

Parents' Rights: An Early Start Guide for Families (revised 2026)

This document includes citations to statutes and regulations, but it may not list every citation that applies to your situation.

- CFR indicates Code of Federal Regulations.
- GC indicates Government Code for the state law governing Early Start.
- CCR indicates California Code of Regulations.

If you have questions about your rights as a parent in Early Start, please contact your regional center or local educational agency (LEA)

INFORMED CONSENT

You must give written permission before your child gets any testing or services from Early Start. The program must have your permission to share information about you or your child. This is called Informed Consent. [34 CFR 303.7, 34 CFR 303.420]

- You have the right to get all information in the language you use at home. [34 CFR 303.7]
- You must give written permission for:
 - Any testing or evaluations. [34 CFR 303.420(a), 17 CCR 52162(a)]
 - Starting any Early Start services. [34 CFR 303.420(a), 17 CCR 52162(a)]
 - Sharing your child's private information with others. [34 CFR 303.414, 17 CCR 52162(B), 17 CCR 52169]
 - Using your medical insurance if it could cost you more money or reduce your benefits. [17 CCR 52162(d)]
- You can withdraw your permission to stop services or testing at any time in writing. [34 CFR 303.7(c), 34 CFR 303.420(b), 17 CCR 52162(c)]

CONFIDENTIALITY AND ACCESS TO RECORDS

All the information you provide about your child and family is private and protected. Only people directly helping your child can see this information. [34 CFR 303.29, 17 CCR 52160(a)]

- You have the right to see and get copies of your child's records. [34 CFR 303.405]
- You can get copies or an explanation of your records within five workdays after you ask. [17 CCR 52164(b)]
- You can ask the program to fix or remove incorrect information in your child's records. [17 CCR 52168]
- If the program will not fix a record, you can ask for a meeting with the director to discuss it. [17 CCR 52168(c)]
- The program must explain to you how they keep your family's records safe and private. [34 CFR 303.404, 34 CFR 303.420, 17 CCR 52162, 17 CCR 52165, 17 CCR 52169]

EVALUATION & ASSESSMENT

Testing (called an evaluation or assessment) is done by a team of specialists to see if your child qualifies for Early Start. [GC 95014, 17 CCR 52022]

- You must be informed of all your rights. [34 CFR 303.421, GC 95020(c), 17 CCR 52161]
- You must give written permission before any testing begins. [34 CFR 303.420, 17 CCR 52162]
- You have the right to participate in the testing process and discussion regarding eligibility. [34 CFR 303.7, 34 CFR 303.321, 34 CFR 303.420, GC 95020, 17 CCR 52040(d), 17 CCR 52082, 17 CCR 52084]
- The evaluation must be completed within 45 days of the referral date to Early Start. [34 CFR 303.310, 17 CCR 52086(a)]
- You have a right to a written copy of the results. [34 CFR 303.310, 17 CCR 52086(a)]

- Testing must be:
 1. Done in the language used at home, when possible. [34 CFR 303.321(a)(6), 17 CCR 52084(d)(4)]
 2. Fair and not treat anyone differently because of their race or culture. [34 CFR 303.321(a)(4), 17 CCR 52082(g)]
 3. Done by qualified professionals. [34 CFR 303.321, 17 CCR 52082, 17 CCR 52084]
 4. A team decision. Eligibility is not based on just one test. [34 CFR 303.321, 17 CCR 52082]
 5. Complete. The team will test all developmental areas (thinking, moving, talking, understanding, self-help skills, and social-emotional skills). [GC 95014, 17 CCR 52022]
- Testing should be done in a place where babies and toddlers normally spend time and is comfortable, such as home, park, daycare, etc. [17 CCR 52082(j), 17 CCR 52084(e)]
- You can choose to participate in interviews about your family's resources, needs, and concerns. [34 CFR 303.321, 17 CCR 52084, 17 CCR 52106]

INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP)

If your child qualifies for Early Start, the team creates an Individualized Family Service Plan (IFSP). This is a written plan that details the concerns, goals, and services for your child and family. [17 CCR 52100]

- The first IFSP meeting must happen within 45 days of your child's referral. [34 CFR 303.20, 34 CFR 303.342, GC 95020(b), 17 CCR 52102]
- The IFSP must be reviewed every 6 months and updated at least once a year. [34 CFR 303.342, 17 CCR 52102]

IFSP Meetings for parents:

- You have the right to have the meeting at a time and place that works for you, in the language you use at home. [34 CFR 303.342, 17 CCR 52102]
- You must get written notice *before* the meeting. [34 CFR 303.342, 17 CCR 52102]
- You can invite anyone you want to the meeting, including family members or an advocate. [34 CFR 303.343, 17 CCR 52104]

For IFSP documents, as a parent:

- You will get a free copy of the IFSP in the language you use at home. [34 CFR 303.25, 34 CFR 303.409, 17 CCR 52102]
- You must give written permission for each service in the plan. You can say yes to some services and no to others. Saying no to one service does not stop your child from getting other services. [34 CFR 303.342, 34 CFR 303.420, 17 CCR 52102]
- Services should be provided in your child's "natural environment" (like home or daycare). If not, the program must explain the reason in writing. [34 CFR 303.13, 34 CFR 303.344, 17 CCR 52106]
- The program must send you a written notice *before* proposing or refusing to change your child's eligibility, testing, or services. This notice must explain what they want to do, why they want to do it, and how you can disagree. [34 CFR 303.421, 17 CCR 52161]

MEDIATION CONFERENCES, DUE PROCESS HEARINGS, AND STATE COMPLAINTS

If you disagree about your child's eligibility, testing, or services, you have the right for mediation, due process hearing, and state complaints. The Early Start program must inform you about these options. [34 CFR 303.432, 17 CCR 52170]

MEDIATION

This is a voluntary, informal, and confidential meeting with a neutral person (a mediator) to help you, and the Early Start program try to reach an agreement. You can ask for mediation as the first option for resolving a dispute or at any time during the due process hearing or complaint process. [34 CFR 303.431, 17 CCR 52173]

- You can ask for mediation at a time and place that works for you. [34 CFR 303.431, 17 CCR 52172]
- You can say no to mediation if you don't want to take part. [34 CFR 303.431, 17 CCR 52173]
- Discussions are private and cannot be used in a future hearing. [34 CFR 303.431, 17 CCR 52173(j)]
- You can bring another person or advocate with you to the meeting. [17 CCR 52173(h)]
- If you reach an agreement, it will be put in writing. [34 CFR 303.431, 17 CCR 52173(i)]

DUE PROCESS HEARING

This is a formal, legal hearing to resolve the dispute. [34 CFR 303.430, 17 CCR 52172]

- You can request a hearing if you disagree about your child's eligibility or services. [17 CCR 52172(a)]
- While the hearing is happening, your child continues receiving the services in their IFSP (unless you and the program agree to a change or your child transitions out of the program at age 3). [34 CFR 303.209, 17 CCR 52172(g)]
- A final decision must be made within 30 days of your request. [34 CFR 303.437(b), 17 CCR 52172(e)]

STATE COMPLAINT

You can file a formal, written complaint with the California Department of Developmental Services (DDS) if you believe the program has violated a state or federal law as well as to resolve problems like being denied eligibility or services. [17 CCR 52170]

- The complaint must be written and signed. The problem must be described in detail. [34 CFR 303.434, 17 CCR 52170]
- Your complaint must include your contact information [17 CCR 52170(g)]; the child's name and address [34 CFR 303.434]; the name of the regional center, LEA, or service provider [17 CCR 52170(g)]; and how you think the problem should be resolved. [34 CFR 303.434].
- You must send a copy to the agency you are complaining about. [34 CFR 303.434, 17 CCR 52170(g)]
- DDS must investigate and give you a final written decision within 60 days. [34 CFR 303.433, 17 CCR 52171(a)]
- If DDS finds the agency was wrong, it will order corrective actions. This can include making the agency provide services or paying you back for services you paid for. [17 CCR 52171]

As parents, during the complaint process:

- You can get help writing your complaint from your service coordinator or an advocacy group (like the State Council on Developmental Disabilities or Disability Rights California). [17 CCR 52170]
- Your child's information will be kept private. [17 CCR 52169]
- You can submit additional information to DDS during the investigation. [34 CFR 303.433, 17 CCR 52171(a)]
- You must receive a final written decision within 60 days after DDS gets your complaint. [34 CFR 303.433, 17 CCR 52171(a)]
- You also have the right to file a complaint if an agency does not follow a final decision from a due process hearing. [34 CFR 303.433, 17 CCR 52171(e)]

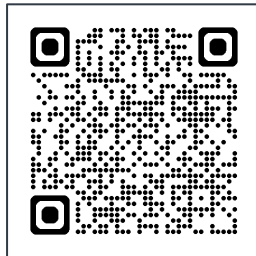
Send your request for mediation or due process hearing to:

Office of Administrative Hearings
Attention: Early Start Intervention Section
2349 Gateway Oaks Drive, Suite 200
Sacramento, CA 95833-4231
Phone: (916) 263-0654
Fax: (916) 376-6318

Send your signed complaint to:

Department of Developmental Services
Attention: Community Appeals and Resolutions Branch
1215 O Street, MS 8-20
Sacramento, CA 95814
Phone: (833) 538-3723
Fax: (916) 654-3641
Email: appeals@dds.ca.gov

Detailed information regarding [Parents' Rights and applicable regulations](#) can be found here:



For more information regarding Early Start, please contact the Early Start Baby Line at 800-515-BABY (800-515-2229) or earlystart@dds.ca.gov.