



The Facilitated IEP Meeting Fact Sheet

A report recently released by President Bush's Commission on Excellence in Special Education recommends using skilled facilitators to run IEP meetings in a situation where parties are having difficulty reaching agreement so that the process can result in win-win solutions for the child. (See the Commission's Report entitled *A New Era: Revitalizing Special Education for Children and their Families*, July 9, 2002, page 42, available at www.ed.gov/index/html.)

About the Facilitated IEP Process

The role of an IEP Facilitator is to ensure that the IEP Team do their best thinking, interact respectfully, that the perspectives of all participants are heard, and the IEP team focuses on future action. Thus, an IEP Facilitator serves the *whole group* rather than an individual, and assists the group with the *process* of the IEP meeting rather than the *content* of the IEP. The agenda for a facilitated IEP meeting is the IEP process, and the focus of the meeting is the student and his or her needs.

An IEP Facilitator also has the opportunity to gather issues from, and then exchanges issues between, the key participants *prior* to the IEP meeting. This process provides the participants some private time to consider possible resolutions and options for discussion the day of the IEP meeting. The IEP Facilitator then supports the group in collaboratively creating solutions for the student. As a result, all members equally share responsibility for the IEP meeting process and the results. Keep in mind that the IEP Facilitator is not the IEP chair, nor is he or she a decision maker. Rather, the IEP Facilitator supports the *collaborative process* of the meeting and assists the parties to reach consensus where possible.

Benefits of a Facilitated IEP Meeting

This process has a whole array of benefits, but here are a few key ones.

- A facilitated IEP meeting can resolve concerns at the lowest level possible; no state involvement or need to go to a formal complaint.
- The challenges of communication during an IEP meeting where parties are encountering continued difficulty may best be handled by an impartial facilitator not affiliated with the school or family—that is, someone who has no past experience with the group members and will not have any continued relationship with those members.
- The facilitator enables the IEP team to build and improve strong relationships among its individual members, problem solve as a group, reach true consensus, focus on the student's needs, and experience an efficient and productive meeting where effective communication skills are practiced.
- The presence of an IEP Facilitator eliminates someone at the table of having to play the dual role as a participant and a facilitator.
- The tool box of mediation skills a trained IEP Facilitator brings to the IEP meeting can assist not only in preventing the IEP meeting from getting off track with respect to either content or process, but also in intervening during the IEP meeting to help get people back on track with respect to either content or process.
- Past experiences between the group members can at times hinder any future possibilities of working together in a productive fashion. Having an IEP Facilitator involved in the meeting can sometimes change the whole environment and outcome of an IEP meeting.

When or When Not to Use a Facilitated IEP

If you see yourself either as a staff member or a family member doing any of the following, then it is time to consider this option.

- Spending more time putting out fires than working on activities that promote student achievement and success
- Sensing that the discussions and/or interactions at an IEP meeting are creating an acrimonious climate that might lead to a formal complaint
- Attending multiple IEP meetings for the same student for repeated issues with little or no resolution or completed quality plan.

The facilitated IEP process is designed to work best when the dispute is **child or situation specific**. If you find that you are facing a dispute that raises systemic concerns or a situation that does not appear to be solution oriented, then this process is not a viable option.

How to Use the Facilitated IEP Process

If both the staff and the family agree that they need assistance with working out their differences, and the district or charter school agrees to the expense of contracting with a mediator, then contact the SDE's Special Education Office for the list of SDE trained IEP Facilitators to facilitate an IEP meeting that will work towards positive interactions, improved relationships, and a quality education program for the student.

We also encourage parents and a public agency to mutually agree on the selection of the mediator who will serve as the IEP Facilitator. In the event that the parties cannot agree and the parties still wish to pursue this alternative dispute resolution process, then the ultimate selection will be up to the district that pays the mediator's expenses.

The Facilitated IEP Process Works!

The SDE's Special Education Office strongly supports districts and families working together to resolve disagreements amicably whenever possible. As such, we encourage facilitated IEP meetings as an alternative means for settling disputes between parents and schools. The SDE has found that this course of action is often very effective resulting in quality IEP meetings and improved school and family relationships that support student success. Additionally, it has also resulted in resolution of a number of formal complaints filed with the state.

The concept of a facilitated IEP Meeting by a SDE trained mediator is your best bet to resolve conflicts, build relationships, and focus the IEP meeting on a student's needs. Please consider this option before differences escalate and both the staff and the family find themselves embroiled in a time-consuming and stressful dispute.

If you have questions about this process, please feel free to contact Phyllis Bass in the Special Education Office at (505) 827-6541.