

Frequently Asked Questions about IEP Facilitation and the Facilitated IEP Program

What is IEP facilitation?

IEP facilitation is a voluntary alternative dispute resolution option available to parents of children with disabilities and school districts when both parties agree it would be valuable to have a neutral person present at an IEP meeting to assist with the IEP process. Generally, an IEP Facilitator is requested when parents and school district personnel are experiencing difficulties communicating and reaching agreement about a student's needs. IEP facilitation may be used for any IEP team meeting, including the initial, annual, special review, or reevaluation process.

What are the benefits of IEP facilitation? Over the years, facilitated IEP team meetings participants have contributed to the list below.

- Builds and improves relationships among IEP team members.
- Keeps the meeting focused on the student.
- Models effective communication and listening.
- Provides opportunities for team members to resolve conflicts as they arise.
- Supports participation of all IEP team members.
- No cost to the parties.
- Typically less stressful than formal dispute resolution options.
- Does not require a separate, formal proceeding.
- IEP Team members control the outcome.
- The IEP process does not feel rushed.
- The team sets and keeps time-sensitive goals made during the meeting.

What is the difference between facilitation and mediation?

Mediation is used when there is a disagreement between parties about the student's educational program. During this process a trained mediator, who is appointed by the SCDE, brings the parties together in an effort to resolve the conflict(s) between the parties. The participants in mediation include the parent(s) and a representative of the district who has the authority to legally bind the district. Each party has the right to include other persons who are aware of the issues that are in dispute and have knowledge and/or expertise regarding the student and his or her disability. Any agreements reached by the parties must be put in writing and signed by both parties. The agreement is enforceable in a court of competent jurisdiction. If the agreement includes changes to the student's IEP, the IEP team must then meet.

Facilitated IEP meetings (FIEP) are IEP meetings attended by a facilitator, who is not a member of the IEP team, but a third-party on hand to assist the whole team in working together to develop an IEP. The facilitator will help guide the discussion during the meeting. As with any IEP meeting, the outcome of a facilitated IEP team meeting are changes made to the IEP.

A facilitated IEP meeting will not be scheduled if the Facilitated IEP Coordinator determines that the issues identified by the parties are not related to the student's IEP or otherwise determines that facilitation is not an appropriate resolution option. In such cases, the Facilitated IEP Coordinator will inform the requesting party and share other resolution options.

What is the role of the IEP facilitator?

The IEP Facilitator helps keep members of the IEP team focused on the student and the development of an IEP that meets group consensus while addressing conflicts, matters of confusion, and encouraging meaningful input from IEP team members. The IEP Facilitator is not a member of the IEP team and is not a decision maker. The Facilitator creates group norms that are used throughout the meeting and an agenda for the meeting based on conversations with the parent(s) and district representative. During the meeting, the Facilitator maintains open, respectful communication among all IEP team members through the use of the meeting norms. The Facilitator helps clarify points of agreement and disagreement, keeps members on task, and maintains impartiality. The Facilitator does not represent the parent, student, or school district.

Who are the facilitators?

Facilitators represent members of the community experienced in working with special education issues. They are knowledgeable about the special education process and have received training in conflict resolution. Facilitators are not employees of the SC Department of Education or public-school districts.

How will a facilitator be assigned?

The Office of Special Education Services' (OSES) Facilitated IEP Coordinator will assign a Facilitator after both parties have agreed to a facilitated IEP meeting. The Facilitated IEP Coordinator does not accept requests regarding Facilitator assignments.

Who can request IEP facilitation?

Parent/guardian of a child with a disability under the Individuals with Disabilities Education Act, adult students with a disability (18 years or older), or special education directors/coordinators can request IEP facilitation. If only one party requests facilitation, the OSES IEP Facilitation Coordinator will contact the other party to ask for consent to the facilitation. Often times the district representative and parent will jointly request facilitation.

Is there a requirement that IEP Facilitation be offered?

IEP facilitation is not required by the Individuals with Disabilities Education Act (IDEA) or any state regulation.

Who attends the IEP facilitation?

Attendance at a facilitated IEP meeting is the same as any other IEP meeting. The required members of the IEP team attend the meeting, in addition to the facilitator. As with non-facilitated IEP meetings, parents and adult students have the option to invite an advocate or other people who have knowledge or special expertise regarding the student. Meeting attendance excusal policies under the IDEA remain the same.

How long does a facilitated IEP meeting take?

A facilitated IEP meeting may take longer than a typical IEP meeting. The Facilitated IEP Coordinator asks teams to prepare for around three (3) hours. This is not a requirement. A facilitated IEP meeting can always be extended and/or reconvened if consensus is not reached at the first meeting with approval of the parties and OSES' Facilitation Coordinator.

Is there any cost for the IEP Facilitation?

IEP Facilitation is free to all participants. All costs are covered by the SC Department of Education.

When is it appropriate to request IEP facilitation?

It may be appropriate to request IEP facilitation when parties have concerns about communication and trust; if parties are becoming apprehensive about the IEP meeting; or when the parties need help focusing the IEP process on the student.

IEP facilitation is designed to work best when the disagreement is child or situation specific. If a dispute raises systemic concerns or involves a situation where the parties do not appear to be solution oriented, then facilitation may not be a viable option.

What happens after both parties consent to a FIEP?

The Facilitated IEP Coordinator will make every effort to assign a facilitator who is available for the proposed time frame. If a facilitator is not available on that date, the IEP team may need to reschedule the date of the meeting or proceed without the facilitator.

Once a facilitator is assigned the school district will share a copy of the student's IEP and all documents relevant to the upcoming IEP meeting with the Facilitated IEP Coordinator. The Facilitated IEP Coordinator will provide the Facilitator with the student's documents. The Facilitator will then contact both parties separately to determine concerns and desired outcomes. The Facilitator will develop the agenda for the meeting based on input from the parties.

After the FIEP meeting, the Facilitator will destroy the student documents.

Can the facilitated IEP meeting be virtual?

Yes. A facilitated IEP team meeting may be in-person, virtual, or hybrid (some parties meet in person, while other team members are virtual). The Facilitated IEP Coordinator asks that the district create a separate meeting room via their virtual platform for virtual and hybrid meetings. This will allow the facilitator to conduct private conversations with team members, if needed.

How will I be notified about the IEP facilitated meeting?

The parent and district representative will receive a confirmation email from the Facilitation Coordinator. The confirmation email will contain the name of the Facilitator, the Facilitator's bio, and helpful information related to the meeting.

The confirmation email does not relieve the district of their obligation to provide parents proper notice of IEP meetings under the IDEA.

How can I prepare for IEP facilitation?

One of the most important aspects of a successful facilitated IEP meeting is preparation before the meeting. The assigned facilitator will contact both parties to gather information and identify concerns/issues and desired outcomes. Both parties should gather all documentation needed for the meeting and bring it to the meeting.

What happens if the parent does not agree with a decision made during the IEP meeting?

Parents are free to pursue other dispute resolution options such as mediation or a due

process hearing. The District is responsible for the education of the student and thus, its representative must make decisions when consensus is not possible. The District must provide prior written notice of the IEP team's decisions to the parent or adult student.

How can I request a facilitated IEP team meeting?

To request a facilitated IEP team meeting, complete the form found at https://scoses.formstack.com/forms/fiep_request_form_parent_.

How can I obtain more information about IEP facilitation?

For more information about facilitated IEP meetings, contact:

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