



August 13, 2020

[SIB THAM HAUV EMAIL LAWM XWB, Ntawm CUSD tsev kawm ntawv lub website]

**Qhov: Hauv paus tsev kawm ntawv kaw vim tus kab mob COVID-19 (Coronavirus)**

Txog rau ib tsoom niam txiv thiab/los sis cov tu me nyuam cov tub ntxhais kawm ntawv uas tau txais kev pab tshwj xeeb:

Peb tshaj tuaj rau nej paub txog ntawm tej xwm txheej tam sim no uas lub hauv paus tsev kawm ntawv twb npaj tau rau 2020-2021 uas twb yuav rov pib rau lub 8 hli tim 17, 2020 no.

Thaum lub 7 hli tim 17, 2020, tswv xeeb Newsom tau tshaj hais tias muaj qee yam tsev kawm ntawv yuav tsum tau ua, ua ntej yuav rov qab mus kawm ntawv tau rau hauv chav thiab mus tau rau hauv tsev kawm ntawv<sup>1</sup>. Ntawm lub ntsiab lus, ib lub tsev kawm ntawv twg yuav rov qhib qhia ntawv tim ntsej tim muag tau mas yuav tsum tsis txhob nyob rau hauv lub nroog uas lub tsev kawm ntawv nyob rau hauv lub xeev daim ntawv zeem txog tus kab mob COVID-19 ua ntej 14 hnuv, los yog nws yuav tsum tau txais daim ntawv tso cai (waiver<sup>1</sup>) los ntawm lub xeev thiab hauv zos lub tuam tsev saib xyuas kev mob nkeeg.

Lub sij hawm no, lub nroog Fresno tseem nyob rau hauv lub xeev daim zeem muag, raws li cov nroog feem tau nyob thooob plaws hauv xeev. Li ntawd, tsev kawm ntawv nyob rau lub nroog Fresno yuav tsis tau kev tso cai qhib rov tuaj qhia ntawv tim ntsej tim muag, tsis muaj daim ntawv tso cai (waiver), txog rau thaum lub nroog tau tshem hauv daim zeem muag 14 hnuv dhau mus lawm tso. Lub hauv paus tsev kawm ntawv yeej ua twb zoo soj ntsuam kom mee xeeb hauv lub nroog Fresno no li ntawd lub hauv paus tsev kawm ntawv thiaj yuav rov qhib tau tsev kawm ntawv txog thaum pom tau hais tias tsis ntshai thiab phluf lawm tso.

Vim hauv paus tsev kawm ntawv tsis tau kev tso cai rov qab qhib tsev kawm ntawv tim tsej tim muag rau lub sij hawm no, lub hauv paus tsev kawm ntawv thiaj tau tsim tej kev qhia ntawv rau cov tub ntxhais kawm ntawv thiab cov me nyuam qhia tshwj xeeb (special education) txog ntawm qhov qhia ntawv nyob sib nrug. Thov qhia rau nej paub hais tias thaum qhia ntawv nyob sib nrug li no yuav muaj kev sib cov nyom xws li muaj lwm yam los cuam tshuam nrog rau thaum txheeb npe ntawm tus xib fwb thiab cov tub ntxhais kawm ntawv los ntawm tej technology; tej duab (video) thiab los sis lub suab (audio) qhia ntawv ntawd; thiab los sis siv tej ntawv uas luam rau sawv daws. Txoj kev kawm ntawv sib nrug no

<sup>1</sup> COVID-19 and Reopening In-Person Learning Framework for K-12 Schools in California, 2020-2021 School year” (“Framework”) dated July 17, 2020

<sup>1</sup> Cov ntawv thov kev tso cai no mas muaj tsawg heev nyob rau qib elementary.

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yuav muaj kev cov nyom los ntawm lub neej niaj hnuv noj nyob los ntawm tus xib fwb, tub ntxhais kawm ntawv thiab ib puag ncig.

Rau cov me nyuam IEPs, hauv paus tsev kawm ntawv yuav tsim kom tau tej kev tshwj xeeb los pab qhia rau koj tus me nyuam IEP txawm kawm ntawv nyob sib nrug li no los kom muaj peev xwm yuav kawm tau ntawv. Raws li koj paub, koj tus me nyuam IEP, lub tsev kawm ntawv yeej tsim tau tej ntaub ntawv yuav qhia rau nws thaum kawm ntawv tim tsej tim muag. Vim txoj kev kawm ntawv sib nrug no nws yuav txawv dua thaum kawm tim tsej tim muag, raws li koj paub, koj tus me nyuam uas nyob rau IEP txoj kev kawm ntawv sib nrug no tus yam ntxwv yuav tsis sib thooj li thaum kawm tim ntsej tim muag lawm, thaum nyob rau hauv tsev kawm ntawv. Xav kom koj paub ib qhov ntxiv hais tias thaum kawm thiab qhia ntawv saum huab cua li no txhua lub nas this yuav txheeb tsis tau mee, vim koj tus me nyuam yuav tsis kam zaum ntawm lub computer tas hnuv. Cov neeg ua hauj lwm nyob rau hauv paus tsev kawm ntawv yuav xai lub caij ua tej assignments nrog rau txoj kev qhia ntawv txhua hnuv kom cov sij hawm txaus raws txoj cai.

Qhia koj paub hais tias hauv lub xeev txoj cai kawm ntawv nyob sib nrug no yuav tsum tau yoog. Txoj cai no yuav raug cov tub ntxhais kawm ntawv 6-18. Qhov loj tshaj ces, tus xib fwb yuav tau txheeb npe txhua hnuv thiab teev tseg cia hais tias txhua hnuv pes tsawg leej cov tub ntxhais tuaj koom kawm ntawv nyob sib nrug. Sib koom txhua hnuv yuav sib koom ua tau ntau yam ua kev saum huab cua. Ua tej assignments kom tiav thiab ua tej assignment, thiab muaj kev sib txuas lus los hauv cov neeg ua hauj lwm, hauv paus tsev kawm ntawv thiab tub ntxhais kawm ntawv thiab/los sis niam txiv/cov tu me nyuam. Ib tug tub ntxhais kawm ntawv twg uas tsis koom rau txoj kev kawm ntawv nyob sib nrug no yuav muab tso tau hais tias qhaj (absent). Cov tub ntxhais kawm ntawv leej twg qhaj txog 3 hnuv los sis 60 feem puas ntawm ib lub lim piam twg yuav tau nrhiav lwm txoj hauv kev los lwm lub tswv yim pab kom nws ho tuaj koom tau ntau.

Tshaj ntawd, qhia koj paub koj tus me nyuam tus case manager yuav muab tej ntaub ntawv uas lub hauv paus tsev kawm ntawv twb tau npaj tseg yuav qhia koj tus me nyuam IEP txoj kev kawm ntawv nyob sib nrug no seb yuav qhia li cas. Qhia koj paub, peb saib txoj kev sib koom tes nrog koj no rau qhov chaw sam xeeb, thiab yog hais tias koj ho xav nrog IEP pab tuav tej kev kawm no sib tham txog koj tus me nyuam txoj kev kawm los thov qhia rau peb paub, peb yuav xyuas lub sij hawm kom haum rau txhua tus es teem rau koj tuaj nrog pab IEP sib tham.

Lub hauv paus tsev kawm ntawv yuav muaj kev sib tham nrog koj, muab tej ntaub ntawv lub hauv paus tsev kawm ntawv txiav txim siab txog qhov yuav qhia ntawv lub sij hawm muaj tus kab mob COVID-19 no. Qhov kev txiav txim siab txog tej kev qhia ntawv no, lub hauv paus tsev kawm ntawv muab tshawb xyuas thiab pom zoo raws li nram qab no: Rov qab qhib tsis tau tsev kawm ntawv yog los ntawm cov ntawv hauv State of California Department of Public Health thaum lub 7 hli 17, 2020, kev tswj thiab soj tsuam los ntawm California Department of Public Health, lub tuam tsev Center for Disease Control, lub tuam tsev California Department of Education thiab the United State Department of Education, tag nrog rau the Office for Civil Rights, txiav txim los ntawm tus tswv xeev Newsom thiab kev tswj thiab kev pom zoo los ntawm lub tsev saib xyuas txoj kev mob nkeeg nyob hauv peb lub zos lub nroog Fresno yuav rov qhib tau tsev kawm ntawv (Fresno County Reopening Schools): cov tawm tswv yim tau pom zoo thiab txiav txim (Planning Assumptions and Considerations) thaum lub 6 hli 12, 2020 thiab nrog rau txhua yam ntaub ntawv uas lub hauv paus tsev kawm ntawv muaj yog qhib tsev kawm ntawv thiab ua hauj lwm los yuav phluf tso.

Kawg no, ntawm nej cov ua niam ua txiv uas muaj tus me nyuam xiam oob khab, koj yeej muaj qee txoj cai thiab yuav tiv thaiv koj tus kheej. Thov koj mus muab ib daim copy txog ntawm niam txiv txoj cai thiab kev tiv thaiv

yus tus kheej. Yog hais tias koj muaj lus nug txog txoj cai thiab kev tiv thaiv yus tus kheej, koj hu rau kuv los tau, los sis koj nug tau rau cov koom haum nram qab no:

Clovis Unified School District SELPA  
1680 David E. Cook Way  
Clovis, CA 93611  
(559) 327-9410

California Department of Education  
Special Education Division  
Procedural Safeguards Referral Service  
1430 N Street, Suite 2401  
Sacramento, CA 95814  
Phone: (800) 926-0648

Yog koj muaj lus hnug, thov hu tau tuaj rau kuv.

Sincerely,



Theresa Pafford  
Administrator, SELPA & Psychological Services  
Clovis Unified School District

Enclosure: *Niam Txiv Txoj Cai Thiab Kev Yuav Tiv Thaiv Yus Tus Kheej (Parent Rights and Procedural Safeguards)*

## **Kej Kawm Ntawv Tshwj Xeeb Cov Cai rau Niam Txiv thiab Menyuum Nyob Hauv Tsub Cai Kawm Ntawv rau Tej Tus Neeg nrog Kej Tsis Taus, Part B, thiab California Tsub Cai Kawm Ntawv**

### **• Daim Ntawv Ceeb Toom Cov Hau Kej Ceev Ua • Rov Kho Dua Lub Ib Hlis 2009**

Ceeb Toom: Lo lus school district yog yuav tau siv nyob thooj plaws rau daim ntawv no los hais txog txhua qhov chaw ua hauj lwm qhia ntawv rau pej xeeb muaj feem muab kev kawm ntawv tshwj xeeb rau koj tus menyuum. Lo lus assessment yog yuav tau siv rau kev luj xyuas lossis kev soj ntsuam tshau. Tsoom Fwv Teb Chaw thiab lub xeev cov kev cai tau muab tso thooj plaws rau hauv daim ntawv no uas yog siv ua cov tsiaj ntawv Askiv, uas yog yuav muab piav qhia nyob ntawm qhov glossary rau ntawm nplooj kawg hauv tsub ntawv no.

#### **Daim Ntawv Ceeb Toom Cov Hau Kej Ceev Ua yog dab tsi?**

Qhov lus no muaj muab rau nej tam li niam txiv, cov saib xyuas raws cai, thiab cov sawv cev ntawm niam txiv rau cov menyuum tsis taus muaj hnub nyoog peb (3) xyoos txog rau hnub nyoog nees nkaum ib xyoos (21) thiab cov kawm ntawv leej twg muaj hnub nyoog txog kaum yim (18) xyoo, cov hnub nyoog feem ntau, nrog rau qhov kev saib koj cov cai kawm ntawv lossis hauv kev ceev ua.

Daim Ntawv Ceeb Toom Cov Hau Kej Ceev Ua uas nyob hauv tsub cai kawm ntawv rau tej tus neeg muaj kev tsis taus yuav tseev kom muaj (nyob rau Askiv, hu hais tias IDEA) thiab yuav tsum muaj muab rau koj.

- ❖ Thaum koj thov ib daim
- ❖ Thawj zaug koj tus menyuum tau raug xa mus ua qhov kev soj ntsuam tshau rau kev kawm ntawv tshwj xeeb
- ❖ Txhua zaus koj tau raug muab ib qho kev npaj soj ntsuam tshau luj xyuas koj tus menyuum
- ❖ Thaum tau txais thawj lub xeev lossis qhov kev ua tsis txaus siab nyob rau lub xyoo kawm ntawv, thiab
- ❖ Thaum muab kev txiav txim siab ua qhov kev tshem tawm uas yog nrog qhov kev hloov chaw

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

#### **Tsub Cai Kawm Ntawv rau Tej Tus Neeg nrog kev Tsis Taus yog dab tsi (IDEA)?**

IDEA yog tsoom fwv ib tsub cai uas yuav tseev kom cov nroog kawm ntawv muab qhov “kev kawm ntawv dawb haum zoo rau” (nyob rau Askiv, hu

hais tias FAPE) rau cov menyuum tsis taus tsim nyog txaus tau txais. Qhov kev kawm ntawv dawb haum zoo rau txhais tau hais tias kawm ntawv tshwj xeeb thiab cov kev pab muaj nrog yuav tsum tau muab rau raws li tau hais tseg nyob hauv qhov kev kawm rau tej twb tus neeg, raws paub yog IEP) thiab lawv muaj kev saib xyuas koj tus menyuum yam koj tsis tau them nyiaj dab tsi.

#### **Puas cia kuv koom nyob hauv qhov kev txiav txim siab txog kuv tus menyuum qhov kev kawm?**

Koj yuav raug muab caij nyoog rau mus koom nrog txhua lub rooj sab laj muab kev txiav txim siab txog koj tus menyuum qhov kev kawm ntawv tshwj xeeb. Koj muaj cai mus koom nrog pab neeg saib xyuas IEP cov rooj sab laj txog qhov kev tshawb nrhiav, (kev tsim nyog txaus tau txais), kev soj ntsuam tshau, lossis kev tso kawm rau koj tus menyuum thiab lwm yam muaj nrog koj tus menyuum qhov 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 qhov chaw kawm ntawv hauv cheeb tsam (LEA), muaj cai koom nrog nyob hauv qhov kev npaj IEP thiab pib lawv qhov kev hais kom kaw kabxev hauv pab neeg saib xyuas IEP cov rooj sab laj. Yam tsawg kawg yuav tsum yog 24 teev ua ntej lub rooj sib tham, niam txiv lossis tus saib xyuas yuav tsum tau hais qhia rau cov mejzeeg ntawm pab neeg saib xyuas IEP txog lawv qhov hom phiaj yuav kaw kabxev hauv lub rooj sab laj. Yog hais tias niam txiv lossis tus saib xyuas tsis tso cai rau LEA kev kaw kabxev IEP lub rooj sab laj, lub rooj sab laj yuav tsis muaj kaw rau hauv lub tshuab kaw kabxev.

Koj cov cai muaj nyob nrog cov lus qhia txog qhov kev muaj FAPE rau, nyob nrog tas nrho txhua qhov kev xaiv kawm, thiab tag nrho lwm yam kev kawm muaj rau, ob qho muab dawb thiab tsis muaj muab dawb. (20 *USC* 1401[3], 1412[a][3]; 34 *CFR* 300.111; *EC* 56301, 56341.1[g][1], and 56506)

### **Qhov twg kuv yuav tau txais kev pab ntxiv?**

Thaum koj muaj kev txhawj xeeb txog koj tus menyuam qhov kev kawm ntawv, nws yog ib qho tseem ceeb uas koj yuav mus ntsib koj tus menyuam tus xibhwb lossis tus neeg tuav hauj lwm tham txog koj tus menyuam thiab txhua yam teeb meem koj pom. Cov Neeg ua hauj lwm nyob rau koj lub nroog kawm lossis qhov chaw npaj kev kawm ntawv tshwj xeeb hauv cheeb tsam (SELPA) yuav teb tej lus nug txog koj tus menyuam qhov kev kawm, koj cov cai, thiab tej hau kev ceev ua. Txhuas ntxiv, thaum koj muaj kev txhawj xeeb, qhov kev sib tham no yuav daws tau tej teeb meem thiab pab qhib kev sib txuas lus. Muaj lwm cov chaw ntxiv uas yog muab sau tso tom kawg ntawm daim nawv no yuav kom koj nkag siab txog qhov hau kev ceev ua.

### **Yuav ua li cas yog tias kuv tus menyuam lag ntseg, hnov lus tsis zoo, dig muag, qhov muag tsis pom kev zoo, lossis lag ntseg-dig muag?**

Lub Xeev Cov Tsev Kawm Ntawv Tshwj Xeeb muab kev pab cuam rau cov kawm ntawv leej twg lag ntseg, hnov lus tsis zoo, dig muag, qhov muag tsis pom kev zoo, lossis lag ntseg-dig muag nyob rau txhua qhov ntawm nws peb lub chaw: California Tsev Kawm Ntawv rau cov Lag Ntseg nyob rau Fremont thiab Riverside thiab nyob ntawm California Tsev Kawm Ntawv rau cov Dig Muag nyob rau Fremont. Chaw nyob thiab cov hnub rau kawm ntawv yuav muaj muab rau cov kawm ntawv txij li menyuam yaus mus txog hnub nyoog 21 xyoos nyob rau Lub Xeev ob Lub Tsev Kawm Ntawv rau cov Lag Ntseg. Cov Kev Kawm muaj muab rau cov kawm ntawv hnub nyoog ntsib xyoos txog rau 21 xyoos nyob ntawm Xeev California Tsev Kawm Ntawv rau cov Dig Muag. Lub Xeev Cov Tsev Kawm Ntawv Tshwj Xeeb kuj muaj muab kev pab kev soj ntsuam tshau thiab lwm yam kev pab. Xav paub ntau txog Lub Xeev Cov Tsev Kawm Ntawv Tshwj Xeeb, thov nkag mus saib tau ntawm California Department of Education (CDE) qhov Web site ntawm <http://www.cde.ca.gov/sp/ss/> lossis

nug tau ntawm pab neeg saib xyuas IEP cov mejzeeg.

## **Daim Ntawv, Kev Tso Cai, Kev Soj Ntsuam Tshau, Taw Tus Sawv Cev rau Niam Txiv, thiab Muaj Cai Saib Tej Ntaub Ntawv**

### **Daim Ntawv Sau Ua Ntej**

#### **Thaum twg xav tau daim ntawv?**

Daim ntawv no yuav tsum muab rau thaum nroog tsev kawm ntawv pom zoo muab lossis txwv tsis muab qhov kev pib hloov rau kev tshawb nrhiav, kev soj ntsuam tshau, lossis chaw rau koj tus menyuam kawm ntawv nrog tej kev xav tau tshwj xeeb lossis tus cai ntawm kev kawm ntawv dawb haum zoo. (20 *USC* 1415[b][3] and (4), 1415[c][1], 1414[b][1]; 34 *CFR* 300.503; *EC* 56329 thiab 56506[a])

Lub nroog tsev kawm ntawv yuav tsum qhia koj txog kev pom zoo luj xyuas koj tus menyuam los ntawm kev sau daim ntawv lossis qhov kev npaj soj ntsuam tshau nyob rau kaum tsib (15) hnub ntawm koj daim ntawv kev luj xyuas. Daim ntawv yuav tsum nkag siab thiab sau ua koj hom lus lossis lwm txoj kev sib txuas lus, tsuas yog hais tias thaum pom tseeb tias ua tsis tau li ntawm. (34 *CFR* 300.304; *EC* 56321)

#### **Daim ntawv yuav qhia kuv dab tsi?**

Daim Ntawv Sau Ua Ntej yuav tsum muaj cov nram qab no nrog:

1. Qhia txog qhov kev ua pom zoo lossis kev txwv los ntawm lub nroog tsev kawm ntawv
2. Piav qhia saib vim li cas qhov kev ua ho pom zoo lossis ho raug txwv
3. Qhia txog txhua qhov hau kev ua kev soj ntsuam, ntaub ntawv, lossis tshaj qhia lub chaw siv ua rau qhov kev ua pom zoo lossis raug txwv
4. Ib qhov lus rau niam txiv ntawm tus menyuam muaj kev tsis taus muaj kev tiv thaiv nyob rau hauv cov hau kev ceev ua
5. Cov chaw rau niam txiv mus cuag tau pab kom nkag siab cov cai nyob ntawm phaj no

6. Qhia lwm qhov kev xaiv uas pab neeg IEP tau los ua twb zoo xyuas thiab ua li cas cov kev xaiv ntawm ho raug tshem tawm; thiab
7. Qhia txog lwm yam tshwj xeeb uas muaj nrog qhov kev ua pom zoo lossis raug txwv. (20 *USC* 1415[b][3] thiab [4], 1415[c][1], 1414[b][1]; 34 *CFR* 300.503)

## **Niam Txiv Kev Tso Cai**

### **Thaum twg kuv qhov kev pom zoo yuav tseev kom ua rau kev soj ntsuam tshau ?**

Koj muaj cai xa koj tus menyuam mus rau cov kev pab kawm ntawv tshwj xeeb. Koj yuav tsum tau hais paub, sau daim ntawv tso cai ua ntej koj tus menyuam thawj qhov kev soj ntsuam tshau rau kev kawm ntawv tshwj xeeb yuav pib tau. Niam txiv muaj kaum tsib (15) hnuv pib hnuv tau txais qhov kev pom zoo rau kev npaj soj ntsuam rau qhov kev txiav txim siab. Qhov kev soj ntsuam yuav pib tam sim thaum tau txais qhov kev tso cai thiab yuav tsum tau ua kom tiav thiab ib qhov IEP yuav tau ua muaj nyob rau ntawm rau caum (60) hnuv rau koj daim ntawv tso cai.

### **Thaum twg kuv qhov kev pom zoo yuav tseev kom muaj kev pab rau?**

Koj yuav tau hais paub, sau daim ntawv tso cai ua ntej koj lub nroog tsev kawm ntawv yuav muab kev kawm ntawv tshwj xeeb thiab cov kev pab muaj nrog rau koj tus menyuam.

### **Muaj cov hau kev ua dab tsi thaum niam txiv muab kev tso cai?**

Yog tias koj tsis muab ev tso cai rau ua thawj qhov kev soj ntsuam tshau lossis tsis teb qhov kev thov kom muab kev tso cai, lub nroog tsev kawm ntawv yuav pib ua qhov kev soj ntsuam tshau thawj zaug los ntawm kev siv qhov hu tias due process procedures.

Yog koj tsis kam muab kev tso cai ua thawj qhov kev thov kev pab, lub nroog kawm ntawv yuav tsis muab kev kawm ntawv tshwj xeeb thiab tej kev pab muaj nrog rau thiab yuav tsis muab kev pab rau hauv qhov due process procedures.

Yog tias koj tsis kam txais yuav cov kev pab nyob rau hauv IEP tom qab tau muaj qhov kev tso cai tas rau cov kev pab nyob rau yav tag los, lub nroog

kev sib tham lossis ib qho kev sib nug hu ua due process hearing.

Yog koj tso cai nyob hauv kev sau ntawv rau kev kawm ntawv tshwj xeeb thiab tej kev pab muaj nrog rau koj tus menyuam tab sis tsis tso cai rau tag nrho txhua qhov nyob hauv qhov IEP, cov kev kawm koj tau pom zoo tso cai yuav tau pib txais yuav yam tsis muaj nua sij hawm.

Yog tias lub nroog tsev kawm ntawv luj pom tias qhov kev kawm ntawv tshwj xeeb uas koj tsis pom zoo tso cai rau yog ib qhov kev kawm ntawv dawb haum rau koj tus menyuam, nws yuav tsum tau muaj ib qho kev sib nug. Yog tias qhov kev sib nug ua muaj, kev txiav txim siab rau qhov kev sib nug yuav yog zaug kawm thiab yuav tau yuav mus.

Yog tias muaj kev rov qab luj xyuas dua, lub nroog tsev kawm ntawv yuav tau sau tej ntsiab lus ntsuas tsemm ceeb uas tau los ntawm koj kev tso cai pom zoo. Yog tias koj tsis teb, nroog tsev kawm ntawv yuav ua qhov kev rov luj xyuas mus yam tsis tos koj qhov kev tso cai. (20 *USC* 1414[a][1][D] thiab 1414[c]; 34 *CFR* 300.300; *EC* 56506[e], 56321[c] thiab [d], thiab 56346).

### **Thaum twg kuv mam tsem tau kuv qhov kev tso cai?**

Yog nyob rau ib lub sij hawm twg tom qab thawj zaug muab kev kawm ntawv tshwj xeeb thiab tej kev pab muaj nrog rau, niam txiv ntawm tus menyuam tshem tau qhov kev tso cai nyob rau kev sau ntawv rau kev kawm ntawv tshwj xeeb thiab tej kev pab muaj nrog, qhov chaw muab kawm ntawv dawb mus ntxiv:

tsev kawm ntawv yuav ua ib daim ntawv thov rau

1. Yuav tsis muaj kev kawm ntawv tshwj xeeb thiab tej kev pab muaj nrog rau tus menyuam mus ntxiv lawm, tab sis yuav tsum tau muab daim ntawv sau ua ntej raws li teev tseg nrog 34 *CFR* tshooj 300.503 ua ntej kaw cov kev pab ntawd
2. Yuav tsis siv cov hau kev ua nyob rau subpart E ntawm Part 300 34 *CFR* (suav tas nrho cov hau kev ua sib kho hauv 34 *CFR* Tshooj 300.506 lossis qhov hau kev ua due process hauv 34 *CFR* Tshooj 300.507 txog rau 300.516) ua yuav tau txais kev pom zoo lossis kev txiaiv txim tias yuav muab kev pab rau tus menyuam
3. Yuav tsis tau suav hais tias nws txaum cai rau qhov yuav tseev kom muab kev kawm ntawv dawb zoo haum rau (FAPE) tus menyuam vim

rau qhov tsis muaj muab kev kawm ntawv tshwj xeeb thiab cov kev pab muaj nrog rau tus menyuam ntxiv

4. Nws tsis tas tseev kom pab neeg saib xyuas IEP muaj ib lub rooj sab laj lossis ua ib qho IEP raws li 34 *CFR* Tshooj 300.320 thiab 300.324 rau tus menyuam rau qhov kev pom zoo muab kev kawm ntawv tshwj xeeb thiab cov kev pab muaj nrog.

Thov saib, nyob rau nrog 34 *CFR* Tshooj 300.9 (c)(3), tias yog cov niam txiv rho tawm kev tso cai nyob rau kev sau ntawv rau tus menyuam qhov kev tau txais kev pab kawm ntawv tshwj xeeb tom qab tus menyuam tau pib txais kev kawm ntawv tshwj xeeb thiab cov kev pab muaj nrog, tsoom fww qhov chaw saib kawm ntawv yuav tsis tseev kom muaj kev hloov tus menyuam cov ntaub ntawv kawm uas yog muab tshem tawm tej yam tus menyuam tau ntawm kev kawm ntawv tshwj xeeb thiab cov pab muaj nrog vim rau qhov kev rho tawm kev pom zoo tso cai.

## **Kev Taw Tus Sawv Cev Niam Txiv**

### **Yuav ua li cas yog tias tsis paub niam txiv lossis nrhiav tsis tau?**

Lub nroog tsev kawm ntawv yuav tsum tau paub meej tias ib tug neeg yuav tau taw ua tus sawv cev niam txiv rau cov niam txiv muaj menyuam tsis taus thaum tsis paub tus niam txiv thiab nroog tsev kawm ntawv nrhiav tsis tau niam txiv xyov nyob rau qhov twg lawm.

Tus sawv cev niam txiv kuj yuav tau muab rau yog tias tias tsis muaj tus nrog ua ke yog ib tug menyuam tsis muaj vaj tsis muaj tsev, ib tug xam txiav txim rau nrog nyob lossis raug saib xyuas nyob rau hauv lub xeev Kev Noj Nyob thiab Tsab Cai Chaw Nyob, thiab tau xa mus kawm ntawv tshwj xeeb lossis twb muaj qhov IEP rau lawm. (20 *USC* 1415[b][2] ; 34 *CFR* 300.519; *EC* 56050; *GC* 7579.5 thiab 7579.6)

## **Tsis Txwv Txiaiv Kev Soj Ntsuam Tshau**

### **Kuv tus menyuam raug soj ntsuam tshau li cas rau cov kev pab kawm ntawv tshwj xeeb?**

Koj muaj cai muab koj tus menyuam soj ntsuam tshau rau tag nrho cov kev pom tias tsis taus. Cov ntaub ntawv thiab hau kev siv ua rau qhov kev soj ntsuam tshau thiab chaw tso kawm yuav tsis muaj kev cais haiv neeg, kev ntseeg lossis poj niam lossis txiv neej.

Ntaub ntawv soj ntsuam tshau yuav tsum muaj thiab muab soj ntsuam tshau ua tus menyuam hom lus lossis kev sib txuas lus thiab yuav tsum yog cov lus meej kom tus menyuam paub thiab ua tau raws li kev kawm, kev loj hlob, thiab kev txawj ua tau hauj lwm, tshwj yog hais tias nws yeej ua tsis tau kom muaj lossis muab soj ntsuam tshau tau rau.

Nws tsis muaj ib txoj hau kev ua siv rau kev txiav txim tsim nyog txaus tau txais kev pab thiab tsim qhov FAPE rau koj tus menyuam. (20 *USC* 1414[b][1]–[3], 1412[a][6][B]; 34 *CFR* 300.304; *EC* 56001[jj] thiab 56320)

## **Kev Soj Ntsuam Tshau Kawm Ntawv Sab Nraum**

### **Thov cia kuv tus menyuam soj ntsuam tshau sab nraum rau tsoom fww them?**

Yog tias koj tsis pom zoo nrog qhov kev ua tau ntawm kev soj ntsuam tshau uas tau ua los ntawm lub nroog tsev kawm ntawv, koj muaj cai thov rau thiab nrhiav kev soj ntsuam tshau kawm ntawv nyob sab nraum rau koj tus menyuam los ntawm ib tug neeg uas muaj kev tsim nyog txaus ua qhov kev soj ntsuam tshau rau tsoom fww them.

Niam txiv muaj cai ua ib zaug nkaus xwb rau kev luj xyuas kev kawm ntawv nyob sab nraum rau tsoom fww them thaum tsoom fww qhov chaw ua hauj lwm kawm ntawv tau ua ib qho kev luj xyuas uas niam txiv tsis pom zoo nrog.

Lub nroog tsev kawm ntawv yuav tsum teb koj qhov kev thov rau ib qhov kev soj ntsuam tshau kawm ntawv nyob sab nraum thiab muab cov lus qhia koj txog qhov mus nrhiav tug neeg soj ntsuam tshau kawm ntawv nyob sab nraum qhov twg.



Yog tias lub nroog tsev kawm ntawv ntseeg hais tias lub nroog qhov kev soj ntsuam tshau yeej haum zoo rau lawm thiab tsis pom zoo rau qhov kev soj ntsuam tshau nyob sab nraum, lub nroog tsev kawm ntawv yuav tsum tau thov ib qho due process hearing los qhia rau tias nws qhov kev soj ntsuam tshau yeej haum zoo rau lawm. Yog tias lub nroog yeej, koj tseem muaj cai rau qhov kev soj ntsuam tshau nyob sab nraum tab sis tsoom tsis them lawm. Pab neeg saib xyuas IEP yuav tsum tau saib xyuas qhov kev soj ntsuam tshau nyob sab nraum.

Lub Nroog cov hau kev ua kev soj ntsuam tshau tso cai rau mus ntsuam saib cov kawm ntawv nyob hauv chav kawm. Yog tias lub nroog tsev kawm ntawv mus ntsuam saib koj tus menyuam nyob hauv nws lub chav kawm thaum tseem tab tom ua qhov kev soj ntsuam tshau, lossis yog tias lub nroog tsev kawm ntawv yeej raug tso cai mus ntsuam saib koj tus menyuam, tus neeg ua qhov kev soj ntsuam tshau nyob sab nraum yuav tsum tau raug tso cai rau mus ntsuam saib koj tus menyuam nyob hauv lub chav kawm tib yam.

Yog lub nroog tsev kawm ntawv muab ib qho kev kawm tshiab rau tus menyuam thiab ua ib qho kev soj ntsuam tshau kawm ntawv nyob sab nraum, tus kws soj ntsuam tshau sab nraum yuav tsum tau raug tso cai rau mus ntsuam saib qhov kev kawm tshiab muab rau ua ntej. (20 *USC* 1415[b][1] thiab [d][2][A]; 34 *CFR* 300.502; *EC* 56329[b] thiab [c])

## **Muaj Cai Saib Tau Tej Ntaub Ntawv Kawm**

### **Thov kuv kuaj xyuas kuv tus menyuam cov ntaub ntawv kawm?**

Koj muaj cai mus kuaj thiab rov xyuas tas nrho koj tus menyuam tej ntaub ntawv kawm yam tsis muaj dab tsi khuam, suav tas nrho lub sij hawm ua ntej lub rooj sab laj txog koj tus menyuam qhov IEP lossis ua ntej qhov due process hearnig. Lub nroog tsev kawm ntawv yuav tsum tau muab cai rau koj txog tej ntaub ntawv, thiab cov ntawv khaws tseg, yog hais tias thov, nyob rau hauv tsib (5) hnuv **ua hauj lwm** tom qab tau hais lus thov lossis nyob rau kev sau ntawv thov. (*EC* 49060, 56043[n], 56501[b][3], thiab 56504)

## **Daws Kev Tsis Sib To Taub Tau Li Cas**

### **Due Process Hearing**

#### **Thaum twg qhov due process hearing mam muaj?**

Koj muaj cai thov ib qho kev ncaj ncees ntawm qhov due process hearing txog kev nrhiav qhia, kev soj ntsuam tshau, thiab kev tso kawm ntawv ntawm koj tus menyuam lossis qhov kev muab FAPE rau. Kev thov rau qhov due process hearing yuav tsum raug ua nyob rau hauv ob lub xyoo pib txij hnuv tim koj tau paub lossis yuav tsum tau paub txog qhov kev ua txhaum uas ua qhov pib kev tsis txaus siab hais kom muaj qhov due process. (20 *USC* 1415[b][6]; 34 *CFR* 300.507; *EC* 56501 thiab 56505[l])

### **Kev Sib Kho thiab Lwm Qhov Kev Daws Teeb Meem Tsis Sib To Taub**

#### **Kuv thov ib qho kev sib kho lossis lwm qhov kev daws teeb meem tsis sib to taub puas tau?**

Qhov kev thov rau kev sib kho tej zaum yuav raug ua muaj ua ntej lossis tom qab qhov kev thov rau due process hearing.

Koj yuav tau hais rau lub nroog tsev kawm ntawv kom muab qhov kev tsis sib to taub mus kho nyob rau hauv qhov kev sib kho lossis lwm qhov kev daws teeb meem tsis sib to taub (ADR), uas yog yuav yooj yim dua li uas qhov due process hearing. Qhov ADR thiab kev sib kho yog cov pom zoo los daws teeb meem tsis sib to taub thiab yuav tsis ua muaj kev khuam dab tsi rau koj qhov cai due process hearing.

### **Nws yog dab tsi ua ntej-tshwm ntsej muag hauv lub rooj sab laj sib tham sib kho?**

Koj yuav mus nrhiav kev daws teeb meem los ntawm kev sib kho ua ntej mus sau ntawv thov rau qhov kev sib hais (due process hearing). Qhov kev sab laj yog ib qhov kev pib sib nug nyob rau qhov tsis muaj kev sib cav rau qhov kev daws cov teeb meem muaj nrog, kev nrhiav qhia, kev soj ntsuam tshau, lossis chaw tso kawm ntawv rau tus menyuam lossis rau qhov FAPE.

Nyob rau hauv lub rooj sab laj ua ntej tshwm ntsej muag sib tham sib kho, niam txiv lossis nroog tsev kawm ntawv tej zaum yuav coj nrog thiab muab kev qhuab qhia los ntawm ib tug sawv cev tsis yog tus attorney thiab tej zaug sib tham nrog ib tug attorney ua ntej lossis tom qab lub rooj sib tham. Txawm li cas kuj xij, kev thov lossis kev koom nnyob hauv lub rooj sab laj ua ntej tshwm ntsej muag tsis yog ib qhov yuav tseev kom ua ua ntej qhov kev thov rau kev sib hais (due process hearing).

Tas nrho cov kev thov rau lub rooj sab laj sib tham sib kho ua ntej tshwm ntsej muag yuav tsum tau ua ntaub ntawv nrog tus Tuam Thawj Tswj nroog tsev kawm ntawv (Superintendent). Tog uas pib hais kom muaj lub rooj sab laj sib tham sib kho ua ntej tshwm ntsej muag los ntawv kev sau thov rau nrog tus Tuam Thawj Tswj roog tsev kawm ntawv yuav muab ib tsab ntawv ua thov rau qhov kev sib tham sib kho rau lwm tog thaum lub sij hawm sau ntawv thov.

Lub rooj sab laj sib tham sib kho ua ntej tshwm ntsej muag yuav muab teem caij nyob hauv kaum tsib (15) hnuv thaum tus Tuam Thawj Tswj nroog kawm ntawv tau txais qhov kev thov rau lub rooj sab laj sib tham sib kho ua ntej tshwm ntsej muag thiab yuav ua kom tiav rau peb caug (30) hnuv tom tau txais qhov kev thov rau kev sib kho ntshe ho yog ob tog xav muab lub sij hawm ncuu ntxiv. Yog tias daws tau qhov teeb meem, ob tog yuav tsum tau los sau daim ntawv pom zoo rau qhov kev ua muaj nyob hauv qhov kev daws teeb meem. Tas nrho cov kev sib tham nyob rau hauv qhov kev sib kho yuav tsum tau muab txwv tseg. Tas nrho cov rooj sab laj sib tham sib kho ua ntej tshwm ntsej muag yuav tsum tau muab teem kom raws caij nyoog thiab muaj raws sij hawm thiab qhov chaw kom muaj kev yooj yim rau ob tog. Yog tias daws tsis tau tej teeb meem raws li ob tog lub siab nyiam, Tog uas tau thov kom muaj lub rooj sab laj sib tham sib kho muaj lwm qhov kev xaiv ua ntaub ntawv mus rau qhov kev sib hais (due process hearing). (EC 56500.3 and 56503)

## Cov Cai Ntawm Kev Sib Hais

### Dab tsi yog kuv cov cai sib hais?

Koj muaj cai rau:

1. Muaj kev ncaj ncees nyob rau hauv kev sib hais nyob hauv lub xeev ua ntej ib tug neeg uas paub zoo txog cov cai tswj fwm kev kawm

ntawv tshwj xeeb thiab kev tawm ncaj tawm lus hais (20 USC 1415[f][1][A], 1415[f][3][A]-[D]; 34 CFR 300.511; EC 56501[b][4])

2. Muaj tus attorney nrog thiab muab kev qhuab qhia los ntawm tus attorney thiab/lossis tej tus neeg uas muaj kev paub txog cov menyuam muaj kev tsis taus (EC 56505 [e][1])
3. Muaj tej pov thawj, sau ntawv sib cav, thiab hais lus sib cav (EC 56505(e)(2))
4. Sib cav, nug-ib tog zus, thiab yuav tsum muaj cov pov thawj tuaj nyob ntawd (EC 56505[e][3])
5. Txais yuav cov ntawv sau lossis, nyob ntawm niam qhov kev xaiv, tshuab hluav taws xob kaw qhov kev sib hais, suav tas nrho tej kev nrhiav cov ntsiab lus tseeb thiab kev txiav txim (EC 56505[e][4])
6. Coj koj tus menyuam tuaj nyob hauv qhov kev sib hais (EC 56501[c][1])
7. Muab lub rooj sib hais qhib rau lossis kaw rau pej xeev tsis pub nkag (EC 56501[c][2])
8. Txais yuav tas nrho tej ntaub ntawv, suav tas nrho cov kev soj ntsuam tshau tau ua tiav rau hnuv ntawd thiab tej kev pom zoo kom ua, thiab ib daim ntawv muaj cov pov thawj thiab qhov lawv yuav qhia nyob rau hauv tsib (5) hnuv ua hauj lwm ua ntej qhov kev sib hais (EC 56505[e][7] thiab 56043[v])
9. Raug qhia los ntawm tog tom ub txog tej teeb meem thiab lawv qhov kev pom daws teeb meem yam tsawg yog kaum (10) hnuv ua ntej qhov kev sib hais (EC 56505[e][6])
10. Muaj tus neeg txhais lus rau (CCR 3082[d])
11. Thov kom muab qhov kev sib hais ncuu sij hawm (EC 56505[f][3])
12. Muaj lub rooj sab laj sib tham sib kho rau txhua lub caij thaum tseem nyob rau qhov kev sib hais (EC 56501[b][2]), thiab
13. Tau txais ib daim ntawv los ntawm tog tom ub yam tsawg yog kaum hnuv ua ntej rau qhov kev sib hais uas tog tom ub npaj ib tug attorney tuaj hais (EC 56507[a]). (20 USC 1415[e]; 34 CFR 300.506, 300.508, 300.512 thiab 300.515)

## Ua Daim Ntawv Tsis Txaus Siab Rau Kev Sib Hais

### Kuv thov qhov kev sib hais li cas?

Koj yuav tau sau daim ntawv thov rau qhov kev sib hais. Koj lossis koj tus sawv cev yuav tau xa ib daim ntawv muaj cov lus hauv qab no nyob rau koj qhov kev thov:

1. Tus menyuam npe
2. Tus menyuam li qhov chaw nyob
3. Npe tsev kawm ntawv tus menyuam kawm
4. Yog tias yog ib tug menyuam tsis muaj vaj tsev nyob, muab xov tooj hu tau rau tus menyuam thiab npe tsev kawm ntawv tus menyuam kawm, thiab
5. Piav qhia saib qhov teeb meem yog dab tsi, suav tas nrho tej ntsiab lus tseeb muaj nrog qhov (cov) teeb meem thiab muab ib qho kev daws qhov (cov) teeb meem

Tsoom Fwv thiab lub xeev cov kev cai yuav tseev kom ib tog twg ua daim ntawv rau qhov kev sib hais yuav tsum muab ib daim ntawv sau thov rau tog tom ub. (20 *USC* 1415[b][7], 1415[c][2]; 34 *CFR* 300.508; *EC* 56502[c][1])

Ua ntej ua daim ntawv rau qhov kev sib hais. Lub nroog tsev kawm ntawv yuav tsum tau muab caij nyoog rau los daws tej teeb meem los ntawm kev ua twb zoo sib tham, uas yog ib lub rooj sib tham ntawm niam txiv thiab pab neeg saib xyuas IEP uas paub zoo txog tej ntsiab lus tseeb nyob hauv qhov kev thov kev sib hais (20 *USC* 1415[f][1][B]; 34 *CFR* 300.510)

### **Muaj dab tsi nyob nrog lub rooj sib tham daws teeb meem?**

Lub rooj sib tham daws teeb meem yuav tsum muaj tuaj ua ke nyob rau hauv kaum tsib (15) hnuv uas tau txais niam txiv daim ntawv thov qhov kev sib hais. Lub rooj sib tham yuav tsum muaj nroog tsev kawm ntawv ib tug sawv cev uas nws muaj cai txiav txim tau thiab tsis tas yuav tus attorney tuaj tshwj yog thaum niam txiv ho tuaj nrog ib tug attorney. Niam txiv ntawm tus menyuam yuav tham txog teeb meem ntawm qhv kev sib hais thiab cov ntsiab lus tseeb uas ua qhov pib qhov kev thov rau kev sib hais.

Lub rooj sib tham daws teeb meem yuav tsis muaj yog tias niam txiv thiab lub nroog tsev kawm ntawv pom zoo sau ib daim ntawv zam rau lub rooj sib tham. Yog tias lub nroog tsev kawm ntawv tsis daws teeb meem kev sib hais nyob rau hauv peb caug (30) hnuv, qhov kev sib hais yuav muaj tshwm sim. Yog tias teeb meem daws tau lawm, ob tog yuav tau los sau qhov kev pom zoo raws cai. (20 *USC* 1415[f][1][B]; 34 *CFR* 300.510)

### **Kuv tus menyuam qhov kev tso kawm puas hloov thaum lub sij hawm tseem sib hais?**

Tus menyuam uas muaj feem txuam nyob rau txhua qhov ua hauj lwm lossis kev hais plaub yuav tsum kawm nyob qhov kev kawm qub thswj yog koj thiab nroog tsev kawm ntawv pom zoo ua ib qhov kev hloov rau. Yog tias koj tau rau npe rau koj tus menyuam kawm ntawv nyob hauv tsev kawm ntawv dawb, koj tus menyuam yuav raug tso kawm nyob hauv tsev kawm ntawv dawb cov kev kawm nrog koj qhov kev tso cai kom txog rau thaum qhov kev sib hais. (20 *USC* 1415[j]; 34 *CFR* 300.518; *EC* 56505[d])

### **Qhov kev txiav txim puas muaj rov hais dua tau?**

Kev txiav txim yog qhov kawg thiab ob tog yuav tau yuav raws li. Ib tog twg yuav rov mus hais dua txog ntawm qhov kev txiav txim los kev ua ntaub ntawv rau hauv xeeb lossis tsoom fwv teb chaws qhov chaw hais plaub nyob rau hauv 90 hnuv ntawm qhov kev txiav txim zaum 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 cov nqi attorney?**

Nyob rau txhua qhov kev hais plaub lossis txhua qhov kev sib hais, tsev hais plaub, nyob rau nws qhov kev txiav txim, yuav muaj ib nyiaj kom raug muag them rau attorney rau cov niam txiv muaj menyuam tsis taus yog tias koj yog tus yeej ntawm qhov kev sib hais. Qhov nyiaj them rau attorney kuj yuav muab rau tom qab thaum xaus qhov kev sib hais, nrog kev pom zoo ntawm ob tog. (20 *USC* 1415[i][3][B]–[G]; 34 *CFR* 300.517; *EC* 56507[b])

Cov nqi yuav luv tawm yog tias muaj yeej rau tej yam li nram qab no:

1. Tsev hais plaub tau tias koj tsis muaj dab tsi khuam nyob rau qhov kev daws teeb meem kawg rau kev tsis sib haum
2. Tus attorney qhov nyiaj xuab moo siab tshaj li qhov nqi yeej nyob rau hauv lub nroog raws li kev sib piv los ntawm kev txawj, nto npe, thiab paub hauj lwm
3. Lub sij hawm siv thiab muab kev qhuab qhia ntau dhau heev, lossis
4. Koj tus attorney tsis muab tej ntaub ntawv meej

rau nroog tsev kawm ntawv txog daim ntawv  
thov kev sib hais.

Nqi attorney yuav tsis luv, txawm li cas los xij, yog tias tsev hais plaub pom tias Lub Xeeb lossis nroog tsev kawm ntawv muaj kev khuam rau qhov kev daws teeb meem kawg lossis kev hais plaub lossis nws muaj kev txhaum rau tshooj cai no. (20 *USC* 1415[i][3][B]-[G]; 34 *CFR* 300.517)

Nqi attorney muaj nrog pab neeg saib xyuas IEP txhua lub rooj sab laj yuav tsis raug them rau tshwj yog tias pab neeg saib xyuas IEP muaj nyob nrog qhov kev sib hais lossis kev hais plaub. Nqi attorney kuj yuav raug txiav tsis them yog tias koj tsis kam yuav raws li pom zoo muab los ntawm nroog tsev kawm ntawv/tsoom fwm chaw ua hauj lwm kaum (10) hnuv ua ntej qhov kev sib hais pib thiab kev txiav txim rau qhov kev sib hais tsis tau zoo npaum li qhov kev pom zoo muab. (20 *USC* 1415[i][3][B]-[G]; 34 *CFR* 300.517)

**Kev tau txais ntaub ntawv ntau ntxiv lossis ua qhov kev sib kho lossis qhov sib hais, tiv tauj tau:**

Office of Administrative Hearings  
Attention: Special Education Division  
2349 Gateway Oaks Drive, Suite 200  
Sacramento, CA 95833-4231  
(916) 263-0880  
FAX (916) 263-0890

**Tsev Kawm Ntawv Kev Qhuab Qhia thiab Chaw Tso Kawm**

**Tsev Kawm Ntawv Kev Qhuab Qhia thiab Lwm Qhov Kev Kawm Ncuu Luv**

**Kuv tus menyuam puas raug tshem so lossis rho tawm?**

Tsev kawm ntawv cov neeg ua hauj lwm yuav saib txhua qhov kev tshwm sim rau ib qhov-dhau-ib qhov thaum luj xyuas saib puas tsim muab hloov qhov kev kawm kom haum rau tus menyuam muaj kev tsis taus nws tau ua txhaum txoj cai kawm ntawv los ntawm nws qhov kev tso kawm:

- ❖ Lwm qhov kev haum rau kawm, lwm chaw, lossis tshem tawm tsev kawm ntawv li kaum (10) hnuv , thiab
- ❖ Ntxiv kev tshem tawm tsev kawm ntawv tsis muaj ntau tshaj kaum (10) hnuv nyob rau hauv xyoo kawm ntawv rau cov ua txhaum

**Muaj dab tsi tshwm sim tom qab muab tshem tawm kaum (10) hnuv?**

Tom qab ib tug menyuam muaj kev tsis taus raug muab tshem tawm ntawm nws qhov chaw tso kawm tam sim no rau kaum (10) hnuv nyob rau hauv tib lub xyoo kawm, Nyob rau hauv hnuv rov tawm qhov chaw ua hauj lwm rau pej xeem yuav tsum tau muab cov kev pab kom tus menyuam muaj peev xwm kawm tau mus ntxiv nyob rau hauv cov kev kawm thiab ua tau mus zus rau cov hom phiaj tau muaj rau tus menyuam qhov IEP. Txuas ntxiv, tus menyuam yuav tau txais, raws li kev ua kom haum, kev paub coj kev soj ntsuam tshau thiab kev pab coj tiv thaiv thiab kev hloov, uas yog tsim coj los tham txog kev coj tsis zoo kom nws tsis txhob muaj ntxiv lawm

Yog ib tug menyuam muaj tshaj kaum (10) hnuv nyob rau qhov kev tso kawm li ntawm, pab neeg saib xyuas IEP yuav tau los muab ib qhov kev txiav txim saib tus menyuam qhov kev ua tsis yog puas yog muaj los ntawm kev tsis taus. Pab neeg saib xyuas IEP yuav muaj lub rooj sab laj kom sai npaum li sai tau, yog tias ua tau, lossis nyob rau hauv (10) hnuv ntawm nroog tsev kawm ntawv qhov kev txiav txim siab los siv qhov kev qhuab qhia no.

Tam li ib tug niam koj yuav raug caw mus koom raws li ib tug mejzeeg ntawm pab neeg saib IEP no. Lub nroog tsev kawm ntawv yuav tseev kom ua ib qho kev soj ntsuam tshau npaj tham rau qhov kev ua tsis yog no lossis, yog tias koj tus menyuam muaj qhov kev npaj tiv thaiv kev coj, rov xyuas dua thiab hloov qhov kev npaj kom raws li qhv kev xav tau.

**Muaj dab tsi tshwm sim yog tias pab neeg saib xyuas IEP luj pom tias qhov kev ua tsis yog tsis yog muaj los ntawm qhov kev tsis taus?**

Yog tias pab neeg saib xyuas IEP xaus lus hais tias qhov kev ua tsis yog ntawm tsis yog kev tsis paub tab ntawm tus menyuam qhov kev tsis taus, lub nroog tsev kawm ntawv yuav tau ua qhov kev qhuab qhia ntawd, xws li kev tso tawm, ib yam nkaus li nws ua rau ib tug menyuam uas tsis muaj kev tsis taus. (20 *USC* 1415[k][1] thiab [7]; 34 *CFR* 300.530)

Yog tias koj tsis pom zoo raws li pab neeg saib xyuas IEP qhov kev txiav txim siab, koj yuav ua tau ib qhov kev thov sib hais (due process hearing), uas yuav tsum muaj tshwm sim nyob rau hauv nees nkaum (20) hnuv kawm ntawm hnuv uas tau thov qhov kev sib hais. (20 *USC* 1415[k][2]; 34 *CFR* 300.531[c])

Txawm tias lub nroog tsev kawm ntawv yuav muab qhov FAPE rau koj tus menyuam li cas los kav liam. Lwm qhov kev kawm yuav tsum tso cai rau tus menyuam koom nyob hauv kev kawm txhua yam thiab ua kom paub tseeb tias cov kev pab thiab kev hloov muaj lub ntsiab tseeb nyob hauv IEP. (34 *CFR* 300.530; *EC* 48915.5[b])

## **Cov Menyuam Kawm Nyob Tsev Kawm Ntawv Ntiav**

### **Cov menyuam kawm ntawv niam txiv tso kawm nyob tsev kawm ntawv ntiav tau txais cov kev kawm ntawv tshwj xeeb dawb?**

Cov menyuam twg rau npe kawm hauv tsev kawm natwv ntiav los ntawm lawv niam thiab txiv yuav tau txais tej kev kawm ntawv tshwj xeeb pab dawb. Lub nroog tsev kawm ntawv yuav tsum tau tham nrog cov tsev kawm ntawv ntiav thiab nrog cov niam txiv rau kev luj xyuas saib cov kev pab uas yuav muaj muab rau cov kawm ntawv hauv tsev kawm ntawv ntiav. Txawm tias lub nroog tsev kawm ntawv muaj feem muab qhov FAPE rau cov kawm ntawv muaj kev tsis taus, cov menyuam ntawd, thaum muab tso rau tsev kawm ntawv ntiav los ntawm lawv niam thiab txiv, tsis muaj cai tau txais tej qhov lossis tas nrho tej kev kawm ntawv tshwj xeeb thiab tej kev pab muaj nrog uas yuav tau muab qhov FAPE. (20 *USC* 1415[a][10][A]; 34 *CFR* 300.137 thiab 300.138; *EC* 56173)

Yog tias niam txiv ntawm tej tus neeg muaj qhov kev zam xav tau uas tau txais kev kawm ntawv tshwj xeeb yav tag los thiab tej kev pab muaj nrog los tus cai nroog tsev kawm ntawv rau npe tus menyuam kawm nyob hauv tsev kawm ntawv ntiav theem qis lossis tsev kawm ntawv theem ob uas yam tsis muaj kev tso cai lossis xa mus los ntawm qhov chaw kawm ntawv hauv cheeb tsam, lub nroog tsev kawm ntawv tsis muaj muab kev kawm ntawv tshwj xeeb rau yog tias lub nroog muaj qhov FAPE rau. Tus neeg ua hauj lwm hauv lub tsev hais plaub lossis qhov kev sib hais yuav tseev kom lub nroog tsev kawm ntawv thim nyiaj rau niam txiv

lossis tus saib xyuas rau qhov nqi kawm ntawv tshwj xeeb thiab tsev kawm ntawv ntiav nkaus xwb yog tias tus neeg ua hauj lwm hauv tsev hais plaub lossis kev sib hais pom tias lub nroog tsev kawm ntawv tsis muaj FAPE rau tus menyuam raws li lub sijhawm ua ntej mus kawm nyob hauv tsev kawm ntawv theem ib lossis theem ob thiab tsev kawm ntawv ntiav qhov chaw tso kawm yeej haum rau. (20 *USC* 1412[a][10][C]; 34 *CFR* 300.148; *EC* 56175)

### **Thaum twg qhov kev thim nyiaj mam txo lossis txiav tawm?**

Tus neeg ua hauj lwm hauv tsev hais plaub lossis kev sib hais yuav txo lossis txiav kev thim nyiaj yog tias koj tsis muab koj tus menyuam ua qhov kev soj ntsuam tshau raws lid aim ntawv los ntawm lub nroog tsev kawm ntawv ua ntej tshem koj tus menyuam tawm hauv tsev kawm ntawv dawb. Koj kuj yuav raug txiav tawm kev thim nyiaj yog tias koj tsis hais rau nroog tsev kawm ntawv paub tias koj tsis yuav qhov kev tso kawm ntawv tshwj xeeb muab los ntawm lub nroog tsev kawm ntawv, suav tas nrho tej kev qhia koj kev txhawj xeeb thiab koj qhov kev mus rau koj tus menyuam npe kawm hauv tsev kawm ntawv ntiav rau tsoom fwm them.

Koj daim ntawv qhia lub nroog tsev kawm ntawv yuav tsum muab ib yam li:

- ❖ Nyob rau pab neeg saib xyuas IEP lub rooj sab laj koj mus koom tsis ntev dhau los ua ntej muab koj tus menyuam rho tawm hauv tsev kawm ntawv dawb, lossis
- ❖ Nyob rau kev sau rau lub nroog tsev kawm ntawv yam tshawg yog kaum (10) hnuv ua hauj lwm (suav cov hnuv caiv nrog) ua ntej muab koj tus menyuam rho tawm hauv tsev kawm ntawv dawb. (20 *USC* 1412[a][10][C]; 34 *CFR* 300.148; *EC* 56176)

### **Thaum twg kev thim nyiaj mam tsis muaj txo lossis txiav tawm?**

Tus neeg hauv tsev hais plaub lossis hauv kev sib hais yuav tsis txo lossis txiav tawmkev thim nyiaj rau koj yog tias koj tsis muab daim ntawv sau rau lub nroog tsev kawm ntawv rau tej yam raws li nram no:

- ❖ Tsev kawm ntawv tsis kam koj muab daim ntawv

- ❖ Koj tsis tau txais Daim Ntawv uas yog hais txog cov Hau Kev Ceev Ua lossis tau qhia txog tej yam yuav tsum tau hais rau lub nroog paub
  - ❖ Muab daim ntawv rau yuav ua tsis zoo rau koj tus menyuam
  - ❖ Tsis paub nyeem thiab tsis paub sau ntawv Askiv ua rau koj muab tsis tau daim ntawv, lossis
  - ❖ Muab daim ntawv yuav rau koj tus menyuam muaj kev ntsawv siab heev
- (20 USC 1412[a] [10] [C]; 34 CFR 300.148; EC 56177)

**Lub Xeev Cov Hau Kev Ua Qhov Kev Tsis Txaus Siab**

**Thaum twg kuv mam ua tau lub xeev qhov cai tsis txaus siab?**

Koj yuav ua tau lub xeev qhov cai tsis txaus siab thaum koj ntseeg hais tias lub nroog tsev kawm ntawv ua txhaum tsoom fwm teb chaw lossis lub xeev cov cai kawm ntawv tshwj xeeb lossis cov cai tswj. Koj daim ntawv sau txog kev tsis txaus siab yuav tsum muaj yam tsawg yog ib qho kev txhaum ntawm tsoom fwm thiab lub xeev cov cai kawm ntawv tshwj xeeb. Qhov kev txhaum yuav tsum muaj tshwm sim tsis tau ntev tshaj ib xyoos ua ntej hnuv tim California Department of Education tau txais tsab ntawv tsis txaus siab (CDE). Thaum ua daim ntawv tsis txaus siab, koj yuav tsum xa ib tsab mus rau lub nroog tsev kawm ntawv thaum tib lub sij hawm koj ua lub xeev qhov cai tsis txaus siab nrog CDE. (34 CFR 300.151–153; 5 CCR 4600)

Kev tsis txaus siab ua txhaum tsoom fwm thiab lub xeev cov cai kawm ntawv tshwj xeeb lossis kev tswj yuav tau muab xa rau:

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

Rau cov kev tsis txaus siab nrog lwm yam teeb meem tsis muaj nyob hauv tsoom fwm lossis lub xeev cov cai kawm ntawv tshwj xeeb lossis kev tswj, tham nrog lub nroog cov hau kev ua kev tsis txaus siab.

Xav paub ntau ntxiv txog kev daws teeb meem tsis haum xeeb, suav tas nrho qhov kev ua kev tsis txaus siab li cas, tiv tauj rau CDE, Special Education Division, Procedural Safeguards Referral Service, xov tooj (800) 926-0648; tus fax 916-327-3704; lossis nkag mus saib tau CDE qhov Web site ntawm <http://www.cde.ca.gov/sp/se>.

**Cov Ntsiab Lus Ntawm cov Niam Ntawv Siv Nyob Hauv Tsab Ntawv No**

- ADR           Lwm qhov kev daws teeb meem
- CFR:           *Tsoom Fwm teb chaw Tsab Cai Tswj Fwm*
- EC             California *Tsab Cai Kawm Ntawv*
- FAPE          Kev Kawm Ntawv Dawb Haum Rau
- IDEA          Tej Twb Tus Neeg nrog Kev Tsis Taus Tsab Cai Kawm Ntawv
- IEP            Kev Kawm Ntawv rau Tej Twb Tus Neeg
- OAH:          Chaw Ua Hauj Lwm rau Kev Hais Plaub Tawm Ntsej Tawm Muag
- SELPA:       Cheeb Tsam Qhov Chaw Npaj Kawm Ntawv Tshwj Xeeb
- USC:          *Tsab Cai Hauv Teb Chaw Asmekas*

## 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

*Cheryl Hunt*  
*Assistant Superintendent, Special Education and  
Health Services*

*Jennifer Gaviola*  
*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/specialeducation\\_pubs.html](http://www.pai-ca.org/issues/specialeducation_pubs.html)  
Funded federally to provide advocacy for people with disabilities