



*California cov kev tiv thaiv thiab kev pab txhawb  
Tus Npawb Hu Dawb (800) 776-5746*

## Lub Chaw Haujlwm Hauv Cheeb Tsam (Regional Center) Cov Ntawv Foob

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Cov cuab yeej no yuav pab koj npaj rau koj lub chaw saib xyuas ntawv foob hauv cheeb tsam (regional center). Phau ntawv qhia no siv rau cov neeg siv khoom hauv lub chaw haujlwm hauv cheeb tsam (regional center) uas muaj hnuv nyoog 3 xyoos thiab laus dua.

Muaj qhov txheej txheem foob sib txawv rau Early Start cov neeg siv (hnuv nyoog thaum yug txog rau peb xyoos). Qhov kev pab Early Start tau muab kev kawm ua ntej hnuv nyoog kawm ntawv thiab txhawb rau cov menyuam yaus hnuv nyoog qis dua 3 xyoos. Cov menyuam yaus uas muaj cai tau txais Early Start vim yog muaj kev loj hlob qeeb hauv feem kev loj hlob lub tswv yim, kev loj hlob lub cev, kev paub hlais lus thiab lub suab lus, kev txhim kho nyob nrog lwm tus thiab kev xav, lossis cov txuj ci pabcuam tus kheej. Thov saib peb Nplooj Ntawv hais txog Early Start Cov Kev Pab kom kawm paub txog koj cov cai foob hauv Early Start. Kom paub lwm cov ntaub ntawv ntau ntiv txog Early Start thiab koj cov cai, mus saib hauv:

<http://www.disabilityrightsca.org//pubs/F05701.pdf> thiab nyeem Tshooj 12 ntawm Disability Rights California Cov Kev Kawm Tshwj Xeeb: *Phau ntawv qhia txog Cov Cai thiab Lub Luag Haujlwm.*

**Nqe Lus Ib – Kev Foob Lub Chaw Haujlwm Hauv Cheeb Tsam Qhov Kev Txiaiv Txim:** phau ntawv qhia xyaum ua ib kauj ruam zuj zus txhawm rau sau ntawv foob lub chaw haujlwm hauv cheeb tsam qhov tsis kam lees, tshem tawm lossis txiaiv cov kev pab.

**Nqe Lus Ob – Cov Ntawv Xa Nrog:** cov duab kab, cov ntaub ntawv piv txwv, thiab daim ntawv foob kev txiaiv txim.

Phau ntawv no qhia txog tus neeg uas cov kev pab raug tsis kam lees, tshem tawm, lossis txiaiv lossis tus neeg sawv cev ntawm nws ib yam li “koj.”

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Peb cia siab tias koj yuav pom cov ntaub ntawv no muaj txiaj ntsig zoo. Yog koj muaj lus nug lossis xav tau kev pab ntau ntxiv, tiv toj rau Disability Rights California (800) 776-5746 lossis koj lub Lub Chaw Haujlwm Txhawb Neeg Mob Cov Cai hauv cheeb tsam (800) 390-7032.

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## **Tshooj 1 – Kev Nthuav Qhia**

Koj muaj cai foob yog tias:

1. Koj yog lub chaw haujlwm hauv cheeb tsam ib tus neeg mob uas tau thov qhov kev pab tshiab thiab lub chaw haujlwm hauv cheeb tsam hais tias “tsis tau”;
2. Lub chaw haujlwm hauv cheeb tsam xav txiav lossis tshem tawm cov kev pab uas koj twb tau txais lawm; lossis
3. Lub chaw haujlwm hauv cheeb tsam hais tias koj tsis muaj cai tau txais cov kev pab.

Phau ntawv no muaj cov ntsiab lus rau koj ntsig txog yuav sau ntawv foob li cas thiab yuav muaj dab tsi tshwm sim thaum sau ntawv foob. Yog tias koj foob qhov tsis kam lees qhov muaj cai, naj npawb 3, thov saib peb Lub Chaw Haujlwm Hauv Cheeb Tsam Cov Ntawv Foob Qhov Muaj Cai, ntawm <http://www.disabilityrightsca.org/pubs/557301.pdf>

Tej zaum koj yuav thov nug txog kev foob yog tias koj tsis pom zoo nrog kev txiav tawm, hloov, lossis tsis kam lees cov kev pab uas koj xav tias koj yuav tsum tau los ntawm lub chaw haujlwm hauv cheeb tsam. Lub chaw tswjhwm hais daws ntawv foob tsis zoo li mus hauv tsev hais plaub, thiab nws tsis muaj dab tsi yuav txaus ntshai txog. Lub chaw tswjhwm hais daws ntawv foob qee zaus hu tias yog “lub chaw saib xyuas kev ncaj ncees.” Cov kev hais daws ntawv foob no feem ntau yog hais sab hauv chav uas ze rau lub chaw haujlwm hauv cheeb tsam. Tus kws lij choj saib xyuas daim ntawv foob yog hu tias “kws tuav tswj kev cai lij choj.”

Nqi lus ntawm cov ntawv foob hauv qab no piav qhia seb koj yuav thov foob li cas thiab cov txheej txheem foob.

## **Tshooj 2 – Cov Txheej Txheem Foob**

### **Ntawv Ceebtoom Txaus**

Yog tias lub chaw haujlwm hauv ceeb tsam xav tsis kam lees, txiav, lossis tso tseg cov kev pab, lub chaw haujlwm hauv cheeb tsam yuav tsum tau teem sijhawm lub rooj sib tham Tus Kheej Cov Kev Npaj Pab (Individual Program Plan (IPP)). Koj muaj cai kom tau txais ib tsab ntawv sau ceebtoom qhov kev txiav txim (NOA) yog tias lub chaw haujlwm hauv cheeb tsam hais tias “tsis tau” rau qhov koj xav tau. Lub chaw haujlwm hauv cheeb

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tsam tsab ntawv ceebtoom yuav tsum qhia rau koj txog yam nws npaj ua thiab tsab kev cai lij choj twg tso cai nws kom txiav txim siab qhov no. Cov ntaub ntawv no pab koj xaiv seb koj puas yuav sau ntawv foob, thiab nws pab koj npaj rau koj daim ntawv foob. Tsab ntawv ceebtoom yuav tsum hais tias:

- Lub chaw haujlwm hauv cheeb tsam yuav ua dab tsi;
- Vim li cas lub chaw haujlwm hauv cheeb tsam thiaj ua qhov no;
- Thaum twg lub chaw haujlwm hauv cheeb tsam ua qhov no;
- Tsab kev cai lij choj, cai, lossis kev cai uas ua rau lawv ua qhov no;
- Yuav sau ntawv foob li cas thiab xa mus twg;
- Hnub tag sijhawm sau ntawv foob;
- Cov ntaub ntawv ntsig txog muaj dab tsi tshwm sim hauv cov txheej txheem foob;
- Yuav tshuaj xyuas koj lub chaw haujlwm hauv cheeb tsam cov ntawv sau tseg li cas thiab
- Yuav tau txais kev pab txhawb nyob rau qhov twg.

Thaum koj tau txais NOA, koj tuaj yeem sau ntawv foob yog tias koj tsis pom zoo. Yog tias lub chaw haujlwm hauv cheeb tsam tsis kam lees, txiav lossis tshem tawm cov kev pab yam tsis ceebtoom rau koj, koj tuaj yeem sau ntawv foob – koj tsis tas yuav tsum muaj NOA txhawm rau sau ntawv foob. Koj tsuas yog yuav tsum sau Daim Foos Thov Saib Xyuas Kev Ncaj Ncees, uas yog tuaj yeem pom nyob ntawm

<http://www.dds.ca.gov/Forms/FairHearing/DS1805.pdf>.

### **Sau Ntawv Thov Foob**

Txhawm rau sau ntawv foob, sau thiab xa Daim Ntawv Foos Thov Saib Xyuas Kev Ncaj Ncees uas lub chaw haujlwm hauv cheeb tsam xa nrog koj daim NOA. Xa koj daim ntawv thov foob thov rau koj lub chaw haujlwm hauv cheeb tsam. Yog tias koj tsis paub tseeb tias yuav xa daim ntawv foob rau leej twg, xa nws mus rau koj lub chaw haujlwm hauv cheeb tsam thiab Lub Chaw Haujlwm Tuav Tswj Ntawv Foob ntawm 2349 Gateway Oaks

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Drive, Suite 200, Sacramento, CA 95833 lossis muab nws fev rau (916) 376-6318.

### **Txuas Ntxiv Tau Txais Kev Pab Thaum koj Sau Ntawv Foob (“Pab Them Tos”)**

Yog tias lub chaw haujlwm hauv cheeb tsam xav hloov cov kev pab uas koj twb tau txais, koj muaj cai txuas ntxiv tau txais cov kev pab thaum koj sau ntawv foob. Koj yuav tsum sau ntawv foob nyob hauv 10 hnuv txij hnuv koj tau txais koj daim NOA kom txuas ntxiv tau txais koj cov kev pab los ntawm qhov hloov pauv. Qhov no hu tias “pab them tos.” Yog koj thov cov kev pab tshiab thiab lub chaw haujlwm hauv cheeb tsam hais tias “tsis tau” koj tsis muaj cai tau txais kev pab them tos.

### **Lub Rooj Sib Tham Tsis Raws Cai**

Thaum koj sau daim Foos Thov Foob Tsis Txaus Siab, koj tuaj yeem thov kom muaj lub rooj sib tham tsis raws cai thiab/lossis daws kev tsis haum xeeb ua ntej sau ntawv foob. Lub rooj sib tham tsis raws cai yog thawj kauj ruam hauv cov txheej txheem foob. Nws yog lub rooj sib tham ntawm koj (thiab koj tus neeg sawv cev, yog tias koj muaj ib tus neeg sawv cev) thiab lub chaw haujlwm hauv cheeb tsam tus neeg sawv cev. Lub hom phiaj yog txhawm rau hais daws qhov teebmeem lossis yam tsawg kawg ua kom qhov teebmeem me thaum sau ntawv foob. Nov yog koj lub caij nyoog mus ntsib nrog lub chaw haujlwm hauv cheeb tsam tus neeg tuav tswj thiab hais kom nws muab cov kev pab uas koj xav tau. Koj tsis tas yuav tsum muaj lub rooj sib tham tsis raws cai. Yog koj xav muaj ib lub rooj sib tham, lub chaw haujlwm hauv cheeb tsam yuav sum muab rau koj. Cov Duab Kab Sijhawm Thov Saib Xyuas Kev Ncaj Ncees suav nrog hauv Cov Ntawv Xa Nrog Ua Ke A.

Nyob hauv 5 hnuv ua haujlwm tom qab lub rooj sib tham tsis raws cai, lub chaw haujlwm hauv cheeb tsam yuav tsum xa tsab ntawv sau txiav txim siab rau koj. Tsab ntawv kev txiav txim yuav tsum sau cov teebmeem tau sib tham ntawm lub rooj sib tham. Cov lus txiv txim yuav tsum qhia txog lub chaw haujlwm hauv cheeb tsam qhov kev txiav txim rau txhua qhov teebmeem, cov pov thawj txhawb rau txhua qhov kev txiav txim, thiab cov kev cai lij choj, cov cai thiab cov kev cai uas lub chaw haujlwm hauv cheeb tsam tau siv los txiav txim. Nws yuav tsum tau qhia koj paub txog koj tuaj yeem sau ntawv foob qhov txiav txim siab li cas.

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Yog koj pom zoo nrog lub chaw haujlwm hauv ceeb tsam qhov kev txiav txim tom qab koj lub rooj sib tham tsis raws cai, koj tuaj yeem thim koj daim ntawv thov foob. Ua li no uas yog sau daim foos “Kev Ceebtoom ntawm Cov Kev Hais Daws” uas lub chaw haujlwm hauv ceeb tsam tau muab rau. Qhov kev txiav txim yuav siv tau 10 hnub tom qab lub chaw haujlwm hauv cheeb tsam tau txais daim foos “Kev Ceebtoom ntawm Cov Kev Hais Daws”.

Yog koj tsis pom zoo nrog lub chaw haujlwm hauv ceeb tsam qhov kev txiav txim tom qab koj lub rooj sib tham tsis raws cai, koj tuaj yeem txuas ntxiv lub sijhawm teem caij sib kho kom haum lossis sau ntawv foob. Koj tsis tas yuav tsum lees txais lub chaw haujlwm hauv cheeb tsam qhov kev txiav txim.

### **Kev sib kho kom haum**

Yog koj tsis pom zoo nrog qhov kev txiav txim siab tsis raws cai, kauj ruam txuas ntxiv yog kev sib kho kom haum. Koj lossis lub chaw haujlwm hauv cheeb tsam tuaj yeem xaiv tsis koom nrog hauv qhov kev sib kho kom haum. Ntau lub chaw haujlwm hauv cheeb tsam tsis koom nrog. Yog koj thov kom sib hais kom nkag siab Yog koj thov sib kho kom haum thiab lub chaw haujlwm hauv cheeb tsam teb tias “tsis tau,” ces kauj ruam txuas ntxiv yog thov saib xyuas kev ncaj ncees.

Qhov kev sib kho kom haum yog ib lub rooj sib tham uas ib tus neeg ua haujlwm ywj pheej, tus kws sib kho kom haum tau txais kev qhia paub ntsib nrog koj thiab lub chaw haujlwm hauv cheeb tsam tus neeg sawv cev. Nws siv sijhawm nyob hauv 30 hnub thaum koj thov sau ntawv foob. Tus kws kho kom haum yuav nrhiav kom paub lub hauv paus thiab nrhiav txoj hauv kev daws tshiab. Tus kws kho kom haum tsis muaj lub hwj chim yuam kom ob tob pom zoo. Yog tias nej ob tog pom zoo, nej kos npe ntawv pom zoo thiab tso tseg cov kev foob. Yog tias nej tsis pom zoo, nej mus rau chaw saib xyuas kev ncaj ncees.

Txhua tus yuav tsum siv qhov kho kom sib haum. Kev kho kom haum feem ntau yog lub tswv yim zoo vim tias nws muab txoj hauv kev zoo rau koj thiab lub chaw haujlwm hauv cheeb tsam kom muaj kev pom zoo. Txawm li cas los xij, nws siv sijhawm me ntsis. Tus kws kho kom haum ua haujlwm ywj pheej, thiab mob siab rau pab koj kom muaj kev pom zoo. Txawm tias kev hais kom haum siv tsis tau rau koj los xij, koj yuav muaj ntau cov ntaub



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ntawv ntsig txog lub chaw haujlwm hauv cheeb tsam qhov teembeem. Cov ntaub ntawv ntawd tuaj yeem pab koj thaum saib xyuas kev ncaj ncees. Yog koj xav tias tsis muaj txoj hauv kev yuav pom zoo, koj tuaj yeem xaiv TSIS sib hais kom haum. Qhov no hu tias “zam kev hais kom haum.” Tab sis, coob tus neeg uas xav tias tsis muaj txoj hauv kev yuav muaj qhov pom zoo tab sis thaum kawg kuj mus txog qhov pom zoo hauv qhov kev hais kom haum. Yog tias koj lossis lub chaw haujlwm hauv cheeb tsam zam kev hais kom haum, seb koj puas tau npaj txhij rau kev hais plaub. Koj qhov kev hais plaub yuav teem sijhawm sai dua yog tias koj mus rau qhov sib hais kom haum.

### **Cov ntawv cev lus**

Tsab ntawv cev lus yog tsab ntawv thov rau tus thawj tswj kev cai lij choj kom xaiv qee yam ua ntej hais plaub. Cov piv txwv ntawm cov ntawv cev lus suav nrog cov ntawv cev lus kom tso tseg raws li cov kev cai lij choj tsim nyog ntawm qhov txwv lossis cov ntawv cev lus kom zam kev liam txim. Koj tuaj yeem sau ntawv cev lus. Lub chaw haujlwm hauv cheeb tsam kuj tuam yeem sau ntawv cev lus.

Tsab Cai Tswjhwj Cov Txheej Txheem (“APA”) siv tsis tau rau lub chaw haujlwm hauv cheeb tsam cov ntawv foob, tab sis nws yuav yog ib phau ntawv qhia muaj txiaj ntsig zoo teb rau cov ntawv cev lus. Qhov APA tuaj yeem pom nyob ntawm

<http://www.dgs.ca.gov/oah/GeneralJurisdiction/APAHearings.aspx>.

Qee lub chaw haujlwm hauv cheeb tsam tau sau ntawv cev lus kom tso tseg qhov teembeem. Ib tsab ntawv cev lus kom tso tseg hais kom tus kws lij choj tsis txhob tso cai foob vim tias koj tsis muaj cai foob. Hom ntawv cev lus no muaj tsawg heev. Nws kuj tseem tsis sib haum rau txoj kev cai lij choj, uas lees tab txog koj txoj cai kom sau ntawv foob. Tib qho kev zam yog thaum qhov teembeem tsis muaj qhov tseeb tag nrho, piv txwv li, yog tias tsab kev cai lij choj hais tias tsis muaj leej twg muaj cai rau cov kev pab tam sim no ntxiv, raws li qhov lawv xav tau.

### **Saib Xyuas Kev Ncaj Ncees**

Kauj ruam kawg hauv cov txheej txheem foob yog thov saib xyuas kev ncaj ncees. Nws siv sijhawm 50 hnub ntawm koj daim ntawv thov foob tshwj tsis yog muaj ib tus neeg thov kom ua qeeb kom paub qhov tseeb zoo. Koj thiab

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lub chaw haujlwm hauv cheeb tsam yuav tsum xa cov ntawv qhia rau pom (pov thawj) thiab cov npe ntawm cov neeg ua pov thawj 5 hnuv ua haujlwm ua ntej hnuv saib xyuas kev ncaj ncees. Kev hais plaub tau muaj ua ntej Tus Kws Tswjhwmm Kev Cai Lij Choj (ALI) tuaj ntawm Lub Chaw Haujlwm Tswjhwmm Kev Hais Plaub (OAH). Thaum hais plaub, lub chaw haujlwm hauv cheeb tsam yuav tsum hais nws qhov teebmeem ua ntej. ALI yuav sau ib tsab ntawv txiav txim li 10 hnuv tom qab hais rooj plaub.

### **Ncua (Kev ncua sijhawm)**

Koj thiab lub chaw haujlwm hauv cheeb tsam puav leej tuaj yeem thov kom hloov hnuv hais plaub lossis kho kom haum. Txhawm rau ncua sijhawm hnuv hais plaub, koj yuav tau sau “Tsab Ntawv Cev Lus kom Ncua Sijhawm Hnuv Hais Plaub thiab Zam Lub Sijhawm.” Nov yog qhov txuas mus rau daim foos ntawv cev lus:

[http://www.documents.dgs.ca.gov/oah/forms/DDS\\_RFC\\_Form.pdf](http://www.documents.dgs.ca.gov/oah/forms/DDS_RFC_Form.pdf)

Daim foos muaj chaw rau koj sau qhov uas koj xav piav qhia seb vim li cas koj xav hais rooj plaub kom qeeb. OAH yuav cia ncua lub sijhawm yog tias qhia pom tias “muaj laj thawj zoo”. Koj tuaj yeem xa ib co ntaub ntawv uas txhawb rau qhov koj xav ncua sijhawm.

Daim foos qhia koj kom hu rau lub chaw haujlwm hauv cheeb tsam tus neeg sawv cev thiab nug yog tias nws uav pom zoo txuas ntxiv hais rooj plaub. Hauv cov chaw rau sau, koj yuav tsum sau lub npe thiab npawb xovtooj ntawm lub chaw haujlwm hauv cheeb tsam tus neeg uas koj tham nrog. Tom qab ntawv, xaiv seb tus neeg ntawv tau pom zoo rau los yog xav kom ncua sijhawm. Koj yuav tsum hais rau lub chaw haujlwm hauv cheeb tsam tus neeg kom muab tus npawb fev lossis chaw nyob email rau xa daim foos mus rau nws kos npe.

Koj lossis koj tus neeg sawv cev yuav tsum tau kos npe rau nqi lus tau txais, “Zam Lub Sijhawm Teev Tseg Los Ntawm Kev Cai Lij Choj rau Tsab Cai Lanterman Saib Xyuas Kev Ncaj Ncees thiab Txiav Txim.” Txhawm rau kom tau txais kev ncua sijhawm, koj yuav tsum pom zoo rau “zam” lub sijhawm hais plaub. Qhov no txhais tau tias koj tab tom pom zoo kom hais plaub qeeb dua 50 hnuv tom qab koj tau thov saib xyuas kev ncaj ncees.

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Nco ntsoov fev lossis xa email daim foos rau lub chaw haujlwm hauv cheeb tsam tus neeg sawv cev thiab hais nws kom kos npe rau. Tom qab kos np etas, koj yuav tsum fev nws mus rau OAH. Siv tus npawb fev rau qhov chaw uas yuav siv hais rooj plaub:

OAH Sacramento: 916-376-6318

OAH Los Angeles: 916-376-6395

OAH San Diego: 916-376-6325

OAH Oakland: 916-376-6323

Yog koj tsis muaj sijhawm txaus xa tsab ntawv cev lus, koj tuaj yeem hu xovtooj rau OAH thiab hais kom ncuva sijhawm hauv xovtooj. Tom qab koj sau tsab ntawv cev lus kom txuas ntxiv hais plaub, koj yuav tshuaj xyuas OAH tus website kom pom seb puas tau txais tsab ntawv cev lus:

<http://www.dgs.ca.gov/oah/GeneralJurisdiction/Continuances.aspx>

Koj yuav tau sau koj tus npawb rooj plaub OAH txhawm rau kev tshawb nrhiav.

### **Kev sau ua ke**

Kev sau ua ke yog thaum ob los yog ntau cov kev tsis sib haum nrog qhov teebmeem lossis qhov tseeb uas tau hnov tib lub sijhawm ntawm tib tus kws hais plaub. Koj tuaj yeem hais kom sib sau ua ke. OAH tuaj yeem thov kom muab ob los yog ntau cov kev tsis sib haum los sib sau ua ke. Yog tias koj tsis xav pom zoo rau muab sib sau ua ke, koj tuaj yeem hais tias “tsis tau.” Tus kws hais plaub yuav xaiv seb puas muab cov kev tsis sib haum los sib sau ua ke raws li Tsab Cai Lanterman thiab xwm txheej ntawm qhov tsis sib haum.

### **Cov kws txhais lus**

Yog tias koj los yog tus neeg ua pov thawj xav tau ib tus kws txhais lus, tiv toj rau OAH kiag tam sim. OAH yuav muab ib tus kws txhais lus raug lees paub yam tsis tau them nqi.

### **Kev mus rau ntawm Thaj Chaw Hais Plaub**

Thaj chaw hais plaub yuav tsum ua rau cov neeg xiam oos qhab mus tau yooj yim. Koj yuav tsum tshuaj xyuas nrog OAH ua ntej kom ntseeg tias qhov chaw ntawv tuaj yeem mus txog tau. Yog tias tus neeg xiam oos qhab xav tau cov kev pab kom tsim nyog rau koom nrog kev hais plaub, tiv toj rau OAH sai npaum li sai tau yog li OAH tuaj yeem npaj rau koj.

### **Tau Txais Tus Kws Hais Plaub Sib Txawv**

Tsis yog txhua tus kws hais plaub yuav yog ib yam. Koj yuav tsum kawm paub txog koj tus kws hais plaub ua ntej hais plaub. Koj muaj peev xwm yuav tau txais tus kws hais plaub sib txawv yog tias tus uas raug xaiv rau koj muaj keeb kwm kev tsis ncaj ncees los yog xaiv neeg. Koj tuaj yeem ua li no uas yog sau tsab ntawv cev lus kom thim tus kws hais plaub. Qhov piv txwv thov kom hloov cov kws hais plaub muaj nyob hauv Cov Ntawv Xa Nrog Ua Ke B.

Kom nrhiav cov ntaub ntawv ntsig txog tus kws hais plaub raug xaiv rau koj qhov tsis sib haum, nkag mus hauv tus website rau OAH ntawm <http://www.dgs.ca.gov/oah/GeneralJurisdiction/Calendar.aspx> (lub sijhawm txiav txim) thiab ntaus koj tus npawb kev tsis sib haum. Tus kws hais plaub yuav raug xaiv ze rau hnuv hais plaub. Tom qab ntawv, mus rau qhov txuas nrog ntawm <http://www.dgs.ca.gov/oah/DDS Hearings/DDS Decisions.aspx> thiab ntaus tus kws hais plaub lub npe rau. Koj yuav pom cov npe teebmeem tsis sib haum cov kws hais plaub xaiv tseg. Nyeem qee cov teebmeem tsis sib haum kom pom seb tus kws hais plaub no puas yog tus koj xaiv los hais koj qhov teebmeem. Yog tsis yog, ces sau daim ntawv cev lus kom thim tus kws hais plaub. Xa los yog fev ntawv cev lus kom thim mus rau OAH. Muab koj cov ntaub ntawv tiv toj. Yog koj tsis tau hnov los ntawm OAH, ces hu rau OAH ua ntej hais plaub kom paub tseeb seb puas tau txais koj daim ntawv thov. Feem ntau, tsab ntawv thov yuav tau txais.

### **Tshooj 3 – Kev Npaj Hais Plaub**

#### **Txiav Txim Siab Koj Cov Lus Hais Plaub Raug Cai**

Koj cov lus hais plaub raug cai yog tsab kev cai lij choj uas koj npaj yuav coj mus qhia tias koj muaj cai tau txais cov kev pab uas koj thiab lub chaw haujlwm hauv cheeb tsam tsis pom zoo nrog, thiab cov pov thawj txhawb rau koj daim ntawv thov. Txhawm rau npaj koj cov lus hais plaub raug cai:

- Tshuaj xyuas tsab kev cai lij choj uas txhawb koj lub luag haujlwm.
- Tshawb nrhiav thiab nyeem cov lus txiav txim Saib Xyuas Kev Ncaj Ncees yav dhau los ntawm cov txuas nrog (link) txuas ntxiv no:  
<http://www.dgs.ca.gov/oah/DDS Hearings/DDS Decisions.aspx>.

#### **Npaj Koj Cov Pov Thawj**

Cov pov thawj yog qhov tseeb uas txhawb rau koj daim ntawv thov. Pov thawj muaj xws li ntaub ntawv thiab cov lus pov thawj ntawm cov neeg ua pov thawj. Koj yuav tsum siv cov pov thawj uas cuam tshuam nkaus xwb. Pov thawj cuam tshuam yog tias nws pab ua rau pom tias koj muaj cai tau txais cov kev pab uas lub chaw haujlwm hauv cheeb tsam tsis kam lees, xav muab txiav tawm, lossis xav muab tshem tawm.

#### **Khaws Cov Ntawv Sau Ua Pov Thawj (Cov ntaub ntawv)**

Koj yuav tsum khaws txhua cov ntawv sau ua pov thawj uas txhawb rau koj cov lus hais plaub raug cai. Qee cov piv txwv ntawm cov pov thawj muaj xws li:

- Cov ntsiab lus ntawm qhov kev pab;
- Koj li IPP uas piav qhia txog cov hom phiaj ntawm qhov kev pab;
- Cov kws npliag siab daim ntawv teev num lossis kev ntsuam xyuas qhia pom tias koj yuav tsum tau txais cov kev pab;
- Keeb kwm ntawm cov neeg ua haujlwm nrog cov kev qhia tshwj xeeb;
- Cov ntawv teev num qhov zoo los ntawm cov kws khomob; thiab
- Cov ntaub ntawv ntawm cov neeg ua haujlwm lossis lwm cov neeg ntsig txog qhov kev pab.

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Koj tuaj yeem thov cov ntawv sau tseg tuaj ntawm cov tsev kawm ntawv, chaw khomob, thiab tsoomfwv cov chaw haujlwm uas yuav muaj cov ntaub ntawv muaj txiaj ntsig zoo. Tsis txhob tos txhawm rau thov cov ntawv sau tseg. Kev suav sau cov ntaub ntawv feem ntau yeej siv sijhawm ntev dua li koj xav.

Dhau ntawm cov ntaub ntawv uas twb muaj lawm, koj yuav tsum tau txais cov ntaub ntawv pov thawj ntxiv los txhawb rau koj qhov hais plaub, xws li cov ntawv teev num ntsuam xyuas los ntawm cov kws tshaj lij. Koj tuaj yeem nug cov neeg uas paub txog koj kom sau tsab ntawv lossis cov lus hais tawm. Tus kws hais plaub yuav tsaug hnyav cov ntaub ntawv los ntawm tus neeg tuaj ua pov thawj thaum hais plaub ntau dua li cov neeg uas sau tsab ntawv lossis hais cov lus tawm.

Koj muaj cai saib txhua cov ntaub ntawv sau tseg hauv koj lub chaw haujlwm hauv cheeb tsam cov ntaub ntawv, suav nrog cov ntaub ntawv uas lub chaw haujlwm hauv cheeb tsam tau los sab nraud lub chaw haujlwm lossis ntawm cov neeg. Lub chaw haujlwm hauv cheeb tsam yuav tsum cia koj nkag mus saib tau koj cov ntaub ntawv sau tseg nyob hauv sijhawm peb hnuv ua haujlwm tom qab koj thov saib. Yog tias koj xav tau, lub chaw haujlwm hauv cheeb tsam kuj yuav tsum pab koj kom nkag siab txog koj cov ntawv sau tseg. Yog tias lub chaw haujlwm hauv cheeb tsam xa cov ntawv ua ke nrog uas yuav pab ua pov thawj rau koj qhov teebmeem, koj yuav tsum muab tso rau hauv koj cov pov thawj. Tsis txhob kwv yees tias ALI yuav muaj cov ntaub ntawv no vim tias lub chaw haujlwm hauv cheeb tsam twb muaj lawm. ALI tsuas yog pom cov pov thawj uas kokj thiab lub chaw haujlwm hauv cheeb tsam xaiv los muab rau xwb.

Koj yuav tsum saib ntawm lub chaw haujlwm hauv cheeb tsam Daim Ntawv Xaj Cov Kev Pab (Purchase of Service (POS)) cov cai lossis cov ntawv qhia. Ntau cov ntaub ntawv no tau muab tshaj tawm rau hauv koj lub chaw haujlwm hauv cheeb tsam tus website. Yog tias koj tsis tuaj yeem nrhiav POS cov cai hauv online, hu rau lub chaw haujlwm hauv cheeb tsam thiab thov daim ntawv luam. Yog tias cov ntsiab lus ntawm qhov kev pab no muaj txiaj ntsig zoo rau koj qhov teebmeem, muab tso nrog ua ke hauv koj cov pov thawj.

Tej zaum koj yuav xav xaj kom lub chaw haujlwm tsim cov ntawv sau tseg rau koj qhov kev hais plaub. Tsab ntawv xaj duces tecum compels lub chaw

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haujlwm kom nqa cov ntawv sau uas lawv muaj thiab txhawm rau muab qhia rau lub tsev hais plaub tias cov ntaub ntawv lossis cov ntawv sau tseg tseem tsis au hloov. Koj tuaj yeem hais kom lub chaw haujlwm ua li no uas yog hais cov lus tawm los ntawm zaj lus pov thawj ncaj qha. Daim foos ntawv xaj rau lub chaw haujlwm hauv cheeb tsam saib xyuas kev ncaj ncees tuaj yeem pom nyob ntawm cov link txuas ntxiv no:

<http://www.documents.dgs.ca.gov/oah/forms/oah1-subpoena.pdf#search=subpoena%20Form&view=FitH&pagemode=none>.

### **Npaj Cov Neeg Ua Pov Thawj**

Zaj lus ua pov thawj ntawm cov neeg ua pov thawj kuj yog ib yam pov thawj thiab. Qee zaus cov neeg ua pov thawj yuav tsum yog raug xaj tuaj. Tsab ntawv xaj yog ib tsab ntawv raug raws kev cai lij choj hais kom lawv tuaj koom nrog hais plaub kom hais cov lus ua pov thawj. Koj yuav tsum sau ntawv xaj rau cov neeg ua pov thawj thiab hais kom cov neeg ua pov thawj hais cov lus pov thawj sai npaum li sai tau thaum paub hnuv hais plaub yog li cov neeg thiaj khoom. Daim foos ntawv xaj tuaj yeem nrhiav pom ntawm cov link txuas ntxiv no <http://www.documents.dgs.ca.gov/oah/forms/oah1-subpoena.pdf#search=Subpoena%20Form&view=FitH&pagemode=none>.

Koj yuav tsum sau cov lus nug rau koj cov neeg ua pov thawj ua ntej. Nyeem cov lus nug no rau cov neeg ua pov thawj kom ntseeg tias cov neeg ua pov thawj nkag siab txog qhov koj tab tom nug thiab lo lus teb ntawv muaj txiaj ntsig zoo rau koj qhov hais plaub. Yog tias tus neeg pov thawj cov lus teb tsis muaj txiaj ntsig rau koj, ces tsis txhob nug nyob hauv tsev hais plaub. Kev hloov lo lus nug rau lo lus nkag siab yooj yim tuaj yeem pab tau.

Koj kuj yuav tau npaj cov lus ua pov thawj, thaum koj yog tus pov thawj zoo tshaj plaws rau koj tus kheej lossis koj tus menyuam. Npaj kom zoo tham txog qhov vim li cas koj thiaj xav tau qhov kev pab. Tej zaum koj yuav tau hais tias vim li cas lwm yam kev pab thiaj ua tiav zoo. Qhov no tuaj yeem pab ua piv txwv tias vim li cas koj thiaj xav tau qhov kev pab uas koj thov.

### **Sib Hloov Cov Neeg Ua Pov Thawj thiab Cov Ntawv Pov Thawj**

Yam tsawg kawg 5 hnuv ua haujlwm ua ntej hais plaub, koj thiab lub chaw haujlwm hauv cheeb tsam yuav tsum sib hloov cov npe ntawm cov neeg tuaj

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ua pov thawj thiab luam cov ntaub ntawv koj tuaj yeem siv ua pov thawj ntawm lub tsev hais plaub. Qhov ntawv txhais tau tias koj thiab lub chaw haujlwm hauv cheeb tsam yuav tsum tau txais cov ntaub ntawv thiab cov npe 5 hnuv ua ntej hnuv hais plaub. Cov npe neeg ua pov thawj yuav tsum muaj cov ntsiab lus qhia tias txhua tus pov thawj yuav hais cov lus ua pov thawj dab tsi. Cov Npe Neeg Tuaj Ua Pov Thawj thaib Cov Ntawv Pov Thawj suav nrog hauv Cov Ntawv Xa Nrog Ua Ke C. ALI tuaj yeem tiv thaiv koj lossis lub chaw haujlwm hauv cheeb tsam los ntawm kev hais qhia cov ntaub ntawv thiab cov pov thawj uas tsis muab ua ntej li 5 hnuv ua haujlwm ua ntej hnuv hais plaub.



#### **Tshooj 4 – Thaum Lub Sijhawm Hais Plaub thiab Tom Qab Hais Plaub**

Tuaj txog ntawm lub tsev hais plaub kom ntxov muaj sijhawm ntau. Kev hais plaub tuaj yeem siv sijhawm ntev, yog li koj yuav tsum tau nqa dej thiab khoom noj txaum ncauj. Nqa ib tus mem thiab ntawv txhawm rau sau thaum hais plaub.

#### **Cov Lus Qhib**

Koj yuav tsum muab cov lus qhib. Cov lus qhib tsis tas yuav tsum muaj, tab sis nws pab piav qhia rau ALI tias hais plaub txog dab tsi. Koj cov lus qhib yuav tsum piav qhia txog yam kev pab uas koj thov thiab vim li cas. Nws yuav tsum muaj cov kev cai lij choj ua stxhawb koj qhov kev thov. Nco ntsoov piav qhia txog koj tus kheej lossis koj tus menyuam yog li ALI nkag siab txog yam uas koj lossis koj tus menyuam xav tau. Koj cov lus qhib yuav tsum hais luv luv txog koj qhov teebmeem. Lub chaw haujlwm hauv cheeb tsam yuav hais nws cov lus qhib ua ntej. Tom qab ntawv koj yuav hais koj cov.

#### **Kev Nug Cov Neeg Ua Pov Thawj**

##### *Lub Chaw Haujlwm Hauv Cheeb Tsam Cov Neeg Ua Pov Thawj*

Lub chaw haujlwm hauv cheeb tsam yuav nthuav qhia nws cov neeg ua pov thawj. Koj tuaj yeem nug lub chaw haujlwm hauv cheeb tsam cov neeg ua pov thawj tom qab lub chaw haujlwm hauv cheeb tsam nug tas. Qhov no hu tias “kev kuaj ntsuas-hla.” Koj cov lus nug yuav tsum pab qhia rau pom tias tus neeg ua pov thawj tsis nkag siab txog qee yam los yog tsis nco qab qee qhov. Koj kuj tuaj yeem nug cov lus nug uas qhia rau pom tias tus neeg ua pov thawj ntawv tuaj ib tog, hloov pauv yam uas nws hais ua ntej, lossis yuav tsis qhia qhov tseeb.

Mob siab rau thaum lub chaw haujlwm hauv cheeb tsam tus neeg ua pov thawj hais cov lus pov thawj. Koj tuaj yeem yuav ceebtoom tus neeg ua pov thawj kom nqa tuaj tom qab thaum ko li kev kuaj ntsuas-hla. Tsis yog li ntawv, koj yuav tsum coj nruj txog kev nug cov lus nug hla-kev kuaj ntsuas uas koj tau sau ua ntej hnuv hais plaub. Nws tsis yog lub tswv yim zoo qhov nug cov lus nug yog tias koj tseem tsis tau paub lo lus teb, tshwj tsis yog koj xav tias ntxim li lo lus teb yuav pab koj qhov kev sib cav.

*Koj Tus Kheej Cov Neeg Ua Pov Thawj*

Txuas ntxiv ntawv, koj yuav nug koj tus kheej cov neeg ua pov thawj. Qhov no hu tias “kev tshuaj ntsuas-ncaj qha.” Cov neeg ua pov thawj yuav tsum tham txog yam uas lawv tau ua, tau pom lossis tau hnov ntawm lawv tus kheej nkaus xwb. Koj yuav tsum nug cov lus nug uas luv, yooj yim, thiab meej.

Ntxiv rau kev nthuav qhia txog nej cov kev tsis sib haum, koj tuaj yeem nug koj cov neeg ua pov thawj txog qhov tsis pom zoo nrog yam uas lub chaw haujlwm hauv cheeb tsam cov pov thawj tau hais. Tsis yog li ntawv, koj yuav tau txwv kev nug cov lus nug uas koj npaj ua ntej hnuv hais plaub. Koj tuaj yeem nug cov lus nug soj qab xyuas yog tias koj tus neeg ua pov thawj cov lus teb tsis tau meej.

Lub chaw haujlwm hauv cheeb tsam yuav muaj lub caij nyoog los kuaj xyuas-hla nrog koj cov neeg ua pov thawj. ALJ kuj tuaj yeem nug lus nug nrog cov neeg ua pov thawj. Tom qab lub chaw haujlwm hauv cheeb tsam tau tshuaj xyuas-hla nrog koj cov neeg ua pov thawj, koj yuav muaj lub caij nyoog los nug koj cov pov thawj ntau ntxiv. Qhov no hu tias rov qab-tshuaj xyuas ncaj qha. Nyob rau nqi no, koj tuaj yeem hais kom koj cov neeg ua pov thawj qhia meej ntxiv lossis rov hais tej yam tsis zoo uas yuav tau tshwm sim thaum lub sijhawm tshuaj xyuas-hla.

**Cov Lus Kaw/Sau Cov Lus Kawm Luv**

Thaum koj nyeem cov ntawv sib hais plaub, koj yuav paub tias tus kws hais plaub tsis muaj txhua cov ntaub ntawv los txiav txim siab kom zoo. Yog li ntawv, koj tuaj yeem hais tus kws hais plaub kom “txuas ntxiv qhib kev sau tseg.” Tus kws hais plaub tuaj yeem hais tias “tau” lossis “tsis tau” txog qhov no. Yog tias tus kws hais plaub pom zoo rau txuas ntxiv qhib kev sau tseg, nws yuav tso cai rau ob tog muab cov ntaub ntawv thiab cov ntsiab lus ntau ntxiv rau tus kws hais plaub tom qab hais plaub tas.

ALI feem ntau yuav nug cov lus kaw thaum xaus lub rooj hais plaub kom suav sau cov pov thawj. Nov yog lub caij nyoog zoo rov los tshuaj xyuas txog yam uas koj tau nthuav tawm thaum lub sijhawm hais plaub thiab rov hais koj cov lus uas koj tau txais cov kev pab. Qee zaus, ob tog pom zoo

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sau cov ntawv kaw lub rooj hais plaub hloov qhov hais cov lus kaw ntawm ncauj. Txoj kev xaiv no tso cai koj xav txog txhua cov lus pov thawj ua ntej koj suav sau cov lus sib cav. Tsab ntawv sau kaw lub rooj hais plaub yuav tsum muab cov ntaub ntawv thiab qhov tseeb tias koj tau hais tawm thiab xaiv cov kev cai lij choj uas txhawb rau koj qhov teebmeem. Yog tias ALI tau txuas ntiv qhib kev sau khaws tseg tom qab lub rooj hais plaub thiab tso cai kom muab cov pov thawj ntau ntiv, koj tuaj yeem muab nws tso ua ke nrog koj cov lus kaw rooj hais plaub. Qhov Piv Txwv Cov Lus Kaw muaj nyob hauv Cov Ntawv Xa Nrog D.

### **Tom Qab Hais Plaub Tas**

Tom qab hais koj cov plaub tas, ALI muaj sijhawm 10 hnuv los sau cov lus txiav txim. Cov lus txiav txim yuav tsum tau ua tsis pub ntev tshaj 80 hnuv tom qab koj tau thov koj daim ntawv foob. Daim ntawv ua piv txwv kev txiav txim plaub muaj nyob hauv Cov Ntawv Xa Nrog E. ALI cov lus txiav txim yuav tsum:

- Sau kom nkag siab yooj yim, siv cov lus nyiam hais niaj hnuv;
- Suav nrog cov ntawv suav sau qhov tseeb;
- Suav nrog cov ntsiab lus ntsig txog pov thawj ALI tau siv los ua kev txiav txim;
- Suav nrog cov lus txiav txim txhua qhov teebmeem lossis cov lus nug uas nyob hauv daim ntawv thov foob thiab hais tawm thaum lub sijhawm hais plaub; tiab
- Hais txog cov kev cai lij choj, cov cai, thiab cov kev cai uas txhab rau ALI qhov kev txiav txim.

Yog koj tsis pom zoo nrog qhov txiav txim siab, koj koj muaj cai foob rau Lub Tsev Hais Plaub Siab Dua. Koj yuav tsum sau ntawv foob nyob hauv 90 hnuv tom qab koj tau txais tsab ntawv txiav txim plaub. Kom paub cov ntaub ntawv ntau ntiv txog qhov txheej txheem no, mus saib Cov Cai Raws Li Tsab Kev Cai Lij Choj Lanterman Act, Tshooj 12:

<http://www.disabilityrightsca.org/pubs/506301Ch12.pdf>

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**ZAJ LUS 2: Cov ntawv xa nrog ua ke**

**Ntawv Xa Nrog Ua Ke A: Cov Duab Kab Qhia Txog Thov Saib Xyuas Kev Ncaj Ncees**

**Thov Saib Xyuas Kev Ncaj Ncees yog tias:** (1) lub chaw haujlwm hauv cheeb tsam xaiv, yam uas koj tsis pom zoo, rau txiav, txo qis, lossis hloov cov kev pab lossis kev txhawb hauv koj li IPP; (2) koj thov cov kev pab, kev txhawb thiab lub chaw haujlwm hauv cheeb tsam tsis kam lees koj cov lus thov; (3) koj raug ceebtoom tias koj tsis muaj cai tau txais los yog tsis muaj cai txuas ntxiv tau txais lub chaw haujlwm hauv cheeb tsam cov kev pab.

**Lo Lus Nug 1: Puas yog tam sim no koj tau txais qhov kev pab lossis kev txhawb uas lub chaw haujlwm hauv cheeb tsam xav muab txiav, txo qis, lossis hloov pauv?**

YOG > Sau koj daim ntawv thov kom hais plaub nyob hauv 10 hnuv txij li hnuv koj tau txais tsab ntawv ceebtoom thiab koj yuav txuas ntxiv tau txais cov kev pab lossis kev txhawb kom txog thaum muaj kev txiav txim ua zaum kawg. MUS RAU Lo Lus Nug 2

TSIS YOG > Koj yuav tsum sau koj daim ntawv thov hais plaub nyob hauv 30 hnuv txij thaum tau txais tsab ntawv ceebtoom los ntawm lub chaw haujlwm hauv cheeb tsam. MUS RAU Lo Lus Nug 2

**Lo Lus Nug 2: Puas yog koj xav kom muaj txoj kev xaiv lub rooj sib tham tsis raws cai?**

YOG > Lub rooj sib tham tsis raws cai yuav tsum muaj nyob hauv 10 hnuv txij thaum lub chaw haujlwm hauv cheeb tsam tau txais koj daim ntawv thov kom hais plaub, tshwj tsis yog koj pom zoo lub sijhawm ntev dua.

Koj yuav tsum tau txais ib tsab ntawv sau txog kev txiav txim tuaj ntawm lub chaw haujlwm hauv cheeb tsam nyob hauv 5 hnuv txij thaum lub rooj sib tham tsis raws cai. MUS RAU Lo Lus Nug 3

TSIS YOG > MUS RAU Lo Lus Nug 4 ntsig txog kev xaiv sib kho kom haum.

**Lo Lus Nug 3: Puas yog koj txaus siab nrog lub chaw haujlwm hauv cheeb tsam cov lus txiav txim?**

YOG > Hais qhia lub chaw haujlwm hauv cheeb tsam tias koj thim koj daim ntawv thov Saib Xyuas Kev Ncaj Ncees. Cov kev pab uas tau pom zoo raws

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li qhov kev txiav txim hauv koj lub rooj sib tham tsis raws cai yuav pib hauv 10 hnuv txij thaum tau txais koj daim ntawv thim. TSIS UA MUS NTXIV.

TSIS YOG > MUS RAU Lo Lus Nug 4 ntsig txog kev xaiv sib kho kom haum.

**Lo Lus Nug 4: Puas yog koj xav kom muaj qhov xaiv kev sib kho kom haum?**

YOG > Puas yog lub chaw haujlwm hauv cheeb tsam lees txais kev sib kho kom haum? Lawv yuav tsum lees txais kev sib hais kom nkag siab nyob hauv 5 hnuv.

Yog tias lub chaw haujlwm hauv cheeb tsam lees txais, kev sib kho kom haum yuav muaj nyob hauv 30 hnuv txij thaum lub chaw haujlwm hauv cheeb tsam tau txais koj daim ntawv thov kom hais plaub, tshwj tsis yog koj pom zoo lub sijhawm ntev dua. MUS RAU Lo Lus Nug 5

Yog tias lub chaw haujlwm hauv cheeb tsam TSIS kam lees txais kev sib kho kom haum nyob hauv 5 hnuv, koj qhov tsis txaus siab yuav raug xa mus rau Chaw Saib Xyuas Kev Ncaj Ncees. MUS RAU Lo Lus Nug 6

TSIS YOG > Koj yuav txuas ntxiv rau Chaw Saib Xyuas Kev Ncaj Ncees. MUS RAU Lo Lus Nug 6

**Lo Lus Nug 5: Puas yog koj tau txais kev pom zoo sib kho kom haum?**

YOG > Hais qhia lub chaw haujlwm hauv cheeb tsam tias koj thim koj daim ntawv thov Saib Xyuas Kev Ncaj Ncees. Cov kev pab tau pom zoo hauv koj daim ntawv sau hais daws yuav pib hauv 10 hnuv txij hnuv tau txais koj daim ntawv thim. TSIS UA MUS NTXIV

TSIS YOG > Koj yuav txuas ntxiv rau Chaw Saib Xyuas Kev Ncaj Ncees. MUS RAU Lo Lus Nug 6

**Lo Lus Nug 6: Puas yog koj xav ua cov txheej txheem Saib Xyuas Kev Ncaj Ncees?**

YOG > Qhov Saib Xyuas Kev Ncaj Ncees yuav muaj nyob hauv 50 hnuv txij thaum lub chaw haujlwm hauv cheeb tsam tau txais koj daim ntawv foob, tshwj tsis yog tus kws hais plaub muab lub sijhawm ntev dua kom muaj laj thawj zoo.

Nplooj 23 ntawm 44

Lub Chaw Saib Xyuas Kev Ncaj Ncees qhov kev txiav txim yuav tsum muaj nyob hauv 10 hnuv ua haujlwm txij hnuv kawg ntawm qhov kev hais plaub thiab tsis pub qeeb dua 80 hnuv tom qab koj pib thov kom hais plaub tshwj tsis yog koj zam lub sijhawm uas yog hais kom ncuu (ncuu sijhawm)

Yog tias cov kev pab uas pab nyiaj los ntawm Medi-Cal Hauv Tsev thiab Zej Zog Raws Li Kev Zam ces qhov kev txiav txim raug kuaj xyuas los ntawm DHCS nyob hauv 90 hnuv txij thaum thov foob. Qhov kev txiav txim tej zaum yuav raug lees txais, ntxeev cai, lossis sau sib txawv. MUS RAU Lo Lus Nug 7

TSIS YOG > Koj tuaj yeem thim ntawm Qhov Thov Saib Xyuas Kev Ncaj Ncees uas yog tiv toj rau OAH.

### **Lo Lus Nug 7: Puas yog koj txaus siab nrog cov lus txiav txim Saib Xyuas Kev Ncaj Ncees?**

YOG > Cov kev pab thiab txhawb yuav muab rau raws li tau xaiv hauv qhov kev txiav txim Saib Xyuas Kev Ncaj Ncees.

TSIS YOG > Koj muaj sijhawm 90 hnuv los sau Tsab Ntawv Xaj ntawm Lub Chaw Tuav Tswj Mandamus hauv lub tsev hais plaub siab dua. Koj tuaj yeem tiv toj Disability Rights California lossis cov chaw hais plaub ntiag tug kom pab.

NCO NTSOOV: Lub chaw haujlwm hauv cheeb tsam tuaj yeem pib txiav lossis txo qis cov kev pab nyob hauv 10 hnuv tshwj tsis yog koj tus kws lij choj tau txais ib tsab ntawv xaj ntawm tsev hais plaub kom txuas ntxiv muab cov kev pab thaum lub tsev hais plaub xaiv koj daim ntawv thov.

Nplooj 24 ntawm 44

**Cov Ntawv Xa Nrog Ua Ke B: Piv Txwv Cov Ntawv Thov Hloov Tus Kws Hais Plaub**

XA NCAJ QHA HAUV FACSIMILE (213) 555-5555

Lub Cuaj Hli 23, 2015

Susan Formaker

Presiding Administrative Law Judge

Office of Administrative Hearings

320 W. Fourth Street, Suite 630

Los Angeles, CA 90013

Hais txog: Qhov Nyuaj Kev Txiaiv Txim Tu Nrho

John Doe v Lub Chaw Haujlwm Hav Cheeb Tsam (Regional Center)

OAH Tus Npawb. 201511100000

Hnub Hais Plaub: 9/28/15

Nyob Zoo Txog Tus Kws Tsim Qauv Hais Plaub :

Kuv sau tsab ntawv sawv cev tuaj ntawm John Doe txhawm rau thov kom xaiv lwm tus Kws Hais Plaub los hais nws rooj plaub thaum Lub Cuaj Hli 28, 2015. Tus kws hais plaub raug xaiv tam sim no yog Sarah Smith. Peb thov tias qhov kev hloov pauv no tau ua raws li Title 1 ntawm California Tsab Cai ntawm Cov Cai Tswj, Nqi 1034 thiab Tsoomfwv Tsab Cai nqi 11425.40. Cov ntawv xa nrog yog cov ntawv xaj tshaj tawm ua raws li nqi lus ntawv.

Ua tsaug rau koj qhov kev saib xyuas. Thov tiv toj rau kuv ntawm (213) 555-5555 yog tias tsim nyog.



Nplooj 25 ntawm 44

Muab kev saib siab,

Jane Doe

Cov ntawv xa nrog

Nplooj 26 ntawm 44

Cov lus tshaj tawm ntawm Jane Doe

Leej niam ntawm John Doe

Kuv, Jane Doe, tshaj tawm tias:

- 1) Kuv yog niam txiv rau tog uas tshuav qhov teebmeem.
- 2) Tus kws hais plaub raug xaiv rau Lub Rooj Hais Plaub muaj lub siab tsis ncaj rau ib tog yog li ntawv tus neeg nthuav tawm ntseeg tias nws tus menyuum tsis tuaj yeem muaj kev ncaj ncees thiab muaj kev Hais Plaub ib txhia ua ntej Tus kws hais plaub, Sarah Smith.

Qhov Kev Nthuav Tawm no yog ua raws li kev rau txim qhov tsis ncaj ncees raws kev cai lij choj ntawm xeev California thiab tau kos npe Lub Cuaj Hli 23, 2015, ntawm Los Angeles, California.

Muab kev saib siab,

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Jane Doe

Nplooj 27 ntawm 44

**Cov Ntawv Xa Nrog Ua Ke C: Piv Txwv Tus Neeg Foob Cov Npe Neeg Ua Pov Thawj thiab Cov PovThawj**

Koj Lub Npe

Koj Qhov Chaw Nyob Txoj Kev

Koj Lub Nroog, Lub Xeev, thiab Zip Code

Koj Tus Npawb Xovtooj

Tus Neeg Raug Tso Cai Sawv Cev rau [Lub Npe ntawm Lub Chaw Haujlwm Hauv Cheeb Tsam Tus Neeg Mob]

LUB CHAW HAUJLWM TSWJHWM KEV HAIS PLAUB

LUB XEEV CALIFORNIA

Hauv Qhov Teebmeem ntawm:

Tus Neeg Thov Lub Npe,

Tus Neeg Thov,

thiab

LUB CHAW HAUJLWM HAUV CHEEB TSAM (REGIONAL CENTER),

Lub Chaw Muab Kev Pab

Tus Npawb Qhov Teebmeem.:

Hnub Hais Plaub:

Lub Sijhawm Hais Plaub:

Thaj Chaw Hais Plaub:

Tus Kws Hais Plaub Tuav Tswj Kev Cai Lij Choj:

TUS NEEG THOV COV NPE NEEG UA POV THAWJ THIAB COV NTAWV  
POV THAWJ

COV NPE NEEG UA POV THAWJ

- 1) Tus Neeg Thov Lub Npe Lub Xeem yuav ua pov thawj rau [piav qhia yam uas lawv yuav ua pov thawj rau.]
- 2) Tus Neeg Thov Lub Npe Lub Xeem raug sau ntawv xaj rau ua pov thawj txog [piav qhia yam uas lawv yuav ua pov thawj rau.]
- 3) Piv Txwv Lub Npe Lub Xeem: Mr. Lub Xeem yuav ua pov thawj txog Tus Neeg Thov qhov xiam oos qhab kev loj hlob, cov hom phiaj, thiab cov kev pab uas xav tau.

COV NPE NTAWV POV THAWJ

- 1) Cov Ntsiab Lus Qhib
- 2) Kev Sau Tseg Cov Lus Hais Plaub
  - a. Thov Hnub Muab Kev Pab [Sau Hnub Tim]
  - b. Hnub Tsab Ntawv Tsis Kam Lees [Sau Hnub Tim]
  - c. Hnub Thov Hais Plaub [Sau Hnub Tim]
  - d. Kev Ceebtoom Hais Plaub
- 3) Cov Ntaub Ntawv ntsig txog Qhov Kev Pab
- 4) Cov Ntaub Ntawv ntawm Qhov Kev Pab Cov Neeg Ua Haujlwm
- 5) Ntawv Teev Num tuaj ntawm [Sau lub npe qhov kev pab] hnub [Sau Hnub Tim]
- 6) Ntawv Teev Num tuaj ntawm [Sau lub npe qhov kev pab] hnub [Sau Hnub Tim]
- 7) Kev Ntsuas Lub Siab Xav los ntawm [Sau Lub Npe Tus Neeg Ntsuam Xyuas] hnub [Sau Hnub Tim]
- 8) IPP hnub [Sau Hnub Tim]
- 9) Kev Nthuav Tawm ntawm [Sau Lub Npe] hnub [Sau Hnub Tim]
- 10) Zaj lus ntawm Tsab Cai Lanterman rau ceebtoom hais plaub

Nplooj 29 ntawm 44

**Cov Ntawv Xa Nrog Ua Ke D: Piv Txwv Tus Neeg Thov Cov Ntsiab Lus Kaw**

Bill X

Chaw Nyob Txoj Kev

Nroog, Xeev, Zip Code

Npawb Xovtooj

Bill X, Leej Txiv, sawv cev rau ntawm Tus Neeg Thov, tus menyuam yaus

**LUB CHAW HAUJLWM TSWJHWM KEV HAIS PLAUB**

**LUB XEEV CALIFORNIA**

Hauv Qhov Teebmeem ntawm: TEEBMEEM # 2015000000

SALLY X, Tus Neeg Thov Cov Ntsiab Lus Foob

Tus neeg thov

nrog rau

LUB CHAW HAUJLWM HAUV CHEEB TSAM (REGIONAL CENTER),

Lub Chaw Muab Kev Pab

HNUB: 9/12/2015

SIJHAWM: 10:00 AM

THAJ CHAW: Lub Chaw Haujlwm Hauv Cheeb Tsam , 5555 Road St., City, CA 90000

I. Teebmeem

Txawm tias Lub Chaw Haujlwm Hauv Cheeb Tsam yuav tsum txuas ntxiv pab nyiaj rau cov kws tshaj lij pabcuam kev kawm kom pab Sally X tau txais cov kev pab kev kawm uas tsim nyog hla cov kev kawm hauv tsev kawm.

## II. Lus Qhia

Sally X yog ib tus neeg siv muaj hnuv nyoog 14 xyos ntawm Lub Chaw Haujlwm Hauj Cheeb Tsam thiab cov tub ntxhais kawm kev kawm tshwj xeeb. Sally muaj mob puas hlwb thiab tau phais cov hlwb hauv cov txha nqaj qaum thaum lub Yim Hli 2015. Nws muaj teebmeem ntau yam tau txais cov kev pab uas nws xav tau los ntawm nws lub tsev kawm hauv nroog. Vim tias muaj tej yam nyuaj li no, Sally thiab nws tsev neeg tau txais txiaj ntsig zoo los ntawm cov kev pab ntawm cov kws tshaj lij kev kawm.

Lub Ib Hlis 2010, ALI Donald Cole tau txiaj txim tom qab hais plaub tias Sally xav tau cov kev pab los ntawm cov kws tshaj lij tshwj xeeb pab nws tsev neeg hauv kev tawm tsam nrog qhov kev pab tsim nyog. Sally txuas ntxiv xav tau kev pab ntawm tus kws tshaj lij kev kawm uas pab nyiaj los ntawm Lub Chaw Haujlwm Hauj Cheeb Tsam (Regional Center (RC)) kom sawv cev Sally ntawm lub rooj sib tham IEP, tshuaj xyuas kev ua haujlwm ntawm nws lub tsev kawm hauv nroog li IEP, thiab qhia rau nws tsev neeg, yog tias nws tau txais kev kho hais lus raws li qhov nws xav tau thiab txuas ntxiv tau txais kev pab cuam kho lub cev raws li qhov nws xav tau kom muaj kev nyab xeeb hauv tsev kawm.

## III. Cov Lus Sib Cav

### **A.LUB CHAW HAUJLWM HAUV CHEEB TSAM YUAV TSUM MUAB COV KEV PAB LOS NTAWM TUS KWS TSHAJ LIJ KEV KAWM RAU SALLY KOM PAB QHOV NWS XAV TAU UAS TEEV TSEG HAUV NWS LI IPP.**

Lub chaw haujlwm hauv cheeb tsam yuav tsum tau hloov kho Qhov Kev Npaj Pab Rau Tus Kheej rau txhua tus neeg siv hauv lub chaw haujlwm hauv cheeb tsam. Qhov kev npaj yuav tsum ua kom tau raws li qhov xav tau ntawm tus neeg siv thiab nws tsev neeg. WIC nqi lus 4646. Txhawm rau kom ua tiav raws lub hom phiaj ntawm IPP, lub chaw haujlwm hauv cheeb tsam muaj lub luag haujlwm saib xyuas cov kev pab thiab txhawb uas xav tau. WIC nqi lus 4648(a). Qhov kev pab thiab txhawb uas yuav tau muab raws li IPP suav nrog “kev pab txhawb.” WIC nqi lus 4512(b).

Sally X li IPP tam sim no hauv lub chaw haujlwm hauv cheeb tsam, hnuv Lub Him Hli 27, 2015, lees paub qhov nws xav tau hauv feem uas nws tsev neeg xav tau kom muaj nws lub tsev kawm hauv nroog qhov chaw nyob. Raws li Sally li IPP, nws tsis yog neeg mob, muaj qhov hnov mob me ntsis ntawm nws ob txhais caj npab, xav tau kev pabcuam lub cev nrog kev saib xyuas tus kheej txhua yam, thiab muaj mob lub cev suav nrog raws plab, ua pa nyuaj, thiab muaj keeb kwm qaug dab peg. Sally li IPP lees paub txog qhov tseem ceeb ntawm lub tsev kawm kom pab tau raws li qhov Sally xav tau. Tus IPP koom tes nrog kev kho hais lus thiab hloov kev kawm ua kis las tau muab los ntawm nws lub tsev kawm kom pab sib txuas lus qhov nyuaj thiab kom hloov kho nws rab peev xwm tswj hwm nws lub cev thiab siv nws ob txhais tes los pub mov rau nws tus kheej. Vim tias cov tsev kawm yog qhov caw tuaj sib tham txog qhov uas Sally xav tau, lees paub los ntawm RC hauv nws li IPP, thiab vim tias Sally tsev neeg xav tau kev pab ntawm tus kws tshaj lij kev kawm kom tau txais cov kev pab tsim nyog hauv tsev kawm, RC muaj lub luag haujlwm muab tus kws tshaj lij kev kawm raws li qhov kev pab IPP rau Sally.

**B.LUB CHAW HAUJLWM HAUV CEEBTSAM MUAJ LUB LUAG HAUJLWM PAB SALLY MUS CUAG TAU COV KEV PAB NTAU YAM, SUAV NROG KEV PAB TAU MUAB LOS NTAWM NWS LUB TSEV KAWM HAUV NROOG.**

Lub chaw haujlwm hauv cheeb tsam “yuav tau xaiv thiab nrhiav txhua yam kev pab uas tuaj yeem ua ntawm cov peev nyiaj rau cov neeg kawm tau txais lub chaw haujlwm hauv cheeb tsam cov kev pab,” suav nrog cov tsev kawm hauv nroog. WIC nqi lus 4659(a)(1).

RC muaj lub luag haujlwm kom nrhiav peev nyiaj pab los ntawm cov chaw pabcuam feem ntau rau muab cov kev pab uas Sally xav tau. Tam sim no Sally tsev neeg tab tom tawm tsam kom txuas ntxiv tau txais cov kev pab kho hais lus uas tsim nyog hauv Sally li IEP. Sally qhov phais txoj hlab hlwb hauv tus txha nqaj qaum ua rau hloov ntau yam qhov hwj tau lub cev hauv nws lub tog muaj log, thiab txij li phais mob tas los, nws qhov teebmeem tswj kev ua pa thaum hais lus tau zoo zuj zus, uas tam sim no nws nws zaum tau ntseg dua qub. Thaum zoo li no, nws lub tsev kawm hauv nroog tam sim no thov tias nws qhov hais lus tau hloov kho thiab nrhiav kev txo lossis txiav nws qhov kev pab kho hais lus. Sally tus kws tshaj lij pab cuam kev kawm tab tom ua haujlwm los pab nws tsev neeg tawm tsam tuav tswj nws qhov

## Nplooj 32 ntawm 44

kev pab kho hais lus. Yog tias Sally tsis muaj peev xwm tau txais cov kev pab no hla lub tsev kawm, tej zaum nws yuav tsum nrhiav cov kev pab no ntawm lub chaw haujlwm hauv cheeb tsam uas yog qhov chaw kawg. Yog li ntawv, RC, muaj lub luag haujlwm los pab Sally nrhiav cov chaw pab kho kev hais lus uas tau pab nyiaj los ntawm nws lub tsev kawm hla kev txuas ntxiv cov kev pab los ntawm nws tus kws tshaj lij pab cuam kev kawm.

Tsis tas li ntawv xwb, vim tias Sally tus mob tseem tsis tau zoo thiab tsis tau muaj rab peev xwm yuav saib xyuas nws tus kheej lub cev tau, nws lub tsev kawm hauv nroog qhov kev pab yuav tsum tau tshuaj xyuas kom ntseeg tias nws tau txais kev saib xyuas raws qhov xav tau hauv lub tsev kawm. Yog tsis tau txais qhov saib xyuas ntawv, nws lub cev yuav tsis tuaj yeem mus kawm ntawv tau thiab yuav plam lub chaw pab tseem ceeb cov kev pab rau cov menyuam yaus hnuv nyoog kawm ntawv hauv lub chaw haujlwm hauv cheeb tsam. Nws lub tsev kawm hauv nroog rov qab ua tsis tau raws li yam uas nws lub cev xav tau, ua rau nws lub cev poob rau qhov txaus ntshai. Kev txuas ntxiv qhov kev pab ntawm nws tus kws tshaj lij pabcuam kev kawm yog qhov xav tau kom ntseeg tias tau sau cov kev pab uas raug rau hauv nws li IEP thiab tsis tas li ntawv xwb nws li IEP raug tshuaj xyuas.

### **C.LUB CHAW HAUJLWM HAUV CHEEB TSAM YUAV NQIS PEEV RAU COV KEV PAB LOS NTAWM TUS KWS TSHAJ LIJ PAB CUAM KEV KAWM KOM PAB SALLY TAU TXAIS COV KEV PAB LOS NTAWM NWS LUB TSEV KAWM HAUV NROOG.**

Lub chaw haujlwm hauv cheeb tsam feem ntau yauv tsis xaj “[e]kev pabcuam kev kawm rau cov menyuam muaj hnuv nyoog peb xyoos txog 17 xyoo, kev xiam oos qhab, lub hnuv nyoog” tab sis yuav tau ua yog tias “qhov kev pab yog qhov tseem ceeb lossis muaj qhov tseem ceeb rau kev pabcuam lub cev, pabcuam lub hlwb, lossis cuam tshuam txog txoj kev xav ntawm tus neeg muaj kev xiam oos qhab kev loj hlob, lossis cov kev pab tsim nyog kom pab ua rau tus neeg nyob hauv nws lub tsev thiab tsis muaj lwm txoj hauv kev pab kom tau raws li qhov nws xav tau.” WIC nqi lus 4648.5(a)(3) thiab (c).

RC tau tsis kam nqis peev rau Sally tus kws tshaj lij pab cuam kev kawm cov kev pab raws li WIC nqi lus 4648.5. Txawm li cas los xij, nqi lus 4648.5 tsis tiv thaiv RC los ntawm kev nqis peev rau cov kev pab ntawm tus kws tshaj lij pabcuam kev kawm vim tias: 1) Cov kev pab uas tau thov tsis yog “pabcuam



kev kawm ntawv” rau tus menyuam hnuv nyoog 3-17 xyoo, hauv cov kev pom zoo; thiab 2) Txawm tias qhov thov kev pab muaj feem tias yog kev pabcuam “kev kawm ntawv” rau tus menyuam hnuv nyoog 3-17 xyoo los xij, Sally muaj rau tau txais kev zam.

**1. COV KEV PAB UAS SALLY XAV TAU TSIY YOG KEV PAB HAUV KEV KAWM NTAWV RAU TUS MENYUAM HNUV NYOOG 3 TXOG 17 XYOO, THIAB YOG LI YUAV TAU TXAIS KEV PAB LOS NTAWM SDRC.**

Qhov kev pab uas Sally tsev neeg thov tsiy yog “kev pab cuam kev kawm” hauv qhov kev pom zoo, tab sis dhau ntawm tus kws tshaj lij lossis tus kws qhia cov kev pab txhawm rau pab Sally mus cuag tau cov kev pab kev kawm tsim nyog hla cov chaw pab txhua tus. WIC nqi lus 4648.5, lees txais hauv cov lus teb rau California qhov teebmeem kev nyiaj txiag, yog ib tsab ntawv thov tshwj xeeb ntawm cov cai feem ntau uas lub chaw haujlwm hauv cheeb tsam yuav tsum them nyiaj rau cov kev pab uas muaj rau cov neeg siv hla cov chaw pab txhua tus. Nws txwv cov chaw haujlwm hauv cheeb tsam los ntawm kev them nyiaj rau cov neeg li kev kawm thaum cov neeg yuav tsum tau txais kev kawm los ntawm lawv lub tsev kawm hauv nroog hauv cheeb tsam ua ntej. Sally tsev neeg qhov thov tuaj tsiy yog RC them rau lwm tus neeg los ua tsev kawm hauv nroog lub luag haujlwm, tab sis yog thov cov kev pab ntawm tus kws tshaj lij pabcuam kev kawm kom pab Sally ua tau raws nws lub tsev kawm hauv nroog cov kev qhia ntawv rau nws tsiy tu ncu. Qhov kev pab uas tau thov yuav pab rau lub hom phiaj ntawm nqi 4648.5 kom ntseeg tias Sally txuas ntxiv tau txais cov kev pab tsim nyog los ntawm cov chaw pabcuam rau txhua tus.

Yog li ntawv, WIC nqi lus 4648.5 tsiy tau txwv qhov xaj cov kev pab ntawm tus kws tshaj lij pabcuam kev kawm rau Sally, thiab RC yuav tsum xaj cov kev pab no kom tau raws li cov chaw pab txhua tus ntawm cov nyiaj pab rau yam kev pab uas Sally xav tau.

**2. TXAWM TIAS COV KEV PAB UAS SALLY XAV TAU YOG COV KEV PABCUAM KEV KAWM RAU TUS MENYUAM HNUV NYOOG 3-17 XYOO LOS XIJ, SALLY MUAJ CAI RAU QHOV KEV ZAM.**

Txawm tias qhov kev pab ntawm tus kws tshaj lij pabcuam kev kawm yog “kev pab cuam kev kawm” rau tus menyuam hnuv nyoog 3-17 xyoo los xij, Sally muaj cai tau txais kev zam los ntawm kev ncu tseg qhov tso cai xaj vim tias qhov kev pab nws thov yog qhov tsim nyog kom tso cai rau nws

## Nplooj 34 ntawm 44

mus cuag tau nws cov kev kawm, thiab yog li ntawv qhov tseem ceeb tshaj yog cuam tshuam rau nws qhov xiam oos qhab. Tsis tas li ntawv xwb, tsis muaj txoj kev xaiv pab cuam uas tau raws li qhov uas Sally xav tau.

Txog lub chaw haujlwm hauv cheeb tsam tus neeg siv uas muaj cai tau txais kev kawm tshwj xeeb, lub tsev kawm yog qhov chaw tseem ceeb ntawm qhov kev pab rau qhov uas cuam tshuam txog nws qhov xiam oos qhab. Sally qhov IPP tam sim no lees paub tias nws muaj ntau yam teebmeem kev noj qab haus huv. Nws kuj tseem yog lub luag haujlwm hnyav ntawm nws lub tsev kawm qhov kev pab kom tau raws li qhov nws xav tau. Piv txwv tias, nws tham txog tus menyuam qhov hais lus nyuaj tab sis tsis suav nrog “qhov tshwm sim” rau kev hais lus vim tias nws tau txais kev kho hais lus ntawm tsev kawm, thiab nws suav nrog qhov tshwm sim uas xav kom tus ntxhais koom nrog ua cov ev-xaws-xais ntawm tsev kawm txhawm rau txhawb nws lub cev kom muaj zog yog li nws tuaj yeem kawm kho nws tus kheej nrog rab diav.

Sally qhov kev tawm tsam nrog nws lub tsev kawm yav dhau los muaj qhov ua rau pom tias yuav tau muaj ib tus neeg mob siab rau koom nrog thiab ua tib zoo saib xyuas nws qhov IEP cov txheej txheem kom ntseeg tias nws muaj peev xwm nyob ntawm tsev kawm thiab muaj kev nyab xeeb. Nws lub tsev kawm pib tsis kam lees hloov kho lub chav da dej ntawm tsev kawm thiaj ua raws nws muaj peev xwm mus siv tau, thiab qhov teebmeem tau hais daws tsuas yog kev koom nrog ntawm nws tus kws tshaj lij pab cuam kev kawm. Sally muaj teebmeem mob plab kem thaum nws kawm ntawv qeb rau, uas nws niam ntseeg tias tshwm sim vim yog lub tsev kawm ntawv tsis coj nws tawm ntawm lub tog zaum muaj log txaus (siv lo lus thov txim tias tsis muaj cov neeg ua haujlwm txaus los pab ua). Qhov teebmeem no kuj raug sau tseg cia ntawm tus kws tshaj lij kev kawm ntawv.

Sally qhov xav tau, yam tsawg kawg, yog kom muaj peev xwm mus kawm tau nyab xeeb hauv tsev kawm kom cov kev pab hauv tsev kawm tuaj yeem pab tau nws qhov xiam oos qhab, thiab nws tus kws tshaj lij pabcuam kev kawm cov kev pab kuj yog ib qho kev pab kom ntseeg tias lub tsev kawm hauv nroog, uas pom tau tias tsis ntseeg siab ua tau raws li nws lub cev xav tau, ua rau nws nyab xeeb thiab muaj lub dag zog zoo ntawm tsev kawm. Nws kuj tseem koom nrog ua qhov xav tau rau cov kev pab hla lub tsev kawm hauv nroog, xws li kev kho hais lus thiab hloov kev kawm kis las, rau qhov tseem ceeb cuam tshuam nws qhov mob hlwb. Yim neeg X tau tawm

## Nplooj 35 ntawm 44

tsam nrog lub nroog rau txhua qhov kev pab nws xav tau, thaib tsuas yog tau cuam tshuam hauv qhov ua li no nrog kev pab ntawm tus kws tshaj lij pabcuam kev kawm. Tus kws tshaj lij pabcuam kev kawm cov kev pab yog muaj qhov tseem ceeb cuam tshuam rau Sally qhov xiam oos qhab.

Thaum kawg, tsis muaj lwm txoj kev xaiv kom ua tau raws li Sally qhov xav tau rau tus kws tshaj lij pabcuam kev kawm cov kev pab. Qhov chaw pab txhua tus lossis “kev xaiv” rau qhov kev pab rau tus neeg siv yuav luag paub tseeb tos los ntawm WIC nqi lus 4648.5 yog tus neeg siv lub tsev kawm hauv nroog. Sally lub tsev kawm hauv nroog rov qab ua tsis tau los muab cov kev pab tsim nyog rau nws. Lub hom phiaj ntawm nws tus kws tshaj lij pabcuam kev pab yog kom hais lossis yuam lub tsev kawm hauv nroog kom muab yam uas xav tau rau Sally.

Thaum lwm lub chaw haujlwm uas txhawb rau cov tub ntxhais kawm cov teebmeem kev kawm tshwj xeeb muaj nyob hauv lub zej zog, tsis muaj lawm qhov chaw pab rau Sally. Sally thiab nws tsev neeg muaj kev ua haujlwm lub sijhawm ntev nrog nws tus kws tshaj lij pabcuam kev kawm tam sim no, uas tsev neeg siv vim tias nws yog RC tus neeg muag uas raug xaiv rau lawv los ntawm RC. Yog tias Sally yuav tsum tau pib ua haujlwm nrog lwm tus neeg ntxiv tam sim no, tus neeg tshiab yuav tsum tau nqis peev siv lub sijhawm kawm paub txog nws li keeb kwm dhau los. Qhov no yuav ua rau tsis tau txais txiaj ntsig zoo, thiab zoo li tus neeg tshiab yuav tsis nkag siab txog yam uas nws xav tau ib yam li nws tus kws tshaj lij tam sim no. Tus kws ua haujlwm tshiab yuav tsis nkag siab txog keeb kwm ntawm Sally qhov kev tawm tsam nrog lub tsev kawm hauv nroog lossis muaj peev xwm tau txais kev pab los ntawm nws tus kws tshaj lij tam sim no ua haujlwm sib raug zoo nrog lub nroog.

Sally lub rooj sib tham IEP txuas ntxiv yog tau teem sijhawm thaum Lub Cuaj Hli 21, 2015; nws xav tau kev pab los ntawm tus kws pabcuam uas twb sib swm nrog yam uas nws xav tau thaum lub rooj sib tham IEP thiab ib qho kev tshuaj xyuas ntxiv tom qab lub rooj sib tham. Nws yog ib qho tseem cheeb tshwj xeeb uas nws tus kws tshaj lij pabcuam kev kawm tam sim no muaj lub sijhawm los tshuaj xyuas nrog rau nrhiav kev pab daws ntawm nws qhov tsis sib haum nrog lub tsev kawm hauv nroog txog kev kho hais lus uas nws twb tau pib ua haujlwm nrog qhov teebmeem no.

Nplooj 36 ntawm 44

Nws paub tseeb los ntawm ALI Donald Cole qhov kev txiav txim xyoo 2010 uas Sally qhov xwm txheej tsis xwm yeem thiab yuav tsum muaj kev ruaj ntseg, txuas ntxiv ua haujlwm nrog tus kws tshaj lij pabcuam kev kawm kom ntseeg tias ua tau raws li qhov nws xav tau. Lub sijhawm no, Sally qhov xav tau tsuas yog tuaj yeem ua tau los ntawm kev txuas ntxiv muab cov kev pab ntawm nws tus kws tshaj lij pabcuam kev kawm sijhawm ntev.

#### **IV.COV NTSIAB LUS SUAV SAU**

Sally X xav tau cov kev pab ntawm nws lub chaw haujlwm hauv cheeb tsam-tau ntiav tus kws tshaj lij pabcuam kev kawm hla nws lub tsev kawm hauv nroog. RC muaj lub luag haujlwm raug cai kom muab cov chaw pab txhua tus no rau nws. RC tsis raug txwv qhov ua li no vim tias Sally tus kws tshaj lij pabcuam kev kawm cov kev pab tsis yog “kev pabcuam kev kawm” rau tus menyuam hnuv nyoog 3-17 xyoo. Tsis tas li ntawv xwb, txawm tias cov kev pab uas nws xav tau ntawv xam tias yog kev pabcuam kev kawm los xij, Sally muaj cai raug zam los ntawm kev txwv xaj cov kev pabcuam kev kawm vim tias qhov kev pab no yog lub hauv paus tseem ceeb cuam tshuam rau nws qhov xiam oos qhab thiab tsis muaj nyob lwm qhov chaw pab. Yog li ntawv RC yuav tsum tau ntiav tus kws tshaj lij pabcuam kev kawm cov kev pab rau Sally X.

Vam tias yuav tau xa thaum:

Bill X

Leej Txiv ntawm Sally X

Hnuv:

Nplooj 37 ntawm 44

Nplooj 38 ntawm 44

**Cov Ntawv Xa Nrog Ua Ke E: Kev Tswjhwm Cov Lus Txiaiv Txim Plaub**

UA NTEJ

LUB CHAW HAUJLWM TSWJHWM KEV HAIS PLAUB

LUB XEEV CALIFORNIA

Hauv Qhov Teebmeem ntawm Qhov Kev Zam rau:

OAH Tus Npawb. 2015000000 Tus Kws Tshaj Lij Pabcuam Kev Kawm rau:

SALLY X.

Tus Neeg Thov,

thiab

LUB CHAW HAUJLWM HAUV CHEEB TSAM (REGIONAL CENTER),

Lub Chaw Haujlwm Pabcuam.

KEV TXIAV TXIM

Mary Smith, Tus Tswjhwm Kws Hais Plaub, Lub Chaw Haujlwm Tswjhwm Kev Hais Plaub, Xeev California, hnov qhov teebmeem no hauv Los Angeles, California, Lub Cuaj Hli 12, 2011.

Bill X., tus neeg thov leej txiv, tus neeg sawv cev rau tus neeg thov uas tsis tau sawv cev rau saib xyuas kev ncaj ncees.

Ryan M., Esq., sawv cev lub chaw haujlwm pabcuam, Lub Chaw Haujlwm Hauv Cheeb Tsam (Regional Center (RC)).

Tau txais cov ntaub ntawv pov thawj hais ntawm ncauj thiab sau hauv ntawv thiab tau muab xa mus thaum Lub Cuaj Hli 12, 2011.

TEEBMEEM

## Nplooj 39 ntawm 44

1. Puas yog qhov kev zam ua raws li Tsab Cai Welfare and Institutions Code nqi lus 4648.5 uas tso cai lub chaw haujlwm pabcuam pab ntiav tus neeg thov tus kws tshaj lij pabcuam kev kawm?

### TSHAWB NRHIAV QHOV TSEEB

#### *Cov Teebmeem Kev Muaj Cai*

1. Thaum Lub Xya Hli 5, 2011, RC muab kev pab rau tus neeg thov nrog ceebtoom cov kev txiav txim tsis kam lees ntiav tus kws tshaj lij pabcuam kev kawm rau tus neeg thov. Thaum Lub Xya Hli 25, 2011, RC tau txais tus neeg thov tsab ntawv thov saib xyuas kev ncaj ncees qhov tsis pom zoo nrog RC qhov kev txiav txim thiab tsab ntawv foob no raug tshuaj xyuas.

#### *Tus neeg thov Qhov Muaj Cai thiab Cov Kev Pab Tam Sim No Tau Muab Rau*

2. Tus neeg thov yog tus pojniam muaj hnuv nyoog 14 xyoos kuaj pom muaj mob hlwb thiab mob puas hlwb. Ua raws li Daim Ntawv Xaj Lub Ib Hli 7, 2010 uas tau los ntawm kev tswjhwam hais plaub yav dhau los, RC tam sim no tau ntiav ib tus kws tshaj lij pabcuam kev kawm 16 xuaj moos toj ib hlis los pab tus neeg thov nrog nws Qhov Kev Npaj Kev Kawm Rau Tus Kheej (IEP).

#### *Tsab Cai Lanterman Act thiab Lub Chaw Haujlwm Hauv Cheeb Tsam*

3. Tsab Cai Pabcuam Neeg Xiam Oos Qhab Kev Loj Hlob Lanterman (Tsab Cai Lanterman) nrhiav pom ntawm Tsab Cai Welfare and Institutions nqi lus 4500 et seq.

4. Lub Xeev Chav Lis Haujlwm Pabcuam Kev Loj Hlob (DDS) yog tsoomfwv lub chaw haujlwm hauv xeev California ua lub luag haujlwm saib xyuas kev cai lij choj cuam tshuam txog kev saib xyuas, kev coj lost us thiab kev khomob ntawm cov neeg uas xiam oos qhab kev loj hlob raws li tsab cai Lanterman Act. (Tsab Cai Welf. & Inst. Code, nqi lus 4416.) Txhawm rau ua raws li nws tsab kev cai, DDS cog lus nrog nws tus kheej cov chaw haujlwm pub dawb hauv zej zog, hu tias “cov chaw haujlwm hauv cheeb tsam (regional centers),” kom muab cov kev pab rau cov neeg xiam oos qhab kev loj hlob “mus cuag tau cov kev pab thiab kev txhawb uas haum tshaj plaws

Nplooj 40 ntawm 44

rau lawv thoob plaws lawv lub neej.” (Tsab Cai Welf. & Inst. Code, nqi lus 4620.)

5. Lub chaw haujlwm hauv cheeb tsam lub luag haujlwm rau nws cov neeg siv tau teev tseg zaum plaub hauv tsab cai Welfare and Institutions nqi lus 4640-4659.

*2009 Kev Hloov Kho rau tsab cai Lanterman Act*

6. California nyob rau hauv ncuu sijhawm nruab nrab ntawm kev muaj peev nyiaj tsis txaus. Tsoomfwv hauv lub xeev txhua qhov chaw tau txais kev cuam tshuam los ntawm cov teebmeem no, suav nrog DDS. Assembly Bill 9 (AB 9) tau pom zoo nrog qhov kev hloov kho rau Tsab Cai Lanterman hauv kev txhawb kom tau raws li xwm txheej kev nyiaj txiag. Nqis lus 4648.5 tau ntxiv rau tsab cai Welfare and Institutions uas tau muab:

"(a) Txawm hais tias ib tsab kev cai lij choj lossis cov cai yuav teev tseg lwm yam rau qhov tsis sib haum, siv tau txij Lub Xya Hli 1, 2009, lub chaw haujlwm hauv cheeb tsam qhov kev tso cai xaj cov kev pab txuas ntxiv no yuav rau ncuu ntxiv kev ua haujlwm ntawm Tus Kheej Txoj Kev Xaiv Nyiaj Pab thiab lees paub los ntawm Tus Thawj Coj Pabcuam Kev Loj Hlob uas Tus Kheej Qhov Kev Xaiv Nyiaj Pab tau ua tas los thiab yuav cuam tshuam rau lub xeev cov peev nyiaj khaws tseg muaj txiaj ntsig them rau cov nqi muab cov kev pab txuas ntxiv no:

(1) Cov kev pab pw tom tshav puam thiab kev them nyiaj nqi kev cuam tshuam.

(2) Cov haujlwm so ua si nrog lwm tus, zam rau cov haujlwm muag khoom hnuv nyob hauv zej zog.

(3) Kev pabcuam kev kawm rau cov menyuam yaus hnuv nyoog peb txog 17 xyoo, xiam oos qhab, cov hnuv nyoog.

(4) Kev khomob tsis siv tshuaj, suav nrog, tab sis tsis yog tas rau, cov kev ua si tshwj xeeb, txuj ci yeeb yam, seev cev, thiab mloog nkauj.



## Nplooj 41 ntawm 44

(b) Txog lub chaw haujlwm hauv cheeb tsam cov neeg siv tau txais cov kev pab uas tau piav qhia hauv nqi lus me (a) uas yog ib feem ntawm lawv tus kheej qhov kev npaj pab (IPP) lossis tus kheej qhov kev npaj pab tsev neeg (IFSP), qhov kev txwv hauv nqi lus me (a) yuav tsum siv tau txij Lub Yim Hli 1, 2009.

(c) Qhov kev zam tej zaum yuav tau muab ntawm tus kheej ua lub hauv paus hauv qhov xwm txheej tshwj xeeb kom tso cai xaj cov kev pab tau xaiv hauv cov nqi lus me (a) thaum lub chaw haujlwm hauv cheeb tsam txiav txim tias cov kev pab yog qhov tseem ceeb lossis muaj txiaj ntsig zoo rau qhov tseem ceeb ntawm lub cev, lub hlwb, lossis cuam tshuam txoj kev xav ntawm tus neeg siv qhov xiam oos qhab kev loj hlob, lossis qhov kev pab tsim nyog pab rau tus neeg siv kom nyob tau hauv nws lub tsev thiab tsis muaj lwm qhov kev pab haum raws li tus neeg siv xav tau.”

Nqi lus ntawm tsab cai tshiab tsis hais txog “qhov xwm txheej tshwj xeeb,” thiab tsis muaj qhov qhia rau pom tias yam tag yuav tseem ceeb “qhov tseem ceeb lossis muaj txiaj ntsig rau qhov kev pab” rau tus neeg siv qhov xiam oos qhab kev loj hlob yog li thaum tso cai rau tus neeg siv txuas ntxiv tau txais cov kev pab no, kwv yees tias tawm ntawm qhov kev txiav txim siab no rau txhua lub chaw haujlwm hauv cheeb tsam thiab tshuaj xyuas qhov tseeb ib qho zuj zus.

### *Cov Pov Thawj Nthauv Tawm thaum Hais Plaub*

7. Warren W., RC Tus thawj saib xyuas haujlwm, tau hais tawm tias tus neeg thov tau muaj qhov “xwm txheej hloov pauv” uas tam sim no nws pib mus kawm hauv lwm lub tsev kawm theem nrab ua rau nws tsis xav tau cov kev pab los ntawm tus kws tshaj lij pabcuam kev kawm ntawv vim nws qhov teebmeem yog nyob ntawm lub tsev kawm dhau los. Nws kuj tseem hais ntxiv tias txawm tus neeg thov tus kws tshaj lij pabcuam kev kawm tam sim no, Deborah P., yog tus RC muag khoom, nws muab tsis tau cov kev pab raws sijhawm daim ntawv teev num thaum zoo li ntawv RC tsis xav siv nws cov kev pab txuas ntxiv lawm. Txawm li cas los xij, nws tau lees tias RC txuas ntxiv pab nyiaj rau nws cov kev pab thaum lub sijhawm nws muab tsis tau daim ntawv teev num.

8. Tus neeg thov, niam txiv tau muab cov lus ua pov thawj txaus ntseeg thiab ntseeg siab tau ntsig txog cov teebmeem nyuaj uas lawv tau muaj nrog tus neeg thov lub tsev kawm hauv nroog thiab tau hais kom lub tsev kawm

## Nplooj 42 ntawm 44

hauv nroog muab cov kev pab xav tau raws kev cai lij choj thiab tau teev tseg hauv IEP. Lawv kuj tseem piav qhia tias Deborah P. muaj kev sib swm txog tus neeg thov qhov xwm txheej, tau ua ib qho cuab yeej tau txais cov kev pab uas xav tau, thiab yog lub hauv paus tiv thaiv ntawm tus neeg thov li txheej txheem IEP. Txawm hais tias kev mus kawm lub tsev kawm tshiab, txhua yam kev pab xav tau uas tau sau tseg rau hauv IEP tseem tsis tau ua los xij. Tsis tas li ntawv xwb, tus neeg thov thiab lub tsev kawm hauv nroog tam sim no tsis pom zoo ntsig txog nws cov kev pab kho hais lus. Thaum zoo li ntawv, kev hloov chaw mus rau lwm lub tsev kawm tseem tsis tau zoo.

### *Kev ntaus*

9. Qhov tseem ceeb tshaj ntawm cov pov thawj tau sau tias tus neeg thov muaj cai rau qhov raug zam raws li Tsub Cai Welfare and Institutions nqi lus 4648.5, nqi lus me (c). Cov pov thawj tsis muaj txiaj ntsig zoo tau muab nthuav qhia rau tsim qhov uas tus neeg thov tsis xav tau kev pab txuas ntxiv ntawm tus kws tshaj lij pabcuam kev kawm. Rau qhov laj thawj dab tsi los xij, tus neeg thov lub tsev kawm hauv nroog pom tias muaj tus neeg sib cav nrog hauv nws qhov kev kawm thiab nws tsuas yog hla kev txiav txim ntawm Deborah P. uas lub nroog tau koom tes nrog. Kev tshem tawm nws cov kev pab tam sim no yuav yog qhov txaus ntshai heev rau tus neeg thov thiab nws tsev neeg. RC ua tsis tiav tsim qhov kev hloov pauv muaj txiaj ntsig hauv qhov xwm txheej kom lees tab rau kev ntxeev lus hauv lub tsev hais plaub tsab ntawv xaj ua ntej tsim kev zam rau qhov pabucam kev kawm. Ib qho teebmeem twg ntawm RC thiab Deborah P. ntsig txog nws qhov ua tsis tiav raws lub sijhawm maub cov ntawv teev num yog ib qho tsim nyog dua los tuav tswj raws li cov teebmeem yuav khoom sab hauv, muaj feem nrog RC qhov txiav cov nyiaj them rov qab ntawm nws cov ntawv sau nyiaj kom txog thaum tau txais daim ntawv teev num nce qeb, tab sis tsis yog kev quab yuam tus neeg thov uas yog tshem tawm ntawm nws qhov teebmeem.

## COV NTSIAB LUS SUAV SAU RAWS KEV CAI LIJ CHOJ

### *Lub Luag Haujlwm ntawm Cov Pov Thawj*

1. Hauv cov txheej txheem kev tswj hwm, raws li hauv lub rooj sib tham pej xeem kev coj ua, tog uas lees tab qhov kev pom zoo feem ntau tau lub luag ua haujlwm ua pov thawj, suav nrog pov thawj ntawm kev ua raws li qhov muaj ntsiab lus hnyav dua ntawm cov pov thawj. (McCoy v. Pawg Thawj Coj So Haujlwm (1986) 183 Cal.App.3d 1044, 1051-1052.) RC tau tab kaum

## Nplooj 43 ntawm 44

ntawm qhov kev tsim uas zam rau cov kev pab kev kawm tsis muaj txuas ntxiv lawm.

### *Tsab Cai Lanterman Act*

2. Chaw haujlwm kev cai lij choj tau tshaj tawm tsab kev cai lij choj uas hu tias Tsab Kev Cai Pabcuam Neeg Xiam Oos Qhab Kev Loj Hlob Lanterman txhawm rau muab cov khoom siv thiab cov kev pab muaj txiaj ntsig zoo kom tau raws li qhov xav tau ntawm txhua tus neeg uas muaj qhov xiam oos qhab kev loj hlob, ntsig txog lub hnub nyoog lossis theem kev puas cev, thiab txhua theem ntawm lub neej. Lub hom phiaj tseem ceeb ntawm tsab kev cai lij choj yog ob npaug: txhawm rau tiv thaiv lossis txo qis lub chaw haujlwm txhim kho cov neeg xiam oos qhab thiab lawv qhov kev hloov chaw los ntawm tsev neeg thiab zej zog, thiab kom ua rau lawv muaj npeev xwm pab tau tus kheej ntawm kev ua neej nyob niaj hnub ib yam li cov neeg tsis xiam oos qhab muaj hnub nyoog ib yam thiab ua rau muaj kev ywj pheej dua qub thiab muaj lub neej zoo dua hauv zej zog. (Lub Koom Haum Pab rau Cov Neeg Hlwb Qeeb v. Lub Chaw Haujlwm Pabcuam Kev Loj Hlob (1985) 38 Cal.3d 384, 388.) Nws yogi b qho tseem ceeb kom nco tseg tias tsis muaj tus neeg thov cov lus thov rau cov kev pab uas tsis muaj laj thawj lossis tsis cuam tshuam rau nws qhov mob. Qhov tseeb, ntau cov kev pab tau muab toj ib qho IEP thiab tom qab ntawv, txog cov laj thawj uas tseem tsis tau paub tseeb, lub tsev kawm ntawv hauv nroog tsis kam lees muab cov kev pab no.

3. Cov kev pab cuam tshuam ntawm Tsab Cai Pabcuam Cov Neeg Xiam Oos Qhab Li Kev Loj Hlob Lanterman yog muaj nyob hauv Kev Tshawb Nrhiav Qhov Tseeb.

*Lub Hauv Paus Tseem Muaj kom Tau Txais Ntawv Thov txhawm rau Zam Qhov Kev Kawm Ntawv*

### *Kws Tshaj Lij*

4. Cov pov thawj uas muaj ntsib lus hnyav dua tau teev tseg tias RC yuav tau txuas ntxiv nqis peev muab cov kev pab ntawm tus kws tshaj lij pabcuam kev kawm rau tus neeg thov. Tus neeg thov tau txuas ntxiv nthuav tawm cov pov thawj muaj txiaj ntsig los lees tab qhov kev zam rau qhov kev pab no.

NTAWV XAJ

Nplooj 44 ntawm 44

Tus neeg thov cov lus thov kom zam raws li Tsab Cai Welfare and Institutions nqi lus 4648.5, nqi lus me (c), tau tso cai. RC yuav tsum txuas ntxiv pab nyiaj rau tus neeg thov cov lus thov cov kev pab ntawm tus kws tshaj lij pabcuam kev kawm ntawv.

HNUB TIM: Lub Cuaj Hli 23, 2011

MARY SMITH

Tus Tswjhwm Cov Kws Lij Choj Hais Plaub

Lub Chaw Haujlwm Tuav Tswj Hais Plaub (Office of Administrative Hearings)

### **NTAWV CEEBTOOM**

**Nov yog tsab ntawv tswjhwm kev txiav txim zaum kawg. Ob tog tau koom nrog qhov kev txiav txim no. Ob tog tuaj yeem sau ntawv foob qhov kev txiav txim no mus rau lub tsev hais plaub muaj peev xwm siab dua nyob hauv cuaj caum hnuv.**

*Disability Rights California tau pab nyiaj los ntawm ntau qhov chaw pab, kom pom tag nrho cov npe chaw pab nyiaj, mus rau <http://www.disabilityrightsca.org/Documents/ListofGrantsAndContracts.html>.*