

Facilitated IEP Team Meeting Guidelines



Facilitation is a Service Provided to Parents and Local Educational Agencies by the North Carolina Department of Public Instruction's Exceptional Children Division.

1. Facilitated IEP Team Meeting

Facilitation utilizes an impartial facilitator to guide the process of the meeting and to assist members of the IEP team in communicating effectively. An IEP is developed by a collaborative team whose required members share responsibility for the process, content, and the results. Facilitation is not required by law; it is a service provided at no cost to parents and Local Educational Agencies (LEAs) by the Department of Public Instruction (DPI).

2. Benefits of Facilitation

- Focus remains on the student.
- Team members still make the decisions.
- Positive working relationships between school representatives and the student's parents are maintained.
- Team members are able to discuss facts, feelings, and desired outcomes.
- Opportunities for creative, win-win solutions are possible.
- DPI facilitation services are free to the parties.

3. Parties who can Request Facilitation

Parents, including guardians and surrogate parents, of a child with a disability (or a child suspected of having a disability), an adult student with a disability (18 years or older), school personnel or an LEA representative.

4. Appropriate Times to Request Facilitation

In most cases, the IEP team is able to reach determinations regarding identification, evaluation, educational program, placement or the provision of a free appropriate public education for students with disabilities through discussions and consensus decision-making. However, a facilitator may be useful when:

- School personnel want to focus on the concerns and content without also having to be in charge of the meeting process,
- Communication between parents and school personnel is becoming tense, or
- Parents and school personnel are becoming apprehensive about the next IEP meeting.

5. The Difference between Facilitation and Mediation

Both mediators and facilitators have training and experience in helping clarify points of view,

communicating more effectively, and resolving conflict. Facilitation is the process of helping the IEP team complete a task, solve a problem, and come to agreement to the mutual satisfaction of the participants. There does not need to be a conflict between the parties. The mediation process is specifically designed to settle disputes, e.g. when an IEP team cannot come to consensus.

6. The Role of the Facilitator

- To plan and design the meeting process, in partnership with the parties.
- To set a positive and welcoming tone for the meeting.
- To clarify the purpose of the meeting, the ground rules, the desired outcomes, the process to be used, and the roles of each person.
- To keep the discussion focused on the child.
- To draw out opinions and encourage full participation from all IEP team members.
- To monitor the pace of the meeting.
- To maintain neutrality, reflecting content and process back to the group.

7. Requesting a Facilitated IEP Meeting

To request facilitation complete a Facilitation Request Form. After completing all the required information, **sign** the form, and mail or fax it to the following address:

Facilitation Coordinator
Exceptional Children Division
Department of Public Instruction
6356 Mail Service Center
Raleigh, NC 27699-6356
FAX: 919-807-3755

The **signed** form can also be sent as a PDF file by emailing it to: ppruitt@dpi.state.nc.us

The form may be obtained from your local EC Director or DPI, and it is located on the DPI, EC Division website at:

<http://www.ncpublicschools.org/ec/policy/dispute/meeting/>

8. When DPI Receives the Request Form

When the parent requests facilitation, the Facilitation Coordinator will call the EC Director to determine if the LEA will agree to a third party conducting the meeting. If the LEA agrees, DPI staff will appoint a facilitator.

Legally, the LEA is the party responsible for scheduling and conducting IEP team meetings; therefore, the LEA must agree to facilitation.

When the LEA requests facilitation, DPI staff will appoint a facilitator and notify the parent.

The facilitator will contact both parties to schedule the meeting, determine the desired outcomes, and develop the agenda based on the input from the parties.

9. Scheduling a Facilitated IEP Team Meeting

The request must be sent to DPI **before the meeting is scheduled**. The party requesting facilitation must provide reasonable notice by sending the request form to the DPI Facilitation Coordinator **at least 7-10 days prior to the anticipated meeting date**.

Once a facilitator is appointed and the date/time is scheduled, the LEA **must** include the facilitator on the Prior Notice to the parent (Invitation to Conference) as

a person attending the meeting; however, the facilitator is **not** a member of the IEP team.

There are many methods to use to make decisions during facilitated meetings; however, by law, IEP teams **must use consensus**. Decision-making by consensus takes more time and discussion than other methods of facilitated decision-making.

The average length of time for Facilitated IEP team meetings in North Carolina during the 07/08 school year was **3.8 hours**. With thorough preparation, the meeting may be less than 3.8 hours. When the team needs to discuss a number of issues the meeting may exceed 3.8 hours. It is the **responsibility of school administrators to inform** the IEP team members of the anticipated length of time for the meeting and to provide substitute teachers.

If meetings are scheduled to begin after school at 3:00 PM or later, then team members must plan on staying until 6:00 PM or later.

There may be rare cases when a second session is needed. Prior to scheduling a second session, **the facilitator must call** the Facilitation Coordinator to explain why a second session is needed and to seek approval. **If the parties did not schedule ample time (3 or more hours) for the meeting, a second session will not be approved.**

10. Attendance at a Facilitated IEP Meeting

The required members of the IEP team (LEA representative, general education teacher, special education teacher/provider, and parent), must attend the meeting unless the LEA and parent have agreed in writing to excuse one or more members. The LEA must follow the federal regulation regarding excusals. It is recommended that all the required members attend a Facilitated IEP Team meeting in order to resolve the concerns and/or issues.

Both parties have the right to invite others to the meeting who have special expertise and/or knowledge about the child. The child should attend when it is appropriate. The child (age 14 and over) must be invited when transition is discussed. Signatures on the IEP and other forms indicate the member was in attendance and participated in the development of the IEP. If a member is not in attendance then he/she must not sign any form(s).

IEP meetings, including facilitated meetings, should not be adversarial and **it is strongly recommended that both parties refrain from inviting attorneys**. If one party plans to invite an attorney to the meeting then he or she must inform the other party and the facilitator.

11. Preparation for a Facilitated IEP Team Meeting

As stated previously, making decisions by consensus takes a long time. One of the most important aspects of a successful facilitated IEP team meeting is the preparation prior to the meeting. The appointed facilitator will call both parties to gather information, issues/concerns and desired outcomes from each party.

Both parties should gather all documentation needed for the meeting and bring it to the meeting. School staff

should bring all forms that will or may be needed. Preparation will help expedite the meeting process.

Preparation prior to the meeting includes, but is not limited to:

- The school sending draft goal sheets to the parent before the meeting;
- The parent sending suggestions for the goal sheets to the school before the meeting;
- The school sending any current evaluation reports to the parent; and
- The parent sending the school any private evaluation reports he or she may have obtained.

As with all IEP team meetings the location should provide ample space for the number of adults attending the meeting. Some facilitators use charts during the meeting and some use a laptop computer. Wall space will be needed for the charts. Facilitators who use a laptop will need a projector (if they do not bring their own) and a screen (or blank wall). If the school uses a computerized IEP program then the team should use a projector and screen (or blank wall) for projection.

12. When the IEP Team Cannot Reach Consensus

When the IEP team is not making progress toward reaching consensus, then the LEA, which is responsible for the education of the child, must make the decision(s). The LEA representative is charged with making the decision(s) when consensus is not possible. The decision(s) must be documented and the parent must be given prior written notice (form DEC 5). The parent or adult student with a disability has one year from receipt of prior written notice to file due process.

13. Documentation During the Facilitated IEP Meeting

During many IEP team meetings, the team waits until the end of the meeting to complete the forms. Each form should be completed as decisions are made and if signatures are required, signed when completed. Waiting until the end of the meeting to complete all forms is not an effective use of time, lengthens the meeting, and often results in inadvertent errors that lead to noncompliance and/or formal written complaints.

14. After the Meeting

DPI provides feedback forms for the IEP team members to complete and return to the Facilitation Coordinator. These forms are used for professional development and to improve the program. We appreciate each person taking the time to provide honest feedback.



Contact at the Department of Public Instruction

If you have questions about Facilitated IEP Team Meetings, contact Pollye Pruitt at ppruitt@dpi.state.nc.us or 919-807-4024.