tso kawm, IEP pab neeg lub rooj sab laj yuav tsum muaj sib tham rau nrhiav kom paub tseeb nuj nqis tus menyuam qhov ceev ua tsis yog li qhov ua tsis zoo nrog qhov kev tsis taus (disability.) IEP pab neeg no lub rooj sab laj yuav tsum muaj sai sai, yog hais tias ua tau, lossis nyob nrog kaum (10) hnuv rau tsev kawm ntawv district muab kev txiav txim rau ua hom no rau ua kev ua qhuab qhia.

Yog tug niam txiv koj yuav tsum tau caw koj tuaj koom nrog li yog ib tug mej zeej rau IEP pab neeg no. Tsev kawm ntawv district yuav tsum tau tsum ib txoj kev npaj muab kev soj ntsuam tshau rau hais txog qhov kev ceev ua tsis yog lossis, yog hais tias koj tus menyuam muaj ib txoj kev npaj qhai kev coj, rov qab xyuas dua thiab hloov txoj kev npaj li yog ua tau.

Muaj dab tsi tshwm sim yog hais tias IEP pab neeg kev nrhiav tau paub qhov tsis muaj kev ceev tswj yog tsis ua dab tsi tsis zoo nrog qhov kev tsis taus?

Yog hais tias IEP pab neeg muaj tag nrho tias qhov kev ceev tsis yog qhov kev hais qhia paub rau tus menyuam qhov kev tsis txaus (disability,) tsev kawm ntawv district yuav tsum tau muab kev ua qhuab qhia (disciplinary action,) zoo li yog kev muab rho tawm, nyob rau tib yam li kev coj yog nws yuav tsum ua rau tus menyuam tsis muaj qhov kev tsis taus (disability). (20 *USC* 1415[k][1] thiab [7]; 34 *CFR* 300.530)

Yog hais tias koj tsis pom zoo nrog IEP pab neeg qhov kev txiav txim, koj yuav thov rau qhov ua sai sai rau kev ua plaub hais, uas yuav tsum muaj tshwm sim nyob nrog nees nkaus (20) hnuv rau hnuv tim nyob rau qhov uas koj tau thov qhov kev hais plaub. (20 *USC* 1415[k][2]; 34 *CFR* 300.531[c])

Tsis hais txog rau qhov chaw muab tso rau tsev kawm ntawv district yuav tsum tau npaj mus ntiv rau kev kawm ntawv dawb thiab kev kawm zoo phim (FAPE) rau koj tus menyuam. Xaiv lwm cov chaw muab tso kawm yuav tsum cia tus menyuam kawm mus ntxiv nyob rau qhov kev kawm ntawv txhua yam chaw kawm thiab paub meej kev kawm mus ntxiv rau cov kev pab cuam thiab txhua yam nyob rau qhov IEP. (34 *CFR* 300.530; *EC* 48915.5[b])

Cov Menyuam Tab Tom Mus Kawm Tsev Kawm Ntawv Tiav

Tej zaum cov tub/ntxhais kawm ntawv leej twg yog niam txiv tau muab tso kawm nyob rau cov tsev kawm ntawv ntiav nyob rau tsoom fww them nyiaj rau kev kawm ntawv tshwj xeeb cov kev kawm (programs)?

Cov menyuam leej twg tau rau npe kawm nrog lawv niam thiab txiv nyob rau cov tsev kawm ntawv ntiav yuav koom nyob rau tsoom fww cov nyiaj them rau kev kawm ntawv tshwj xeeb cov kev kawm (programs). Tsev kawm ntawv district yuav tsum tau sib tham kom haum nrog cov tsev kawm ntawv ntiav thiab nrog cov niam txiv rau nrhiav kom paub tseeb cov kev pab cuam uas yuav tau muaj rau cov tub/ntxhais kawm ntawv nyob rau tsev kawm ntawv ntiav. Tab sis tsev kawm ntawv cov district yuav tsum muaj qhov paub tseeb muab kev saib xyuas tseeb tsoom fww muaj kev kawm ntawv dawb thiab chaw muab tso kawm zoo phim (FAPE) rau cov tub/ntxhais kawm ntawv muaj tej kev tsis taus, cov menyuam ntawv, thaum tau muab tso rau qhov chaw kawm nrog lawv niam thiab txiv nyob rau cov tsev kawm ntawv ntiav, tsis muaj cai yuav tau txais tej cov lossis tag nrho rau kev kawm ntawv tshwj xeeb thiab cov kev pab cuam muaj zoo ib yam li yuav tau yuav tau npaj tsoom fww kev kawm ntawv dawb thiab qhov chaw muab tso kawm zoo phim (FAPE). (20 *USC* 1415[a][10][A]; 34 *CFR* 300.137 thiab 300.138; *EC* 56173)

Yog hais tias ib tug niam txiv rau txhua tus muaj tej kev xav tau tsis yog tsi ntsees leej twg tau txais kawm ntawv tshwj xeeb thiab cov kev pab cuam muaj zoo ib yam ua ntej dhau los nyob rau qhov muaj cai txiav txim rau tsev kawm ntawv district rau npe tus menyuam kawm nyob rau tsev kawm ntawv ntiav me (private elementary school) lossis tsev kawm ntawv high school tsis muaj kev sau npe pom zoo tso cai rau lossis ua ntawv xa mus nrog rau lub koos haum kev kawm ntawv hauv zos, tsev kawm ntawv district yuav tsis tas yuav npaj kev kawm ntawv tshwj xeeb rau yog hais tias tsev kawm ntawv district tau muaj tsoom fww kev kawm ntawv dawb thiab chaw muab tso kawm zoo phim (FAPE) muaj txawm peem rau. Lub tsev hais plaub lossis tus neeg saib kev hais plaub (due process hearing officer) yuav xav kom tsev kawm ntawv district them nyiaj rov qab rau niam txiv lossis tus neeg saib xyuas rau cov nqi rau kev kawm ntawv

tshwj xeeb thiab lub tsev kawm ntawv ntiav xwb yog hais tias lub tsev hais plaub lossis tus neeg saib kev hais plaub (due process hearing officer) cov kev nrhiav tau paub tseeb tias tsev awm ntawv district tsis muaj tsoom fwv kev kawm ntawv dawb thiab chaw muab tso kawm zoo phim (FAPE) txawm peem rau tus menyuam nyob raws sij hawm tau muab teev rau ua ntej yuav muab kev rau npe kawm nyob rau tsev kawm ntawv ntiav me thiab high school thiab qhov chaw muab tso kawm ntawv ntiav yog zoo rau. (20 *USC* 1412[a][10][C]; 34 *CFR* 300.148; *EC* 56175)

Thaum twg thiaj mam them nyiaj them rov qab yog tau muab txo kom tsawg lossis tsis lees them?

Lub tsev hais plaub lossis tus neeg saib xyuas kev hais plaub (hearing officer) yuav muab txo kom tsawg lossis tsis lees kom them nyiaj rov qab yog hais tias koj tsis kam cia koj tus menyuam muaj txawm peem rau qhov kev soj ntsuam tshau nyob nruab nrab li daim ntawv hais qhia paub tuaj tom tsev kawm ntawv district tuaj ua ntej yuav muab koj tus menyuam tshem tawm nyob rau tsoom fwv tsev kawm ntawv. Tej zaum yuav tsis lees them nyiaj rov qab rau koj ib yam li yog hais tias koj tsis hais qhia rau tsev kawm ntawv district paub tias koj yog raug rho tawm kev kawm ntawv tshwj xeeb qhov chaw muab tso kawm tau sib tham nrog tsev kawm ntawv district, muaj tag nrho li kev hais qhia koj tej kev txhawj thiab yuav rau koj tus menyuam npe kawm nyob rau tsev kawm ntawv ntiav nyob rau tsoom fwv them tej nqi.

Koj daim ntawv sau hais qhia rau tsev kawm ntawv district yuav tsum tau muab rau ib yam li:

- Nyob rau feem ntau tsis ntev los IEP pab neeg rooj sab laj tau mus kawm ua ntej yuav muab koj tus menyuam tshem tawm nyob rau tsoom fwv tsev kawm ntawv, lossis
- Nyob rau kev sau ntawv rau tsev kawm ntawv district tsawg kawg kaum (10) hnuv ua hauj lwm (muaj tag nrho cov hnuv caiv (holiday)) ua ntej yuav muab koj tus menyuam rho tawm nyob rau tsoom fwv tsev kawm ntawv. I (20 *USC* 1412[a][10][C]; 34 *CFR* 300.148; *EC* 56176)

Thaum twg mam li them nyiaj rov qab tsis muab txo kom tsawg lossis tsis lees them?

Lub tsev hais plaub lossis tus neeg saib kev hais plaub (hearing officer) yuav tsis muab txo kom tsawg lossis tsis lees them nyiaj rov qab rau koj yog hais tias koj plam tsis npaj kev sau ntawv hais qhia rau tsev kawm ntawv district rau txhua yam li rau tej kev muaj nuj nqis hauv qab no:

- Tsev kawm ntawv tau tiv thaiv koj los ntawm kev npaj daim ntawv hais qhia paub
 - Koj tsis tau txais ib daim/pob rau cov ntawv Hais Qhia Paub rau Kev Ua Kom Raws Li Cov Kev Qhia Ua lossis lwm yam tshaj tau hais qhia paub rau qhov yuav tsum tau ua rau hais qhia lub district paub.
 - Kev npaj sau ntawv hais qhia paub yuav zoo li qhov tau paub nyob rau lub cev raug mob rau koj tus menyuam
 - Tsis paub lus zoo thiab kev tsis muaj peev xwm yuav sau tau ntawv nyob rau Askiv tau tiv thaiv koj los ntawm kev npaj sau ntawv hais qhia paub, lossis
 - Kev npaj sau daim ntawv hais qhia paub yuav zoo li qhov tau paub nyob rau kev raug mob ntsawv siab rau koj tus menyuam
- (20 *USC* 1412[a] [10] [C]; 34 *CFR* 300.148; *EC* 56177)

Cov Xub Kev Ua Kom Raws Li Lub Xeev Cov Cai Hais

Thaum twg kuv mam li foob tawm tsam tsis txaus siab rau lub xeev cov cai muaj?

Koj yuav sau ntawv tawm tsam tsis txaus lub xeev cov cai thaum koj ntseeg tau tias tsev kawm ntawv district tau ua yuam cai tsoom fwb lossis xeev cov cai kawm ntawv tshwj xeeb lossis cov kev ua tau txij li cas (laws or regulations). Koj sau ntawv tawm tsam tsis txaus siab yuav tsum hais tsi ntsees tsawg kawg ib qho kev ua yuam cai rau tsoom fwb lossis xeeb kev kawm ntawv tshwj xeeb cov cai. Qhov kev ua yuam cai yuav tsum tau muaj tshwm sim tsis pub muaj ntau tshaj li ib xyoos ua ntej rau hnuv tim qhov kev tawm tsam tsis txaus siab tau txais nrog California Department of Education (CDE). Thaum ua ntawv foob qhov tawm tsam tsis txaus siab, koj yuav tsum muab ob pob tawm tsam tsis txaus saib xa mus rau tsev kawm ntawv district nyob rau tib lub sij hawm koj foob lub xeev cov cai tsis tawm tsam tsis txaus siab nrog qhov CDE. (34 *CFR* 300.151–153; 5 *CCR* 4600)

Cov kev tawm tsam tsis txaus siab muab kev taug xyuas cov kev ua yuam cai rau tsoom fwb thiab xeev kev kawm ntawv tshwj xeeb cov cai lossis cov kev qhia ua tau txij li cas yuav tsum tau muab xa av kaj mus rau:

California Department of Education
Special Education Division
Procedural Safeguards Referral Service
1430 N Street, Suite 2401
Sacramento, CA 95814

Rau cov kev tawm tsam tsis txaus siab muaj feem ua li tej teeb meem **tsis** npog nrog tsoom fwb lossis xeeb kev kawm ntawv tshwj xeeb cov cai lossis kev qhia ua tau txij li cas, sib tham nrog koj district qhov kev ua raws li tawm tsam tsis txaus siab cov kev ua.

Yuav tau txais cov lus hais qhia paub ntau ntxiv hais txog kev tsis pom zoo qhov kev muab daws tau, muaj tag nrho seb yuav ua foob qhov tawm tsam tsis txaus siab, hu rau ntawm CDE, Special Education Division, Procedural Safeguards Referral Service, nrog hu xov tooj yog (800) 926-0648; nrog xa fax yog 916-327-3704; lossis nrog kev mus saib qhov CDE Web site yog <http://www.cde.ca.gov/sp/se>.

Zaj Lus Hais Tag Nrho rau Cov Kev Sau Ua Tej Tus Ntawv Luv LUV Tau Siv nyob rau Kev Hais Qhia Paub No

ADR	Alternative Dispute Resolution
CFR:	<i>Code of Federal Regulations</i>
EC	<i>California Education Code</i>
FAPE	Free Appropriate Public Education
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
OAH:	Office of Administrative Hearings
SELPA:	Special Education Local Plan Area
USC:	<i>United States Code</i>

RESOURCES

**Fresno Unified School District
Constituent Services Office**
2309 Tulare Street, Fresno, CA 93721
Office: 559-457-3727

**Fresno Unified School District
Department of Special Education**
1301 M Street, Fresno, CA 93721
Office: 559-457-3220

*Brian Beck Assistant Superintendent,
Special Education and Health Services*

Sean Virnig, Ph.D., SELPA Director

**State of CA Sequoia Area Board VIII for
Developmental Disabilities**
770 E. Shaw Ave. Fresno, CA 93710
Office: 559-222-2496

Exceptional Parents Unlimited
4440 N. First Street Fresno, CA 93726
Office: 559-229-2000

**Office of Client's Rights Advocacy
Central Valley Regional Center**
567 W. Shaw, Suite 3C
Fresno, CA 93704
Office: 559-271-6605

**California Department of Education
Special Education Division**
Office: 800-926-0648
Fax: 916-327-3704
<http://www.cde.ca.gov/sp/se>

Protection and Advocacy, Inc.
800-776-5746
For informational publications:
http://www.pai-ca.org/issues/special_education_pubs.html
Funded federally to provide advocacy for people with disabilities.