



## Frequently Asked Questions about IEP Facilitation and the Facilitated IEP Project

### What is IEP facilitation?

IEP facilitation is a voluntary early dispute resolution option available to parents of children with disabilities and school districts/agencies when both parties agree it would be valuable to have a neutral person—the IEP facilitator—present at an IEP meeting to assist with the IEP process. Most IEP meetings do not need the services of an IEP facilitator. Generally, an IEP facilitator is requested when parents and school district/agency 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, or reevaluation process.

### What are the benefits of IEP facilitation?

- 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.
- Is the IEP meeting and thus does not require a separate proceeding.
- Team members control the outcome.

### What is the difference between facilitation and mediation?

Mediation is typically used when there is a significant disagreement between parties the parties have become very positioned on certain issues that cannot otherwise be resolved. In mediation, a trained mediator brings the parties together to work with each other to resolve conflicts, often including those unrelated to the student's IEP.



### **Who can request IEP facilitation?**

Parents (including guardians and surrogate parents) of a child with a disability, 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 OEC's IEP facilitation coordinator will contact the other party to ask for consent to the facilitation and talk about the benefits of facilitation and how the process works. For the 2010–11 school year, IEP facilitation will be available to parents, adult students, and special education directors/coordinators in the school districts of Aiken, Beaufort, Colleton, Dorchester Two, Florence One, Florence Two, Florence Five, Georgetown, Horry, Kershaw, Laurens Fifty-five, Lexington Two, Lexington Three, Lexington Four, Lexington Five, Marlboro, Newberry, Oconee, Orangeburg Three, Richland One, Richland Two, Saluda, Spartanburg Two, Sumter Seventeen, Williamsburg, and York Three. The process will also be available to the South Carolina School for the Deaf and Blind.

### **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.

### **How long does a facilitated IEP meeting take?**

A facilitated IEP meeting may take longer than a typical IEP meeting but the scheduled time should not exceed three (3) hours. A facilitated IEP meeting can always be reconvened if consensus is not reached at the first meeting with approval of the parties and OEC's facilitation coordinator.



### **How do I request IEP facilitation?**

A request for facilitation can be made by completing a *Request for IEP Facilitation Form*. After completing all the required information, sign the form, and mail or fax it to the following address:

IEP Facilitation Coordinator  
Office of Exceptional Children  
South Carolina Department of Education  
Room 808  
1429 Senate Street  
Columbia, SC 29201

FAX: 803-734-4824

### **How will I be notified about the IEP facilitated meeting?**

The school district/agency is required to provide proper notice of the facilitated IEP meeting, as with any other IEP meeting, to the parent or adult student, including the purpose, date, time, location, and list of who has been invited.

### **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 IEP facilitation is not successful?**

As with any IEP meeting, if the parties to a facilitated IEP meeting cannot reach consensus and thus cannot draft a mutually agreeable IEP, the parties are free to pursue other dispute resolution options such as mediation or a due process hearing. The school district/agency is responsible for the education of the student and thus must make decisions when consensus is not possible. In such cases, the school district/agency must provide prior written notice of its decisions to the parent or adult student and provide notification of the right to request mediation or a due process hearing.