Ogeysiiska Waalidka Nidaamka ilaalinta

##

Gacaliye/Gacaliso Waalid:

Waxaad naga heleysaa Ogeysiiskaan oo ah Nidaamkan (Ogeysiin) sababta oo ah in wiilkaada ama gabadhaada (arday) loo gudbiyay in qiimeyn lagu sameeyo ama hadda uu helayo adeeg waxbarasho oo qaas ah. Haddii ardyagaada uu u qalmo waxbarasho qaas ah, iskoolka degmada waa inuu bixiyaa waxbarasho ku haboon ee lacag la’aan ah, taas oo loo soo gaabiyo FAPE (oo ah Waxbarashada ku haboon ardayga oo lacag la’aan ah.) Si loo bixiyo FAPE, iskoolka degmada waa inuu kuula shaqeeyaa si iskaashi ah. Waxaad xubin ka noqon doontaa kooxda Barnaamijka Waxbarasho Gaarka u ah Shaqsiga oo loo yaqaan (Individualized Educational Program) loona soo gaabiyo (IEP.)[[1]](#footnote-1) IEP-ga waa inuu tafaasiil ka bixiyaa baahida gaarka u ah ardaygaada oo ay kamid tahay adeeg caawin oo ku filan in ardayga u sahasho horay u socod aqooneed ee micno leh iyo in laga caawiyo ardaygaada inuu helo tacliin iyo xirfad, ay kamid tahay horumarinta shucuurtiisa iyo bulsho-nimadiisa, taaso oo ku saleysan qaab u socodka laga filayo horay u socodkiisa. Adeeg walbo oo waxbarasho qaas ah ee loo arko inay ku haboon tahay ardaygaada waa in loo bixiyaa si bilaash ah oo wax kharash ah lagaa rabin. Dhamaan ardayda wax ka barta Gobolka, ay ka mid yihiin ardayda lixaadkooda dhiman yahay, waxay leeyihiin fursad ay ku bartaan waxa lagu dhigo manhajka u dhisan Massachusetts. Massachusetts waxaa kale uu xaq shakhsiyeed siiyaa barnaamijka FAPE oo loogu tala galay ardayda lixaadooka dhiman yahay oo dhigta kharashna ku bixiya iskoollada sida gaarka ah loo leeyahay, kuwaas oo rabo adeegyada waxbarashada khaaska ah ee laga bixiyo iskoollada dadweynaha.

[Sharciyada Gobolka iyo Federaalka](#_Laws_and_Regulations) labadoodaba waxay ka kooban yihiin sharciyo laga rabo inay raacaan degmooyinka iskoolka markay go’aaminayaan in arday u qalmo waxbarasho khaas ah iyo, sidaa hadey tahay, adeegyo noocee ah ayuu ardayga heli doonaa. Sharciyadan waxay kaloo tafaasiil ka bixiyaan nidaam lagu hubiyo in ardayga uu helo barnaamikja FAPE gabi ahaan waqtiga asiga ama ayada uu u qalmo waxbarashada khaaska ah. Waxbarashada Khaaska ah waa qeyb adag oo kamid ah sharciga waxbarashada aadna loo xakameeyo. Faahfaahinta sharciga waxaa loogu tala galay inuu difaaco ardaygaada uuna ka caawiyo hubinta in hesho ama helo adeegyo waxbarasho eek u haboon. Waxaad ka heli kartaa caawin dheeraad ah ee ku saabsan fahanka qaab u socodka waxbarashada khaaska ah, xafiiska talabixinta iskoolka, Waaxda Waxbarashada Massachusetts ee dugsiga hoose iyo sare lagu magacaabo (Massachusetts Department of Elementary and Secondary Eduction – DESE,) hay’adaha waalidiinta dhalay ardayda lixaadkooda hooseeya, iyo hay’adaha waxbarashada khaaska ah ee goonida loo leeyahay. Macluumaadka meelahaas laga soo xigtay waxay kaa caawinayaan in aad si wada jir ah ula shaqeysa degmada iskoolkaada si aad u hibiso in ardaygaada uu helo adeegyada waxbarasho ee ku haboon. DESE waxay ku daabacdaa boggeeda internetka macluumaad badan ee loogu tala galay waalidiinta iyo iskoollada degmooyinka. [Liiska bogagga internetka ee DESE](#_9.3__)  waxaa lagu daray dhamaadka Ogeysiiskaan.

Ogeysiiskaan waxuu ku siinayaa macluumaad muhiim ah eek u saabsan xaqa aad u leedahay in aad ka mid noqota qorsheynta waxbarashada khaaska ah ee ardaygaada. Nidaam u socodka qaabeysan ayaa ah sharciyada gaarka ah ee lagu hubiyo in aad ogaato in iskoolka degmada soo jeedinayo, aadna ogolaaneyso (siineysa ogalaansho waalid) oona leh fursado badan ee lagu xaliyo is afgaran waa idiin dhaxeeya degmada iskoolka (in la falanqeeya.) Nidaam u socodkan qaabeysan ee sharciga ah waxa uu sii bixiyaa ilaalin dheerad ah ee ku xusan dokumentigaan.

Waxaan fileynaa in Ogeysiiskan uu caawin kaa siiya sidii aad kaalin dowr leh uga qaadan laheyd waxbarashada ardaygaada.

Dokumentigan oo ah Ogeysiiska Waalidka ee Nidaamka Qaabeysan (Procedural Safeguards), waxuu ka jawaabaa su’aalaha soo socda:

|  |  |  |
| --- | --- | --- |
| 1. [Waa maxay "ogeysiiska hore oo qoraal ah" goorma ayaadna heleysaa?](#_When_Do_You)
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| 1. [Iskoolka degmada ma iney qiimeeyaanbaa marka waalidka codsado?](#_3.__) Page 5
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| 1. [Waa maxay "waxbarasho qiimeeye madax banaan?"](#_What_is_an)
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| 1. [Goorma ayaad arki kartaa rikoorka ardaygaada?](#_When_Can_You)
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| 1. [Sidee iskoolka u edbinayaa arday lixaaddiisa dhiman tahay?](#_How_May_a)
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| 1. [Xagee laga helaa sharciyada iyo macluumaadka wax ku oolka ah?](#_10.__)
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Ogeysiiskan waxaad heleysaa ugu yaraan hal mar sanadkiiba haddii ardaygaada u qalmo waxbarasho khaas ah. Waxaa kale oo codsan kartaa in koobi lagaa siiya iskoolka degmadaada ama xafiiska DESE mar kasta. Dokumentigan waxaa laga heli karaa bogga internetka ee DESE <http://www.doe.mass.edu/sped/prb>.

## **1. Waa Maxay "Ogeysiiska Hore Oo Qoraal Ah" Goorma Ayaadna Heleysaa? 34 Cfr §300.503**

Iskoolka degmada waa inuu ku siiyo ogeysiis qoraal ah makuu soo jeediyo ama diido inuu magacaabo, qiimeeya ardaygaada, si loo siiyo ardaygaada waxbarasho khaas ah, ama si loo bedelo barnaamijka waxbarasho ee ardaygaada. Sharciga federaalka waxuu u yaqaannaa “ogeysiiska hore oo qoraal ah.” Ogeysiiska qoraalka ah waa inuu:

* Faallo ka bixiya waxa iskoolka degmada soo jeediyay ama diido inuu sameeyo;
* Sharraxo sababta iskoolka degmada usoo jeedinayo ama u diidayo tallaabada uu qaadayo;
* Faallo ka bixiya sida iskoolka degmada u go’aamiyay inuu soo jeediyo ama didio tallaabada uu qaadayo, ay ka mid tahay inuu kuu sheego sida qiimeynta, habka, rikoorka, ama war bixinta iskoolka degmada u isticmaalay gaaridda go’aanka; iyo
* Faallo ka bixiya doorrimaad kale ay tixgelin siiyeen kooxda ka shaqeeya Barnaamijka Waxbarasho Shakhsiyeedka (IEP) iyo sababaha doorrimaadkan oo diiday.

Degmooyinka iskoolka ayaa ku siinaya macluumaadkaan ayagoo isticmaalaya foom-yaal ay diyaariyeen DESE waxaana laga helaa bogga internetka ee DESE ama foom-yaalka ay leeyihiin ayaka oo ka kooban isla macluumaadkaas.

Waxaad horay u heli doontaa qoraal ogeysiis ah marka iskoolka degmada: soo jeediyo inuu sameeyo qiimeynta koowaad ama qiimeyn labaad; soo jeediyo IEP cusub ama dib loo saxay; soo jeediyo meeleyn, ay ka mid tahay soo jeedin lagu bedelo meeleyn keentay sababo edbin ah; ama soo jeediyo in la dhameeyo adeeyada waxbarashada gaarka ah.

Waxaad kaloo heleysaa ogeysiis haddii iskoolka degmada uu u garto in waxbarashada khaaska ah u qalmin ama uu diido codsi aad adiga u sameysay ee la xiriira qiimeynta ama in la siiyo ardaygaada adeega waxbarashada khaaska ah. Ogeysiiska iskoolka degmada waa in lagugu siiyo luqadaada hooyo ama xiriiryo kale aad isticmaasho, marka laga reebo inay suuro-gal noqon wayso. Haddii luqadaada hooyo ama siyaabaha kale ee xiriirka u isticmaasho, iskoolka degmadaada waa inuu hubiyo in laguu tarjumo si afka ah ama siyaabo kale (sida, luqada gacanta laga hadlo), iyo inaad fahanto waxa ku qoran ogeysiiska.

Iskoolka degmada waxaa kale uu ku siin doonaa ogeysiis codsan doonaane ogalaanshahaaga – ama codsi qoraal ah – kahor inta iskoolka degmada uu weydinin ceymiska caafimaadka dadweynaha (MassHealth ama Medicaid), si ay u bixiyaan adeegyada waxbarashada khaaska ah ee ardaygaada marka ugu horreysa.

Marka lagu siiyo ogeysiiska qoraalka ah ee hore, waxaa lagu siinayaa koobi ah Ogeysiiska Nidaamka Qaabeysan ah (Notice of Procedural Safeguards) ama hadaad horay u heshay Ogeysiiskan sanad-dugsiyeedkan lagu jiro, waxaa laguu sheegayaa sidaad ku heli lahayd koobi kale. Waxaa kaloo lagu siinayaa macluumaad ku saabsan qofka aad kala xiriiri karta caawinta inaad fahanto sharciyada federaalka iyo gobolka ee waxbarashada khaaska ah.

## **2****. Waa Maxay Ogolaanshaha Waalidka ? 34 CFR §300.9 and 603 CMR 28.07 (1)**

Waxaa laga yaabaa in iskoolka degmada ardaygaada siinin imtixaan khaas ah ama adeeg khaas ah haddii aadan ogolaan oo aadna siinin “ogolaansho waalid” ee qoraal ah. Waa in iskoolka degmada kula soo xiriira si buuxdana u sharraxo waxa ay soo jeedinayaan inay u qabanayaan ardaygaada. Kadib iskoolka degmada waxuu ku weydin doonaa inaad magacaada ku saxiisdo foomka ogolaanshaha si aad u tusido inaad aqbashay soo jeedinta iskoolka. Tan ayaa ah “ogolaanshaha waalidka.”

Inaad bixiso ogolaanshaha waa ikhtiyaar kaada. Waad ka noqon kartaa, am ka laaban kartaa ogolaanshahaaga mar walbo. Hadaad damacdo inaad ka laabato, ogolaanshahaaga, waa inaad si qoraal ah u sameyso. Inaad ka tala baxdo ogolaanshaha waxay quseysaa kaliya falalka mustaqbalka ee iskoolka degmada sameyn doono, mana aha wax horay u soo dhacay. Iskoolka degmada uma isticmaali karo diiditaankaada hal adeeg aad diido inay sabab uga dhigaan sabab ay ugu diidaan adiga ama ardaygaada adeeg kale, faa’ido, ama waxyaabo kale.

Ogolaanshahaaga qasab ma ah kahor inta iskoolka degmadaada ay dib u fiiriyaan macluumaadka la hayo ee quseeya qiimeynta ama dib u qiimeynta ardaygaada, ama siiyaan ardaygaada imtixaan ama qiimeyn kale ee la siiyo dhamaan ardayda ogolaansho la’aan, sida MCAS ama imtixaanka fasalka eek a mid ah barnaamijka aqoonta guud ama la wadaagaan saraakiisha waxbarashada gobolka ama federaalka waxii macluumaad ah.

## **2.1 Goorma ayuu Iskoolka Degmada ku Weydinayaa Ogolaanshahaaga?** **34 CFR §§ 300.300, 300.154 and 603 CMR 28.07(1)**

Iskoolka degmada waxuu kuu weydin karaa ogalaansho waalid siyaabaha soo socdo:

**Ogolaanshaha qiimeynta koowaad si loo ogaado in ardayga u qalmo waxbarashada khaaska**

Iskoolka degmada ma samayn karo qiimeynta koowaad ee ardaygaada si loo ogaado in ardaygaada u qalmo helitaanka waxbarashada khaas ka iyo/ama adeegyo la xiriira ogolaansho la’aantaada. Haddii ardaygaada loo gudbiyo in qiimeyn lagu sameeyo, iskoolka degmada waa inuu ogolaansho kugu weydiyo 5 maalmood gudahooda ee maalmaha iskoolka ah.

**Si loo ogolaado adeega koowaad**

Hadii Kooxda Barnaamij Shakhsiyeedka Waxbarasho (IEP) go’aansato qiimeynta koowaad kadib, in ardaygaada u qalmo waxbarasho khaas ah, Kooxda IEP-da waxay soo jeedineysaa waxbarasho khaas ah iyo adeegyada la xiriira ayna meeleyn doontaa ardaygaada. Waxaad xubin ka tahay Kooxda IEP-da waana in aad ogolaansho bixisaa inta iskoolka degmada uu siinin ardaygaada waxbarasho khaas ah iyo adeegyada la xiriira ee ugu horreeya. Haddaad ogolaanin, iskoolka degmada ma siin karo ardaygaada waxbarasho khaas ah iyo adeegyada la xiriira. Waa diidi kartaa qeyb ka mid ah ama dhamaan soo jeedinta. IEP-da ama qeyb kasta aad ogolaato waa inay billaabato isla markaad aqbasho.

**Si loo badelo adeegyada, meeleynta ama dib u qiimeynta**

Markaad u aqbasho ardaygaada barnaamijka IEP-da, isloolka degamda waa inuu kaa helo ogolaanshahaaga kahor iskoolka degmada inta uu badellin adeegyada ama meeleynta ardaygaada, ama uu sameyn di u qiimeyn.[[2]](#footnote-2) Haddii aad diido inaad ogolaansho bixiso, waxaa ku saran mas’uuliyad aad kala hadasho degmada si loo xaliyo qilaafka. Hadaad horay u bixisay ogolaansho adeegyada ah laakin aad rabto inaad la noqoto ama ka istaajiso ardaygaada, waa inaad si qoraal ah u samyso. Iskoolka degmada waxaa laga yaabaa in uu racfaan lagu go’aamiyo arrinta uu weydiisanin Hay’ada Racfaanka Waxbarashada Khaaska ah (loo yaqaan Bureau of Special Education Appeals – BSEA) si ay u hesho awoodda ay ku siiso ardaygaada waxbarashada khaaska ah ama dib u qiimeyn ogolaansho la’aantaada.

**Si looga faa’ideysto ceymiska caafimaadka dadweynaha marka hore (MassHealth ama Medicaid)**

Iskoolka degmada waxaa loo ogolyahay inuu isticmaalo ceymiska caafimaadka dadweynaha (MassHealth ama Medicaid) si loo bixiyo qeyb ka mid ah qarashka adeeyada waxbarashada khaaska ah ay ka mid tahay IEP-da ardayga ee ardayda haysta ceymiska caafimaadka dadweynaha. Inta iskoolka degmada wax ka helin MassHealth marka hore, waa in iskoolka degmada marka hore ku siiyo ogeysiis qoraal ah ee uu kugu weydinayo inay raadsan karaan lacag uga soo noqoto ceymiska. Ogeysiiska waxuu kuu sheegi doonaa in adiga ama qoyskaada ay adeegyada waxbarasho khaas ah ku helayaan si bilaash ah, uu caddeynayaa in ogolaanshahaaga waxna ka badelin faa’idooyinka ardaygaada ka helo MassHealth ama waxuu u qalmo; kuu sheegayaa macluumaadka ku saabsan ardaygaada ee lala wadaagi doona si wax looga helo MassHealth; ku xasuusinayaa in ogolaanshahaaga mar waliba aad la noqon karto; iyo in adeega wabarashada khaaska u ah ardaygaada wax iska badeli doonin hadii aad ogolaansho bixin ama la laabato. Hadii aad guurto ama ardaygaada iskool degmo kale geyso, iskoolka degmada cusub mar kale ayuu ku weydin doonaa in aad ogolaansho bixiso.

Si cudur-daar loogu sameeyo Kooxda IEP inay u soo xaadiraan kulanka Kooxda

Xubnaha kooxda IEP waa loo cudur-daari karaa inay qasoo qeyb gelin kulanka kooxda hadii aad si qoraal ah u aqbasho. Hadii Kooxda ka hadlayso arrimo qofka loo cudur-daaray inuu kasoo qeyb gelin kulanka, qofka loo cudur-daaray waa inuu taladiisa si qoraal ah u soo gudbiyo kahor inta Kooxda kulmin. Hadii aadan qofka xubinta ka eh kooxda aad siinin ogolaansho, waa asiga ama ayada ka soo qeyb galo kulanka Kooxda IEP.

## **2.2 Goorma ayaa ardayga la weydin ogolaansho?** **34 CFR §300.520 and 603 CMR 28.07 (5)**

Marka la fiiriyo sharciga Massachusetts, ardayga waxuu qaan gaaraa markuu galo 18 jir. Markuu adayga 18 sano gaaro, xuquuqda go’aan gaaridaada waalid ahaaneed ardayga ayay ku waregeysaa, marka laga reebo hadii maxkamad kuu magacawdo inaad ardaygaada mas’uul ka tahay, ama ardaygaada si qoraal ah u muujiyo inuu kula qeybsado go’aankiisa ee aad sii wadato awooda aad go’aan ka sameyso barnaamij kiisa ama keeda waxbarasho. Iskoolka degmada waa inuu kaala hadlaa adiga iyo ardaygaada saameynta xuquuqda aad u gudbineyso, hal sano kahor ugu yaraan inta ardayda 18 jir gaarin. Waalidka ardayga liixaadkiisa dhiman tahay, way sii socon doontaa inaad hesho ogeysiisyada iskoolka laga doonayo waadna sii wadi doontaa inaad fiiriso rikoorka waxbarasho ee ardaygaada xitaa hadii ardaygaada uu go’aan ka gaaro waxbarashadiisa ama waxbarashadeeda.

## **2.3 Goorma ayaa qof waalid ahaan u xil saaran uu bixinayaa ogolaansho?** **34 CFR §300.519 (g) and 603 CMR 28.07 (7)**

Haddii ardayga ay hayso Wasaarada ama Waaxda Caruurta iyo Qoysaska, ama haddii waalidka ama qofka mas’uulka ardayga ka ah la helin ama xuquuqdooda waalidnimo laga qaaday, waxaa mas’uuliyada qaadaya DESE si loo helo qof weyn ee dan gaar ah wadan uu go’aan ugu sameeyo ardayga. Qofkan ayaa loogu wacaa qof waalid ahaan u xil saran waxbrashada khaaska ah. DESE ayaa go’aamiso hadii loo baahdo magacaabidda qof waalid ahaan u xil saaran ardayga. Haddii la magacaabo, qofka waalid ahaan u xilsaaran ardayga waxuu leeyahay mid la mid ah mas’uuliyada waalidka ee arrimaha waxbarashada khaas ka ah ee ardayga.

## **2.4 Sidee ayaan uga laabtaa ogolaanshaha? 34 CFR §300.300(b)(4) and 300.9**

Haddii aad ogolaansho u bixisay waxbarasho khaas ah ama adeegyada la xiriira, haddana dooneyso inaad la laabato ogolaanshaha, waa inaad si qoraal ah u sameyso. Waxaad ka laaban kartaa ogolaanshahaada dhamaan waxbarashada khaaska ah iyo adeegyada la xiriira, adeeg gooni ah ama meeleynta ama isticmaalka MassHealth ee iskoolka degmada ama faa’idada Medicaid ka ee ardaygaada. Marka iskoolka degmada helo warqadaada, degmada waxay kuu soo direysaa ogeysiis sheegaya is badelka iyo haduu jiro meeleynta waxbarashada iyo adeegayada is badelay kadib markaad la laabatay ogolaanshahaaga. Markaad ka laabato dhamaan ogolaanshahaaga waxbarashada khaaska ah iyo adeegyada la xiriira, iskoolka degmada Malaga rabo inuu sameeyo kulanka kooxda IEP da ama u diyaariyo ardaygaada IEP da. Iskoolka degmada waajib kama saarna inay badelaan ama ka tirtiraan rikoorka adeegyadii waxbarashada khaaska ah kadib markaad ka laabato ogolaanshahaaga.

## **3. Iskoolka Degmada ma laga rabaa inay Qiimeyn ku sameeyaan ardayga marka waalidka codsado?**

##  **34 CFR §300.301 and**

## **603 CMR 28.04**

Ardayga waa inuu helaa qiimeyn dhameystiran si loo ogaado in ardayga lixaadkiisa dhiman yahay uuna u qalmo waxbarasho khaas ah, loona caawiyo haddii uu qalmo si loo helo waxbarasho khaas ah iyo adeegyada la xiriira ee ku haboon. Waalidiinta dhaliil ka qabo horumarka caruurtooda ama shaki ka qabo inuu jiro lixaad yari waxay u gudbin karaan ciyaalkooda qiimeyn koowaad lagu sameeyo. Erayo gaar ah in la isticmaalo looma baahno si loogu gudbiyo qiimeynta koowaad. Marka la helo codsigaas ah ee qiimeynta koowaad, iskoolka degmada waa inuu ogeysiis u diraa waalidka uuna dalbado ogolaanshaha waalidka ee qiimeynta ah. (in iskoolka degmada diido inuu sameeyo qiimeynta koowaad waa dhif waxayna dhici kartaa kaliya marka waalidka ama qofka kale ee soo gudbinayo codsiga uu shaki ka qabin lixaadka dhiman ama dhaliilsaneyn horumarka ardayga.)

Meelo kale ee ku haboon hadey jirto, iskoolka degmada waxay waalidka siin karaan macluumaad ku saabsan adeegyo kale oo ka caawiyo ardayga baahidiisa ee ku haboon. Laakin, iskoolka degmada ma diidi karo inuu arday loo soo gudiyo qiimeynta kor ku xusan sameeyo ayadoo la fiirinayo barnaamijyo kale ama siyaabo kale ee lagu caawiyo sababtey doontaba ha noqotee. Waxaa sii dheer, sharciga waxuu dhigayaa in qiimeyn is daba joog ah la sameeyo si loo hubiyo in ardayga ka faa’ideysanayo loona sii wado waxbarashada khaaska ka ah ee u baahanyahay. Ogolaanshaha waalidka ayaa loo baahan doonaa mar kasta inta aan la sameyn dib u qiimeynta.

## **4. Waa maxay Qiimeyn Waxbarasho ee Madaxbanaan?** **34 CFR §300.502 iyo 603 CMR 28.04(5)**

Qiimeyn Waxbarasho ee Madaxbanaan (Independent Educational Evaluation – IEE) waa qiimeyn uu sameeyo baare madaxbanaan ee u qalmo shaqada oo aan u shaqeyn iskoolka degmada mas’uulka ka ah waxbarashada ardaygaada.

Waxaad xaq u leedahay inaad ardaygaada u codsato qiimeyahaas madaxa banaan ee loosoo gaabiyo (IEE) ee lacagta lagaa bixiyo haddii aad aqbalin qiimeynta iskoolka degmada. Hadaad codsato IEE, iskoolka degmada waa inuu ku siiyo macluumaad ku saabsan meesha aad ka heli karto IEE iyo waajibaadka gobolka ee quseeyo IEE da.

## **4.1 Goorma ayaa lagaa bixinayaa qarashka Qiimeyn Waxbarasho ee Madaxbanaan?**

Sharciga gobolka Massachusetts, waxaad heleysaa IEE si qarash la’aan ah ama qeyb la bixiyo hadaad soo buuxiyo shuruudaha dakhliga ku soo galo. Ardayda u qalanto cunto bilaash ah ama qiimo la yareeyay waxay loo ogolyahay IEE in si bilaash ah lagu siiyo. Ardayda kale waxay mudan yihiin in qeyb qarashka IEE da laga bixiyo marka la fiiriyo cabir qarash qeybsi u sameysan. Inaad la wadaagto iskoolka degmada faahfaahin dhaqaalahaada ah waa ikhtiyaarkaada. Hadaad sidaa doorato, waa in iskoolka degmada si degdeg ah qoraal kuugu wargeliyo haddii aad u qalanto si buuxda ama qeyb ah in lagaaga bixiyo IEE da, loona gudo galo in lacag lagu bixiyo IEE da ayadoo la fiirinayo u qalmitaankaada. Xaqaada in lagu siiyo IEE qarash la’aan ah ayadoo la fiirinayo dakhligaada waxuu soconayaa 16 bilood oo laga soo billaabo taariikhda qiimeynta iskoolka degamda ee aad aqbashay.

Haddaad dhakhligaada dartiis aad u qalmi weyso ama doorbidid in aad dhaqaalahaaga sheegin, degmada waa inay tixgelin u sameyso codsigaada qarash la’aanta ayadoo la fiirinayo sharciga federaalka ah. 5 maalmood gudahooda, degmada waa inay aqbashaa bixinta IEE da oo bilaash ah ama codsato in garta dhageysato Hay’ada Racfaanka Waxbarasahda Khaaska loo yaqaan (Bureau of Special Education Appeals, loo soo gaabiyo BSEA) si loo caddeeyo in qiimeynta degmada sameysay dhameystiran yahay ee uu ku haboonyahay. Faahfaahin dheeri ah ee IEE da waxaa laga helaa La Talooyinka DESE 2004-1 iyo 2001-3, laga helo iskoolka degmada iyo bogga internetka DESE <http://www.doe.mass.edu/sped/advisories/?section=admin>.

Waxaa laguu ogolyahay hal qiimeyn madaxbanaan oo bilaash ah in ardaygaada loogu sameeyo markii iskoolka degmada qiimeyn sameynayo. Waxaad sameysan kartaa qiimeyn madaxbanaan oo jeebkaaga ka bixiso mar waliba.

## **4.2 Natiijada Qiimeynta Madaxa banaan waa in iskooka degmada tixgelin ku sameeya 10 maalmood gudaheeda**

Haddaad doorato in ardaygaada u sameyso qiimeyn madax banaan ee bilaash ah ama iskoolka degmada la wadaagto qiimeyn madax banaan oo aad adiga iska bixisay kharashka, iskoolka degmada waa inuu qabtaa kulan Kooxda ah ee lagu tixgelinayo natiijada qiimeynta mudo 10 maalmood gudahood ah. Kooxda waxay tixgelineysaa natiijada qiimeynta ayna ogaaneysaa haddii wax badel ah lagu samaynayo barnaamijka waxbarasho ee gaarka ah ee ardayga.

## **5. Goorma ayaad arki kartaa rikoorka arday ee ardaygaada?** **34 CFR 300.611** and  **603 CMR 23.00**

Rikoorka ardayga waxuu ka kooban yahay galka waxbarasho ee ardayga iyo rikoor ku meel gaar ah ee iskoolka haysta waxaana ku jiro rikoorka caafimaadka, imtixaannada, qiimeynta, rikoorka edbinta ama tarbiyeynta iyo rikooryada kale ee quseeya barnaamijka waxbarshada khaas ka ah ee ardaygaada u qalmo.[[3]](#footnote-3) Macluumaadka shakhsiyeed ee ardaygaada waa qarsoodi oo waa xafidanyihiin qofna ma lasiin karo adigoon ogolaanin, marka laga reebo macalimiinta iyo shaqaalaha.

Adiga iyo ardaygaada (haddii ardaygaada yahay 14 jir ama ka weyn) waxaad xaq u leedihiin in aad dhamaan fiirisaan rikoorka ardayga 10 maalmood gudahooda markaad codsataan kana horreysa kulanka barnaamijka waxbarashada khaaska ah ama maxkamadda lagu dhageysto arrinta.[[4]](#footnote-4) Waxaad kale ee heli kartaa koobi macluumaadka ah oo qiimo macquul ah eek a badneyn lacagta lagu daabacayo. Lacag ma lagaaga qaadi karto qiimaha la xiriira raadinta iyo soo saarista rikoorka ardaygaada.

Waxaa kale oo sii dheer oo aad la kulmi kartaa shaqaalaha iskoolka oo u taba baran inay kuu sharraxaan rikoorka. Waxaa kale ee aad heli kartaa wakil (qof kuu hadlo, la taliye, ama qareen) fiiriyo, dib u eego, kuuna fasiro rikoorka ardayga, haddaad bixiso ogolaansho qeexeyso rabitaankaada oo qoraal ah. Dhamaan xuquuqaha la xiriira rikoorka ardaygaada waxay ku jiraan Sharciyada Rikoorka Ardayga (Massachusetts Student Record) 603 CMR 23.00. Sharciyadaas waxaa laga heli karaa <http://www.doe.mass.edu/lawsregs/603cmr23.html> ama inaad koobi sharciyada ka codsato iskoolka degmada ama DESE.

Guud ahaan, waalidka, ardayga, shaqaalaha iskoolka ee loo ogolyahay, iyo shaqaalaha waxbarashada ee gobolka iyo federaalka ayaa loo ogolyahay in ay arkaan rikoorka ardayga ayadoo loo baahanin ogolaanshaha waalidka ama arday qaan gaar ah. Iskoolka degmada waxaa laga yaabaa in la weydiyo qaar macluumaad ah in ay siiyaan shaqaalaha gobolka iyo federaalka haddii maxkamad dalbato ayadoo ka jawaabeyso dhibaato caafimaad iyo nabad-qabka la xiriirto ama sharciga la xiriirta. Macluumaad kaa caawiyo waxyaabahaan iyo arrimaha la xiriira rikoorka ardayga waxaa laga heli karaa <http://www.doe.mass.edu/lawsregs/advisory/cmr23qanda.html>.

## **6. Sidee ayay waalidiinta iyo iskoollada u xalin karaan is af garan waa?** **34 CFR 300.151, 300.506 – 300.518** and **603 CMR 28.08**

Sharciyada gobolka iyo federaalka ee waxbarashada khaas ka ah waxay fursado badan siiyaan waalidiinta si ay uga qeyb qaataan qorsheynta waxbarasho ee ardaygaada lixaadiisa dhiman tahay. Haddii waalidiinta iyo iskoollada degmooyinka isku af garan waayaan isbadel la xiriira garashada, qiimeynta ama u helida waxbarashada loo qoondeeyo ardayga lixaadkiisa dhiman tahay, ama adeegyada waxbarasho ku bahoon ardayga ee bilaash ah (FAPE) ee la siiyo arday lixaadiisa dhiman tahay, sharciyada waxay bixiyaan siyaabo loo xaliyo is af garan waayga. Ardayga waa inuu ku sii jiro barnaamijka waxbarasho iyo meesha lagu meeleeyay xiliga lagu gudo jiro xalinta is af garan waayga ee meeleynta ama adeegyada, marka laga reebo in iskoolka degmada uu ogolaado in la badelo ama is badelaadaas ay sabab u tahay edbin darteed.

Sida soo socdo ayaa ah siyaabo kale ee adiga iyo iskoolka degmada ku xalin kartaan is af garan waayga.

## **6.1 Waxaad is af garan waayga u sheegtaa shaqaalaha iskoolka degmada**

Tallaabada ugu horreysa ee lagu xalinayo is afgaran waayga, waxaad la xiriiri kartaa Diritoorka iskoolka, Maamuulaha Waxbarashada Khaaska ah ama Kormeeraha Guud (Superintendent) si aad caawin u weydiisato. Waxaa fiican inaad warqad u qorto sharraxeysa xaalada aad ka sheeganayso.

## **6.2 Waxaad isticmaashaa Qaabka (sistamka) xalinta ee DESE**

Haddaad dareento inaad caawin ka baxsan iskoolka degmada u baahantahay, waxaad la xiriiri kartaa xafiiska DESE, xafiiska xalinta dhibaatada ee loo yaqaan (Problem Resolution System Office – loona soo gaabiyo PRS) telafoonka 781-338-3700, si aad u isticmaasho sistamka gobolka ee lagu xaliyo dhibaatada waxaad heli kartaa bogga internetka <https://www.doe.mass.edu/prs/>.

Waxaad cabasho u diri kartaa xafiiska PRS hadey jirto xadgudub lagu sameeyay sharciga waxbarashada ee gobolka ama federaalka, ama si aad u hesho caawin lagaa siiyo xalinta, waxaad ka heli kartaa shaqaalaha PRS si iska caadi ah. Haddaad rabto in PRS ay sameyso baaritaan rasmi ah, waa inaad cabashadaada si qoraal ah u dirto. Shaqaalaha PRS ayaa kaa caawinaya diyaarinta iyo diridda cabashada. Cabashadaada qoraalka ah waa inay ku jirtaa: bayaan cabashadaada muujinayo, isku daygaada aad ku xalinayso cabashada, tallaabada uu haduu qaado iskoolka aad aaminsatahay inay xalinayso cabashadaada iyo saxiixaada iyo meesha lagaaga soo xiriiraya. Haddii cabashadaada ku saabsan tahay arday gaar ah, waa inaad bixisaa magaca ardayga, iyo cinwaanka guriga iyo magaca iskoolka. Laakin arrinta aad ka cabaneyso waa inayna dhicin in kabadan hal sano kahor inta PRS ay helin cabashada. Haddaad doorato inaad ka dalbato cabasho rasmi ah xafiiska PRS, waa inaad koobi qoraalka cabashada ah u dirto iskoolka degmada. Xafiiska PRS waxay cabashadaada ku xalineysaa 60 maalmood gudahooda, kuuna soo direysaa koobi natiijada iyo go’aanka ka hadlaya.

Inaad cabasho u dirto xafiiska PRS kaama celineyso inaad isticmaasho dariiqooyin kale, sida la hadalka iskoolka degmadaada, dhexdhexaadin, ama maxkamad wax lagu xaqiijiyo ee xafiiska racfaanka ee Waxbarashada Khaaska ah (bogga hoose ayaa looga hadi doonaa) si loo xaliyo cabashadaada.[[5]](#footnote-5) Hadaad codsato maxkamada inay xaqiijin sameyso, cabashadaada aad u dirtay sistamka dhibaatada lagu xaliyo meel ayaa la dhigayaa ilaa midka maxkamada ay xaqiijin ku sameyneyso la dhameystiro. **6.3 Weydii in la magacaabo dhexdhexaadiye dhexdhexaad ah.**

[Dhexdhexaadinta](http://www.mass.gov/anf/hearings-and-appeals/bureau-of-special-education-appeals-bsea/mediation/)[[6]](#footnote-6) waa adeeg uu bixiyo qof loo taba baray sharciga waxbarashada khaaska ah iyo siyaabaha gorgortanka loo sameeyo. Dhexdhexaadinta waxaa la ballansan karaa mar walba ee waalidiinta iyo iskoollada ka dhaxeeya qilaaf arrimaha waxbarashada khaaska ah, xitaa haddii cabasho loo diray xafiiska PRS cabashada lagu diro sistamka xalinta dhibaatada. Dhexdhexaadiyaha waxuu waalidka iyo iskoolka degmada ka caawiyaa iney ka hadlaan qilaafkooda ayna gaaraan heshiis labada dhinac ay aqbali karaan. Doodda dhexdhexaadinta waa qarsoodi, wax labada dhinac ka hadleenna looma isticmaali karo qilaaf dambe oo looga hadlo maxkamad si rasmi ah. Marka heshiis la gaaro, qoraal ayaa laga dhigaa, labada dhinac aa saxiixayo, maxkamaddana amar ayay ku bixin kartaa in la raaco heshiiskaas.

Dhexdhexaadinta waxaa laga dalban karaa ayadoo lala xiriirayo xafiiska BSEA 781-397-4750. Dhexdhexaadiyaha ayaa kulanka ballaminayo adiga iyo iskoolka degmada 30 maalmood gudahood marka la codsado dhexdhexaadinta. Kulanka waxaa la qabanayaa waqti iyo meel ku haboon. Ka qeyb galida qasab ma aha, marka waa in iskoolka degmada iyo waalidiinta inay isku racaan inay ka qeyb galaan dhexdhexaadinta. Adeegan waa lacag la’aan.

Macluumaad dheeraad ah ee ku saabsan dhexdhexaadinta siday u shaqeyso waxaa laga heli karaa xafiiska BSEA 781-397-4750 waxaana laga heli karaa daabacaadda ["Su'aalaha Badanaa leys weediyo ee Dhexdhexaadinta ku saabsan"](https://www.mass.gov/info-details/frequently-asked-questions-about-mediation-at-the-bsea)[[7]](#footnote-7) iyo “["Faahfaahinta Dhexdhexaadinta](https://www.mass.gov/info-details/learn-about-mediation-at-the-bsea).[[8]](#footnote-8)”

## **6.4 Codso maxkamad wax lagu xaqiijiyo kana qeyb gal kulanka xalinta**

Haddii adiga iyo iskoolka degmada aad wax xalin waysaan, waxaad xaq u leedahay qof sarkaal dhexdhexaad ah oo idin dhexdhexaadiyo oo na maqlo labada dhinac, baaro cadeynta, go’aanna gaaro. Maxkamadan waxaa sameyaan BSEA da looguna Wacaa dhageysiga wax lagu xaqiijiyo. Sarkaalka labada dhinac dhageysanaya waxaa loo tababaray sharciga waxbarashada khaaska ah waana inuu wax xiriir ah la yeelan, shaqo ama qaraabo ah, dadka ku lug leh qilaafkaan.

Maxkamad dhageysigaan waxay tixgelineysaa waxii iska hor imaad ah, qiimeynta, IEP da; go’aanka meelyenta ah, ay ka mid yihiin wax ay sababtay edbin darteed, FAPE, bixinta waxbarasho khaas ah, ama sharciga badbaadinta ee gobolka iyo federaalka ee ardayda lixaadooda dhiman tahay. Waa inaad ku dalbato dhageysiga maxkamada labo sano gudahood marka aad ogaatid dhacdadaan keentay cabashadaada.[[9]](#footnote-9) Waqtigan waa la dhereyn karaa hadii hadaad tusto in lagaa celiyay inaad cabashadan soo gudbiso ama ikoolka degmada kuu sheego in ay xaliyeen ama aynan ku siinin macluumaad aad ku gaari lahayd go’aankaas, una diri karo koobi xafiiska BSEA si u helo maxkamadan wax lagu xaqiijiyo. Xafiiska BSEA waxay diyaariyeen [Foomka Codsiga Lagu Maqlo doodaan](https://www.mass.gov/doc/hearing-request-form/download) [[10]](#footnote-10) oo aad isticmaali karto ama adiga ayaa warqad qoran karo intaad isticmaali lahayd foomkan, laakin hubi inaad ku darto magaca ardayga iyo cinwaanka guriga (ama meesha lagala xiriiri karo hadii ardayga guri degneyd); magaca iskoolka ardaygaada, faahfaahinta dhibaatada aad ka cabaneyso, ay ka mid tahay dhibtaatada runta ah iyo xalka aad soo jeedineyso. Ogow in maxkamada looga hadlayo kaliya waxaad ku qorto cabashada.

Waa inaad u dirto codsigaada maxkamada iskoolka degmada (ama dadka kale ay quseyso) koobina u dirto xafiiska BSEA. Hadii cabashada dhameystirneyn, dhinaca kale waa inuu ku soo jawaabo 15 maalmood gudahooda. BSEA da waxay go’aan ku gaaraysaa 5 maalmood kadib marka laguu soo jawaabo kadib. Macluumaad dheeri ah ayaa lagu sii dari karaa cabashadaada hadii dhinaca kaa soo horjeedo ogolaado ama hadii sarkaalka dhageysanaya cabashada uu ogolaado. Hadii lagu sii daro cabashada arrimo hor leh, waqtiga maxkamad dhageysiga markale ayaa lasoo bilaabayaa.

Hadii wax kasoo horjeesi ah lagu sameyn cabashadada, wuu sii soconayaa dooda maxkamada. Hadii ikoolka degmada horay kuu soo dirin ogeysiis qoraal ah ee waxa aad ka cabaneysa ah, waa in 10 maalmood gudahood kuugu soo jawaabaan kadib marka aad codsatay maxkamada.

**Ogeysiis**: hadii iskoolka degmada uu asiga codsaday maxmada, waalidka waa inuu 10 maamlood gudahooda ku soo jawaabo laga soo bilaabayo marka uu helay codisga maxkamad, uuna ka jawaabo waxa iskoolka degmada ka cabanayo.

Marka aad dalbato maxkamada, iskoolka degmada waxuu haystaa 30 maalmood inuu kaala shaqeeya xalinta qilaafkiina, ka hor inta maxkamada maqalkeeda dhicin.[[11]](#footnote-11)

Iskoolka degmada waa inuu diyaariyo kula xalinta ah 15 maalmood gudahooda marka uu helo cabashadaada.[[12]](#footnote-12) Iskoolka degmada ayaa fiiriniya xubnaha Kooxda IEP da ka soo qeyb galayo kulanka. Qof ka socda iskoolka degmada ee go’aan ka gaari caro barnaamijka ardaygaada waa inuu ka soo qeyb galo kulanka. Qareenka iskoolka degmada kama qeyb gali karo kulanka hadii adiga kula socon qareen kula tago kulanka.

Waa inaad ka qeyb gasho kulanka, marka laga reebo in iskoolka degmada qoraal ahaan u aqbalo iney kulan sameynin ama adiga iyo iskoolka degmada aad go’aan sataan in [dhexdhexaadin kale lagu dhameeyo.](#_3._Ask_for) Hadii aad diidato inaad ka qeyb gasho kulankan xalinta ah, maxkamada waa la joojin karaa.

Hadaad rabto kulanka, laakin iskoolka degmada diido ama daahiyo waqtiga in ka badan 15 maalmood kadib marka uu helo codsiga maxkamada, waxaad weydisan kartaa sarkaalka maxkamada inuu bilaabo dhageysiga dooda. Haddii aad kulanka ka qeyb gasho laakin iskoolka degmada kula xalin waayo cabashada 30 maalmood gudahooda, maxkamada inay maqasho dooda ayaa la bilaabayaa.

Xalinta waxay dhamaaneysaa marka kuwan soo socda mid ka mid ah ay dhacdo:

* Marka adiga iyo isloolka degmada is af garataan, si qoraal ah, inaa dhameysaan waqtiga xalinta;
* Marka uu dhamaado mudada xalinta ee 30ka maalmood;

* Dhamaadka dhexdhexaadinta; ama
* Marka adiga iyo sarkaal iskoolka degmada saxiixdaan dokumentiga cadeynaya heshiis aad ku xaliseen qilaafka. Kani waa go’aan heshiis” ay maxkamad gobolka ama federaalka amar ku bixin karto in la raaco. Ogow hadii adiga iyo iskoolka degmada aad heshiis gaartaan, labada dhinac way ka laaban karaan heshiiska 3 maalmood gudahooda.

## **6.5 U soo bandhig cadeyntaada sarkaalka dooda maxkamada dhageysanaya ee dhexdhexaadka ah**

Markaad dirto cabasho, xafiiska BSEA waxuu qaban waqti maxkamad, magacaabaa sarkaal dhageysta, kuuna soo dirayaa macluumaad faahfaahsan ee ku saabsan maxkamada iyo liis qareenno ah ama dad kuu dodo, ee bilaash ah ama lacag yar ah ee aad kala xiriirto caawin inay ku siiyaan.

Waqtiga maxkamada, adiga iyo iskoolka degmada waxaa midkiiba soo bandhigayaa caddeyn iyo markhaati uu dhageysto sarkaalka maxkamada ee ka socda xafiiska BSEA. Maxkamad kasta ee dooda lagu dhageysto ay ka mid tahay mida la xiriirta edbin, waxaad:

* Kusoo raaci karo, talo iyo matalaad ka heli kartaa qareen ama qof kuu hadla;
* Imaan karo maxkamada ardaygaada;
* Heli kartaa in maxkamada u furnaato dadweynaha
* Soo bandhigi kartaa cadeyn sida dokumentiyo iyo warbixin;
* Codsan kartaa markhaati in soo Waco ayna ka jawaabaan su’aalo;
* Aad aragto caddeyn kasta ee loo isticmaali doono maxkamada 5 maalmood kahor iyo inaad weydiiso sarkaalka maxkamada inuu caddeynta aadan arag ka saaro dooda; iyo
* Heli kartaa in lagu siiyo koobi ah rikoorka natiijada ka soo baxday maxkamada ayadoon lacag lagaa rabin. Waa inaad codsataa haddaad rabo in lagu siiyo roorka maxkamada si qoraal ah.

Macluumaad dheeri ah ee ku saabsan maxkamada waxaa laga heli karaa BSEA 781-397-4750 iyo bogga internetka BSEA: <http://www.mass.gov/dala/bsea>.

Dhageysiga maxkamada waxaa laga soo xigtaa sharciga (Massachusets Administrative Act)**[[13]](#footnote-13)** iyo BSEA [Sharciyadeeda Dood Dhageysiga](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.mass.gov%2Fdoc%2Fhearing-rules%2Fdownload&wdOrigin=BROWSELINK).**[[14]](#footnote-14)** Sarkaalka dhageysiga dooda waa inuu soo saaro go’aan kama dambeys ah 45 maalmood gudahood kadib marka waqtiga xalinta dhamaado, marka laga reebo inuu sarkaalka aqbalo codsiga labada dhinca mid ka mid ah in lagu daro waqtiga. Sarkaalka maqlaya codsiga. Sarkaalka maxkamada waxuu u diryaa go’aanka adiga iyo iskoolka degmada. Waalidka iyo iskoolka degmada waa inay ku dhaqmaan go’aanka uu gaaray sarkaalka maxkamada.

Go’aanka sarkaalka maxkamada ee in ardaygaada la siiyo waxbarasho ku haboon (FAPE) waa inay ku saleysnaato in ardaygaada xuquqdiisa waxbarasho khaas ah lagu takri falay ama iskookla degmada arigtidiisa ay ku fashilantay inay bixiyaan baahida ardayga ee waafaqsan sharciyada waxbarashada khaaska ah. Haddii aad ka cabatay xadgudub ku saabsan nidaamka waxbarashada khaas ka ha (sida kulan munaasab ah in laqabto, rikoorka la qorin, ama ballamaha la oofin) sarkaalka maxkamada waxuu go’aamin karaa in ardaygaada helin waxbarasho ku haboon, kaliya haddii fashilmitaanka lagu raaco nidaamka:

* + Haddii si aad ah u saameyay awooda aad uga qeyb gasho go’aanka waxbarasho ee ardaygaada; ama
	+ Ka qadiyay ardaygaada faa’ido waxbarasho.

Go’aanka sarkaalka maxkamada waa kama dambeynta go’aanka hay’ada mana la tix gelin doona in ay badesho BSEA ama DESE. Go’aanka maxkamada waa mid dadweynaha arki karaa[[15]](#footnote-15) waxaana laga heli karaa bogga BSEA [<https://www.mass.gov/bsea-decisions-and-rulings>](http://www.doe.mass.edu/bsea/decisions.html).

## **6.6 Maxkamada gobolka ama federaalka Racfaan uga qaado go’aanka**

Haddii waalidka ama iskoolka degmada ogolaanin go’aanka sarkaalka maxkamada, waxay ka heli karaan maxkamad gobol ama federaal inay dib u eegto. Codsi noocaas ah waa in lagu xareeyo 90 maalmood gudahooda waqtiga go’aanka.

## **6.7 Qarashka Qareenka 34 CFR §300.517**

Dhinac walba waxuu mas’uul ka yahay inuu bixiyo qarashka qareen ka, marka laga reebo hadii maxkamada sidaa si ka duwan go’aansato. Haddaad hesho natiifjo wanaagsan oo qoraal maxkamadeed ah, maxkamada[[16]](#footnote-16) waxay go’aamin kartaa in iskoolka degmada bixiya qarashkaada qareenka ee macquul ah. Ogow laakin ma heli doontid qarash ku aaddan waqtiga aad ku lumisay doodad kiiskaada kadib markay degmada heshiis gaartay haddii Heshiis 10 maalmood kahor maxkamada lagu gaaray

* Aadan aqbalin soo xalka la soo jeediyay 10 maalmood gudahooda, iyo
* Natiijada maxkamada ka ma fiicno heshiiska laguu soo bandhigay

Haddii iskoolka degmada go’aanka ayaka helaan, maxkamada waxay amri kartaa in qareenkaada bixiyo qarsahka iskoolka degmada qareenkooda haddii maxkamada garato in qareenkaada sii wado doodad kadib markuu ogaado in kiiskaada caddeyn haynin, uu macquul ahayn, ama si fataalid ah, ama u jeedo kale wax u sameeyay. Maxkamada waxay kaloo qareenkaada ka codsan kartaa inuu qarash sharciyeedka bixiyo haddii dooda maxkamada ama kuwa soo socdo loo sameeyo in sida handadaad ama daahdaahin kale loo sameeyo si loo badiyo qarashka dooda.

## **7**. **Waa maxay mas’uuliyadaada hadaad ardaygaada geyso iskool gaar loo leeyahay aadna aaminsatahay iskoolka degmada inuu kuu soo celiyo lacagta iskoolka?**

## **34 CFR §300.148**

Waxaa jira marar waalidka aaminsanyahay in schoolka dadweynaha (publich) uu ardayga siinin waxbarasho ku haboon waalidkana go’aansado inuu ardayga ku meeleeyo iskool gaar loo leeyahay. Waalidka wuu geyn karaa ardaygiisa iskool gooni loo leeyahay mar kasta. Laakin haddi waalidka aaminsanyahay in iskoolka degmada mas’uul ka yahay qarashka iskoolka gaar ka ah, waalidka waa inuu u sheega iskoolka degmada waxa uu diidanyahay ee barnaamijka waxbrashada khaaska ah ee ardayga, una u sheega iskoolka degmada go’aankiisa inuu ka saaro iskoolka uuna geeyo iskool gaar loo leeyahay, uuna codsado xafiiska BSEA inay dhageysteen cabashadiisa. Waalidka waa inuu kooxda IEP da u sheega inuu ka bixinayo ardaygiisa iskoolka 10 maalmood kahor inta uu ka bixin iskoolka.

Iskoolka degmada mas’uul kama aha inuu ardayga ka bixyo iskool gooni loo leeyahay haddii iskoolka degmada uu bixiyay waxbarasho ku haboon ardayga (FAPE). Qilaafka in iskoolka degmada bixiyay waxbarsho ku haboon ardayga iyo in kale iyo codsashada inuu iskoolka degmada qarashka iskoolka goonida bixiyo waxaa lagu go’aamiyaa dhageysiga maxkamada horay looga soo hadlay. Sarkaalka maxkamada ayaa go’aaminaya in iskoolka degmada bixiyay waxbarasho ku haboon adayga. Haddii sarkaalka maxkamada ogaado in iskoolka degmada bixinin waxbarasho ku haboon ardayga, adiga aad raacday talaabooyinka kor ku xusan, iskoolka aad geysay ee gaarka ahna, sarkaalka maxkamada markuu fiiriyo arrimaha dhamaan, waxuu amri karaa in iskoolka degmada kuu soo celiyo qarashka iskoolka gaarka ah dhamaantiis ama qeyb kamid ah.

## **8.** **Maxaa la sameyn si loo qorsheynayo in ardaygaada ka gudbo dugsiga sare? 34 CFR §300.43**

Qorsheynta in ardaygaada ka gudbo dugsiga sare uuna u gudbo fursadaha ka dambeeya iskoolka waxay awood u siineysaa ardaygaada inuu si horumar leh uga qeyb galo aqoon sii wadashadiisa, shaqo, iyo noloshiisha jaaliyadda ama bulshada u sii wato. Qorsheynta waa inay ku saleysnaato ardaygaada awoodiisa, waxuu doorbidayo, xiiseynayo iyo baahidiisa ee bilaabato markuu ardaygaada gaaro 14 jir. Waana in laga sii hadlaa sanad walbo kulanka kooxda marka la qabto. Iskoolka degmada waa inuu adiga iyo ardaygaada kala sii hadla[[17]](#footnote-17) waana inuu tixgeliyaa hamiga ardaygaada marka uu dhameeyo iskoolka asagoo ku qalin jibinayo shahaadada dugsiga sare si caadi ah ama gaaro 22 jir. Iskoolka demada waa inuu isticmaalo Foomka Qorsheynta Looga Gudbo Dugsiga Sare[[18]](#footnote-18) si loo rikoor gareeyo natiijada wada hadalkan sanad laha eh. Barnaamijka Waxbarashada Khaaska waa inay ku jirtaa tiigsiga ka gudbida dugsiga sare oo la cabari karo, ujeedooyinka iyo adeegyada ku saleysan qiimeyn ku haboon lixaad yaridiisa iyo baahidiisa ku aadan gudbitaankiisa.

Qalin jabista dugsiga sare oo si caadi ah waxay badeleysaa meeleynta ardayga ayna dhameyneysaa u qalmitaankiisa waxbarasho khaas ah. Iskoolka degmada waa inuu kuu sheegaa goorta iyo hadii ay filayso in adayga ku qalin jabiyo shahaado dugsi sare oo caadi ah. Wada hadalkan waa inuu dhaco marka Kooxda kulanto oona ah ugu yaraan 1 sano kahor inta ardayga qalin jabin.

## **9. Sidee Iskoolka u edbiyaa arday lixaadiisa dhiman tahay? 34 CFR §300.530**

Iskoolaadka dowliga waa inay leeyihiin nidaam hubiyo nabadgelyada meelaha waxbarashada ee ardayda. Iskoolaadka waxaa laga filaa, dugsiyada sarena laga rabaa, inay daabacaan sharciyadooda lagu dhaqmo si ardayda u ogaato hab dhaqanka looga baahanyahay. Haddii arday hab dhaqan xumi la imaado kuna xadgudbo sharciga iskoolka, iskoolka wuu edbin karaa ardayga. Edbinta waa inay cadaalad iyo wanaag ku dhisan tahay.

Guud ahaan, arday walbo waala raacdeyn karaa ama bixin karaa iskoolka waqti gaaban, edib darteed, kana badneyn 10 maalmood. Inta laga raacdeyn iskoolka, ardayga waa in loo sheegaa waxa lagu soo eedeeyay waana in la siiyaa fursad uu dhinaciisa ama dhinaceeda ku sheegaa. Iskoolka lagama rabo inuu sheego ardayga mudo yar laga saaray iskoolka hadii ardayga lixaadisa dhimantahay, marka laga reebo hadii ardayga lixaadiisa qabo. Marka arday lixaadiisa dhimantahay laga saaro iskoolka in ka badan 10 maalmood, waa in ardayga uu helo adeegyo waxbarasho ee u ogalaanayo ardayga inuu sii wato ka qeybgalka waxbarashada guud si uu u helo waxbarashada khaaska ah ee uu hiigsanayo. Saraakiisha iskoolka waa inay la tashtaan macalimiinta ardayga si loo ogaado adeegyada muhiimka ah. Adeegyadan waa inay billawdaan maalinta 11aad kadib marka laga saaray iskoolka, ayna sii socoto xilliga edibinta socoto.

Iskoolaadka waa inay raacaan sharciyada edbinta gaarka u ah ardayda lixaadkooda dhimantahay ee loo aqbalay inay helaan waxbarasho khaas ah.[[19]](#footnote-19) Macluumaadka ka hadlaya howlaha edbinta ee sharcigaas waxaa laga heli karaa bogga DESE.[[20]](#footnote-20) Sharciyada edbinta gaarka ah waxay billawdaan isla marka ardayga laga saaro iskoolka edib darteed kadib 10 maalmood oo isku xigta ee sanad dugsiyeedka iyo markey soo laalaabato dhaqanka noocaas ah. Iskoolka waa in isla markiiba ku ogeysiyaa markay go’aamiyaan in adayga laga saaro iskoolka 10 maalmood kabadan oo ay ku siiyaan koobi ogeysiiskaan ah.

Kooxda waxbarashada khaaska ah (IEP) waa inay ku kulantaa 10 maalmood gudahooda marka go’aanka edbinta la gaaray. Kulanaan lagu magacaabo (*ogaashaha waxa dhacay ama manifestation determination*) adiga iyo Kooxda IEP waxaad fiirineysaan hadii dabeedaan ardayga ay sababtay ardayga lixaad dhimanaantiisa, ama ay sabatay ay tahay in iskoolka uu siinin adeegyada ay kooxda IEP da ardayda diyaarisay. Ogaanshahan waxa dhacay lagu ogaanayo, waa in adiga iyo kooxda tixgeliyaan macluumaad ardaygaada feylkiisa ama galkiisa, ay ka mid tahay waxbarashada gaar ka ee ardayga, indha indheytaada iyo macalimiinta tooda ee dabeecada ardayga, iyo macluumaad kii kale ee muhiim ka ah ee aad bixiso.

Hadii kooxda ogaato in dhaqanka ardaygaada ay sababin lixaad la’aanta ardayga ama ay sababtay in la howl gelin waxbarashada khaaska ah ee ardayga, marka ardaygaada waxaa loo edbin sida ardayda kale iyo mudada falxumadaas loogu tala galay. Kooda IEP da waa inay laakin sii helaan xal ku meel gaar ah ee waxbarasho kale ah oo ardayga lagu sii meeleeyo lana siiyo adeeyada waxbarasho marka la fiiriyo ardayga waxbarshadiisa khaas ka ha. Shaqaalaha iskoolka ayaa tixgelin karo xaalada gaarka ah si u helaan hadii ardayga lixaadiisa dhiman tahay in meel kale lageeyo ay ku haboon tahay.

Hadii Kooxda ogaato in ardayga dhaqankiisa ay sababtay ama si toos ah ula xiriirta lixaad dhimanaashadiisa ama la siinin waxbarasho khaas ah ee ku habooneyn, waa in ardayga loo celiyo fasalkii lagu meeleeyay ee markii ugu dambeysay la aqbalay, marka laga reebo hadii Kooxda IEP da go’aansato in meel kale la geeyo. Ardayga waa in lasiiyo qiimeyn dabeecadiisa ah. Qiimeynta Dabeecadiisa loo yaqaan (functional behavioral assessment loona soo gaabiyo FBA) waa qiimeyn dabeecadeed ee guud ahaan ah oo siisa Kooxda IEP da macluumaad ardayga dabeecadiisa ee lagu ogaado qorshe lagu fara geliyo, kadibna Kooxda IEP da waa inay ogaato hadii loo baahan yahay in la badelo qorshaha fara gelinta. Hadii dhaqanka ardayga ay sababtay fashilid in la howl geliyo barnaamijka waxbarashada khaaska ah, iskoolka waa inuu tallaab degdeg ah qaado ee lagu daweeyo dhaliilahaan.

Ogow hadii ardaygaada haysto ama isticmaalay hub ama daroogo, ama qof kale dhaawaco iskoolka gudihiisa ama munaasabad iskoolka leeyahay, diritoorka ayaa ka saari iskoolka ilaa 45 maalmood ayadoo la fiirin in dhaqan xumidaan ardayga sababtay lixaad dhinnaan ama iyo in kale. Kooxda IEP da ayaa fiirineysa in arrintan iyo adeegyada waxbarasho ee ku haboon ardayga inta iskoolka laga soo raacdeeyay ay socoto.

## **9.1 Racfaan ka qaadashada go’aanka edibinta**

Hadii waalidka aqbalin go’aanka lagu meeleynayo ardayga ee edibinta ah ama aqbalin habdhaqanka la soo sheegay ama iskoolka demada aaminsanyahay in hadii lagu sii hayo ardayga meeshiisa ay sababi karto inuu arday ama qof kale dhaawaco, waalidka ama iskoolka degmada ayaa racfaan ka qaadan karo go’aanka [asigoo codsanayo maxkamad](#_4.__)  xafiiska BSEA sida horay loogu soo sheegay dokumentigaan.

Xafiska BSEA waxuu qabanayaa maxkamad maqasho meeleynta ardayga edib darteed si degdeg ah.[[21]](#footnote-21) Inta lagu jiro racfaanka laga qaatay edbintan ardayga waxuu ku sii jirayaa qorshahan looga raacdeeyay iskoolka inta sarkaalka maxkamada ka gaaro go’aan ama waqtiga edbinta dhamaado, marka laga reebo in waalidka iyo iskoolka degmada meeleyn kale isku raacaan.

## **10. Xagee sharciyada iyo macluumaad kale oo muhiim ah laga heli karaa?**

## **10.1 Sharciyada iyo qaanuunka**

Waxaad ka heli kartaa qoraalkoo dhameystiran Sharciya gobolka Massachusetts ee waxbarasho Cutubka 71B (Massachusetts General Law Chapter 71B.) Sharciga gobolka waa loo yaqaan “Chapter 766.” Sharciyada waxbarashada khaaska ah ee gobolka waxa laga heli karaa (Code of Massachusetts Regulations (CMR) at 603 CMR 28.00.) Sharciga iyo qaanuunka iyo macluumaad kale ee muhiim ah waxaa laga helaa bogga DESE.[[22]](#footnote-22)

Sharciga waxbarashada khaaska ah ee federaalka waa Sharciga Shakhsiyaadka Lixaadooda dhiman tahay loona yaqaan (Disabilities Education Act, loo soo gaabiyo “IDEA.”) Sharciya federaalka waxaa laga helaa United States Code at 20 U.S.C. § 1400.) Sharciyada lagu dhaqmo ee (IDEA) waxaa laga helaa Sharciyada Federaalka loogu Waco (Code of Federal Regulations (CFR) cutubka 34, Qeybta 300. Koobi sharciyadan federaalka ah iyo macluumaad fasirayo waxaa laga heli karaa Wasaarada Waxbarashada boggeeda internet ka <http://idea.ed.gov/>.

## **10.2 Individualized Education Program process guide and forms**

A general overview of how the special education process works (taken from the IEP guide prepared by the USDOE) can be found at <http://www.doe.mass.edu/sped/iep>.

For the DESE explanation of the how an IEP is developed, consult the IEP Process Guide and the standard IEP forms available on the DESE Web site: <http://www.doe.mass.edu/sped/iep>.

## **10.3 Ereyada La soo gaabiyay**

Magacyo la xiriira waxbarashada lasoo gaabiyay iyo xafiisyada ama barnaamijyada quseeya waa la soo gaabiyay ayadoo la isticmaalayo xarafka ugu horreeya magacooda. Kuwan oo loo isticmaalay dokumentigan hoos ayay kuugu qoron yihiin.

BSEA: Bureau of Special Education Appeals (xafiiska racfaanka waxbarashada khaaska)

CFR: Code of Federal Regulations (Sharciyada federaalka)

CMR: Code of Massachusetts Regulations (Sharciyada Massachusetts)

DESE: Massachusetts Department of Elementary and Secondary Education (waaxda dugsiga hoose dhexe ee Massachusets)

FAPE: Free Appropriate Public Education (Waxbarasho ku haboon ee bilaash ah)

FBA: Functional Behavioral Assessment (qiimeynta dabeecada ee guud)

IAES: Interim Alternative Educational Setting (Waxbarasho kale oo kumeel gaar ah)

IDEA: Individuals with Disabilities Education Act (sharciga waxbarasho ee shakhsiyaadka lixaada dhiman)

IEE: Independent Educational Evaluation (Qiimeynta waxbarasho madaxbanaan)

IEP: Individualized Education Program (Barnaamijka Waxbarasho Khaas ah)

PRS: Problem Resolution System (nidaamka lagu xaliyo dhibaatada)

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## **10.4 Table of Web sites**

DESE waxay u daabacdaa waalidka iyo iskoolka degmada macluumaad muhiim ah ee lasoo dhigo bogga internetka. Bogagan waxaa ku jira sharciyada quseeya, iyo qaanuunyaqda hay’ada ee sharraxaya nidmaadka waxbarashada khaaska ah.

Autism Spectrum Disorder: (qeybta ootisimka)

 <http://www.doe.mass.edu/sped/advisories/07_1ta.html>

Bureau of Special Education Appeals (hay’ada racfaanka)

<https://www.mass.gov/bsea-decisions-and-rulings>

<https://www.mass.gov/doc/hearing-rules/download>

<http://www.mass.gov/anf/hearings-and-appeals/bureau-of-special-education-appeals-bsea/mediation/>

<https://www.mass.gov/doc/bsea-mediation-brochure/download>

<https://www.mass.gov/info-details/frequently-asked-questions-about-mediation-at-the-bsea>

 <https://www.mass.gov/info-details/learn-about-mediation-at-the-bsea>

Consent to Access MassHealth (Medicaid): (foomka ogolaanshaha Medicaid ka)

 <http://www.doe.mass.edu/sped/advisories/13_1.html>

 [http://www.doe.mass.edu/sped/28mr/**28m13**.docm](http://www.doe.mass.edu/sped/28mr/28m13.docm)

Discipline: (Edbinta)

 <https://www.doe.mass.edu/sped/advisories/discipline/disc-chart.docx>

Individuals with Disabilities Education Act: (sharciga dadka lixaadda dhiman)

[http://idea.ed.gov/.](http://idea.ed.gov/)

The Basic Special Education Process under IDEA: (qaab u socodka waxbarashada khaaska ah)

 <http://www.doe.mass.edu/sped/iep/process.doc>

Individualized Education Program: (waxbarashada khaaska ah ee shaqsiga)

<http://www.doe.mass.edu/sped/iep>

Individual Education Program Process Guide: (barnaamijka waxbarashada shaqsiga)

 <http://www.doe.mass.edu/sped/iep/proguide.pdf>

Independent Educational Evaluation: (waxbarasho qiimeeye maxadbanaan)

 <http://www.doe.mass.edu/sped/advisories/?section=admin>

Observation of Education Programs by Parents and Their Designees for Evaluation Purposes: (indha indheynta waalidka ee barnaamijka waxbarasho)

<http://www.doe.mass.edu/sped/advisories/09_2.html>

Parent’s Notice of Procedural Safeguards: (ogyesiiska waalidka ee lagu ilaaliyo qaab u socodka)

<http://www.doe.mass.edu/sped/prb>.

PRS Problem Resolution System compared to BSEA Due Process Complaint: (is barbar dhiga sistamka xalinta hore iyo midka maxkadama BSEA)

<https://www.doe.mass.edu/prs/guide/default.html>

Program Quality Assurance Services Problem Resolution System: (adeegyada lagu fiiryo tayada barnaamijka)

 <http://www.doe.mass.edu/prs/>

Special Education Laws: (siyaasadaha Waxbarashada Gaarka ah)

 <https://www.doe.mass.edu/lawsregs/statelaws.html>

Special Education Regulations: (xeerarka Waxbarashada Gaarka ah)

 <https://www.doe.mass.edu/lawsregs/stateregs.html>

Special Education Surrogate Parent: (qofka matala waalidka ee waxbarashada khaaska)

 <http://www.doe.mass.edu/sped/advisories/2013SurrogateParent.html>

Special Education Transition Planning Form: (foomka qorsheynta ka gudbida waxbarasahda khaaska)

 <http://www.doe.mass.edu/sped/28MR/28m9.docx>

Student Records Regulations: (rikoorka qaanuunka ee ardayga)

 <http://www.doe.mass.edu/lawsregs/603cmr23.html>

Student Records Questions and Answers (su’aalaha iyo jawabaha rikoorka ardayda)

<http://www.doe.mass.edu/lawsregs/advisory/cmr23qanda.html?section>.

Transition Planning: (qorsheynta ka gudbitaanka)

[http://www.doe.mass.edu/sped/cspd/mod4.html#](http://www.doe.mass.edu/sped/cspd/mod4.html)

1. Fiiri Nidaamka Talabixinta IEP da (IEP Process Guide) waxii macluumaad ah ee ka saabsan Horumarinta iyo Howgelinta Waxbasho Shakhsiyeeda ardayga. [↑](#footnote-ref-1)
2. Waxaa kaloo xaq u leedahay inaad kormeerto barnaamijka ardaygaada ku jiro hadda iyo aad kormeerto barnaamijka la soo jeediyay kahor inta ardaygaada lagu meeleyn.Macluumaad dheeri ka fiiri dokumentiga DESE “Kormeerka Waalidka ee Barnaamijka Waxbarasho”. [↑](#footnote-ref-2)
3. Haddii waalidka ardayga la laabto ogolaanshaha adeegyada khaaska ah ee waxbarasho kadib marka adeegyadaas la bixiyay, iskoolka degmada qasab kuma uha inay badelaan rikoorka ardayga ama laga saaro qoraallada ku saabsan adeeyada khaaska ah ee waxbarasho. [↑](#footnote-ref-3)
4. Iskoolka degmada waxa uu xadidi karaa rikoorka ardayga kaliya haddii dokumenti sharci ah uu helo sida ama lagu xadido macluumaadka ama furriin ama wareegto lagula wareego ardaydga ee lagu xadidayo in ardayga macluumaad ku saabsan la bixiyo. [↑](#footnote-ref-4)
5. Si aad isku barbar dhigto sida sistamka lagu xaliyo dhibaatada uga duwantahay maxkamada wax lagu xaqiijiyo, ka fiiri: <http://www.doe.mass.edu/sped/docs.html>. [↑](#footnote-ref-5)
6. Faahfaahinta dhexdhexaadinta waxaa laga heli karaa bogga DESE <http://www.mass.gov/anf/hearings-and-appeals/bureau-of-special-education-appeals-bsea/mediation/>. [↑](#footnote-ref-6)
7. <https://www.mass.gov/info-details/frequently-asked-questions-about-mediation-at-the-bsea>. [↑](#footnote-ref-7)
8. <https://www.mass.gov/info-details/learn-about-mediation-at-the-bsea> [↑](#footnote-ref-8)
9. Erayga “inaad ogaatid” waxuu ku xasuusinayaa inaad la socoto barnaamijka horumar ee ardaygaada [↑](#footnote-ref-9)
10. https://www.mass.gov/doc/hearing-request-form/download [↑](#footnote-ref-10)
11. Hadii adiga iyo iskoolka degmada isku raacdaan dhexdhexaadinta, waxaad aqbali kartaa inaad sii wadato dhexdhexaadinta 20 maalmood. [↑](#footnote-ref-11)
12. Hadii iskoolka dalbada maxkamada, inay xalin ka horeysa maxkamada la raadiyo looma baahna. [↑](#footnote-ref-12)
13. M.G.L. c.30A [↑](#footnote-ref-13)
14. <http://www.mass.gov/anf/docs/dala/bsea/hearing-rules.doc>. [↑](#footnote-ref-14)
15. Go’aanka maxkamada waxaa la<https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.mass.gov%2Fdoc%2Fhearing-rules%2Fdownload&wdOrigin=BROWSELINK> daabacaa makra laga tirtiro macluumaad ardayga muujin karo magaciisa. [↑](#footnote-ref-15)
16. Sarkaalka maxkamada ee xafiiska BSEA wuu diidi karaa qarashka qareenka. [↑](#footnote-ref-16)
17. Ardayga waa in lagu marti qaada kulanka Kooxda looga hadlao hiigsigiisa uga gudbayo dugsiga sare. [↑](#footnote-ref-17)
18. <http://www.doe.mass.edu/sped/28MR/28m9.docx> [↑](#footnote-ref-18)
19. Sharciga edbinta khaaska ah waxaa kale uu quseeyaa qaar arday ah ee ku jirin waxbarashada khaaska ah. Haddii waalid horay si qoraal ah ku sheegay inuu ka shakiyay ardayga in lixaadkiisa dhimantahay una sheegay maamulka iskoolka ama macalin; haddii macalinka ama shaqaale kale muujiyay dhaliil ah in ardayga dhaqaniiksa soo laalaabto, ama ardayga loo gudbiyay qiimeyn wali la dhameystirin, sharciyadaan aa loo isticimaali karaa. Sharciyada edbinta khaaska ah mala isticmaalayo hadii waalidka diido inuu ogolaado qiimeyn, hadii arday horay loo ogaaday inuu u baahneyn waxbarasho khaas ah, ama hadii waalidka la laabtay ogolaanshaha waxbarasho khaas ah iyo adeeyada la xiriiri. [↑](#footnote-ref-19)
20. <http://www.doe.mass.edu/sped/IDEA2004/spr_meetings/disc_chart.doc> [↑](#footnote-ref-20)
21. Fiiri Sharciga Maxkamad dhageysiga BSEA da II.C. Maxkamad degdeg ah. <http://www.mass.gov/anf/docs/dala/bsea/hearing-rules.doc> p.7. [↑](#footnote-ref-21)
22. [↑](#footnote-ref-22)