

South Carolina Department of Education Facilitated IEP Policy and Procedures



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The information shared in this document describes the procedures for the South Carolina Department of Education (SCDE) Office of Special Education Services' (OSSES) Facilitated Individualized Education Program Team Meeting (FIEP) process. The FIEP is a voluntary informal dispute resolution process offered in addition to other dispute resolution options available to eligible South Carolina residents (i.e. mediation, due process hearing, and state compliance complaint).

The Facilitator is a skilled individual who has received specialized training in conflict prevention and resolution through the IEP Team Meeting Facilitation process. The Facilitator serves as a neutral party helping to promote communication amongst IEP Team members as they work toward resolving differences of opinion that may occur concerning the provision of a free appropriate public education (FAPE). The Facilitator aims to keep the IEP Team on task so that the meeting purposes are accomplished.

Attendance requirements at a facilitated IEP meeting are the same as any other IEP meeting. The Facilitator is not a member of the IEP team.

In most situations, the IEP team is able to reach an agreement about the identification, evaluation, educational program, placement, and the provision of a free appropriate public education through discussions and consensus decision-making. It may be appropriate to request IEP facilitation when parties have concerns about communication and trust; if parties are becoming apprehensive about the next 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 are not willing to vary from a set position, then facilitation may not be a viable option.

Conflict is a natural part of any collaborative effort or ongoing relationship. Effective resolution of conflicts at the lowest level appropriate can result in improved systems, relationships, and student outcomes. A facilitated IEP team meeting is an informal dispute resolution method that can be used to help mitigate the effects of conflict. Facilitated IEP team meeting requests can be made by the parent/guardian, school district representative, adult student aged 18-21.

Requesting a Facilitated IEP team meeting

1. The Facilitated IEP Team Meeting Request is made through an electronic request form found at https://scoses.formstack.com/forms/fiep_request_form_parent
2. The FIEP Coordinator will review the request and may contact the initiating party (e.g. school district representative, parent/legal guardian, or adult student) to discuss the request. An FIEP will not be scheduled if the FIEP Program Coordinator determines that the issues identified by the parties are not related to special education services or otherwise determines that facilitation is not an appropriate resolution option. In such cases, the FIEP Program Coordinator will work with the party to identify other resolution possibilities, if appropriate.

3. The FIEP Program Coordinator will contact the other party to request consent to hold the FIEP and provide further directions to that party. The FIEP Coordinator will notify both parties of the decision. If the other party grants consent to hold the FIEP, District representative must inform the FIEP Coordinator of the date, time, place, and address/format of the meeting.

(The Facilitated IEP Coordinator requires that parties requesting a facilitator do so at least ten (10) school days before the projected date of the IEP team meeting to give the FIEP Coordinator time to locate an available facilitator, gather the student documents from the District, and forward the student information to the facilitator.)

The FIEP Coordinator will attempt to locate a facilitator who is available during the selected meeting time and date chosen by the IEP team. If no Facilitator is available, the IEP team may choose to reschedule the meeting, or proceed without a Facilitator.

4. The FIEP Program Coordinator will contact the district representative, parent or adult student to confirm the Facilitated IEP team meeting. Both parties will be provided a facilitator bio. If there are no substantial objections raised within 24 hours of the confirmation notification, the FIEP continues as planned. The FIEP Coordinator does not accept requests regarding the assignment of facilitators.
5. The District representative then submits the current IEP along with other relevant student documents to the FIEP Coordinator.
6. The Facilitator will contact each party (parent/adult student and District representative) prior to the meeting to discuss their concerns. The Facilitator will create an agenda for the IEP team meeting based on those conversations.
7. At the beginning of the FIEP meeting, the Facilitator will review the meeting norms via the FIEP Participant Agreement and share the agenda.
8. During the FIEP, the facilitator is required to keep IEP team members on task, clarify points of agreement and disagreement, provide team members with opportunities to consider alternative solutions, keep the meeting focused on the appropriate needs of the student and assist the team in setting future time-sensitive goals.
9. At the conclusion of the meeting, the facilitator will provide a QR code to each participant to provide feedback. The Facilitator will destroy the student documents shared.

While the South Carolina Department of Education (SCDE) is happy to provide facilitators to attend IEP team meetings, there are many details to keep in mind.

- Facilitators are impartial third-party professionals.
- Facilitators do not advocate on behalf of the district.
- Facilitators do not advocate on behalf of the parent.
- Facilitation is not an adversarial process or approach, but one to enhance communication.
- Facilitation (and acceptance of) is voluntary.
- The Facilitated IEP Coordinator determines, on behalf of the South Carolina Department of Education, whether FIEP requests are able to move forward, even once both parties grant permission.
- Facilitated IEP team meetings are an informal dispute resolution option. Because Facilitators are impartial, it is advised that all parties remember that Facilitators should not be contacted by Districts or parents/adult students following the conclusion of the FIEP regarding the previously discussed issue(s), student, or meeting.

- The Facilitated IEP Coordinator does not accept requests regarding the assignment of facilitators, nor will the listing of state facilitators be released.

Who are the facilitators?

Facilitators are recruited by the Facilitated Program Coordinator. Facilitators do not currently work for the South Carolina Department of Education or the school district in which they facilitate IEP meetings.

Facilitation is a collaborative process that emphasizes shared responsibility for the development of an appropriate IEP for the student. A facilitated IEP team meeting may result in:

- A decrease in more formal procedures
- Improved relationships between schools and families
- Improved communication amongst team members
- Resolutions to disputes that are more mutually satisfying to both families and schools
- Greater capacity of teams as they learn from Facilitators how to conduct meetings successfully

For more information, contact the Facilitated IEP Coordinator, Dr. L. Lannette Cox at 803-734- 2833 or Lcox@ed.sc.gov