



Facilitated IEP External Stakeholder Group

Crowne Plaza, Springfield, IL

August 7, 2013

10am to 3pm



Welcome and Introductions

- Welcome & Introductions
- Purpose of Stakeholder Group
- Ground Rules



Overview/Historical Background

- CADRE
 - <http://www.directionservice.org/cadre/>
- Facilitated IEP Meetings and the Benefits
- Brief History of IEP Facilitation
- Two Models – Wisconsin and South Carolina



The National Center on Dispute Resolution in Special Education (CADRE)

CADRE Continuum of Dispute Resolution Processes & Practices																		
Stages of Conflict	Stage I			Stage II			Stage III			Stage IV			Stage V					
Levels of Intervention	Prevention			Disagreement			Conflict			Procedural Safeguards			Legal Review					
Assistance/ Intervention Options	Parent Engagement	Participant & Stakeholder Training	Stakeholder Council	Collaborative Rule Making	Parent to Parent Assistance	Case Manager	Telephone Intermediary	Facilitation	Mediation Models	Ombudsperson	Third-Party Opinion/Consultation	Resolution Meeting	Mediation under IDEA	Written State Complaints	Due Process Hearing	Hearing Appeal (Two-Tier Systems)	Litigation	Legislation
	Dimensions that help clarify placement of the options along the Continuum	Third-Party Assistance						Third-Party Intervention										
		Decision Making by Parties						Decision Making by Third-Party										
		Interest-Based						Rights-Based										
		Informal & Flexible						Formal & Fixed										



IEP Facilitation: What is it?

The use of an individual to assist with making the meeting more effective.

- **Internal:** Typically a professional or educator from within a school system
- **External:** A dispute resolution practitioner supplied by the SEA or contracted by the LEA (can include special education mediators, separate/distinct panel of facilitators, community mediation volunteers, parents)



IEP Facilitation: When?

- When is IEP facilitation best used?
 - ✓ History of a contentious relationship
 - ✓ Discussions tend to waiver from student-focus
 - ✓ Conflicts or disagreements are likely to arise during the meeting
 - ✓ Team member who might typically facilitate needs to be freed of that responsibility



IEP Facilitation: Benefits

- Builds and improves relationships
- Keeps meeting student-focused
- Objective observer; another set of ears
- Capacity for resolving conflicts
- More creative problem-solving
- External expertise can be brought in
- Less stressful and costly than DPHs and other options



IEP Facilitation: A Brief History

- 1997, Michigan Special Education Mediation System conducts their 1st IEP Facilitation (External)
- January 1999, JDL Associates provided training in *Essential Facilitation for IEP Meetings* (Internal)
- November 2000, CADRE's First National Symposium on Dispute Resolution includes session on IEP Facilitation



IEP Facilitation: A Brief History

- CADRE receives numerous requests for information and TA related to IEP Facilitation
- 2005, 8 SEAs provide IEP facilitation on state-wide basis
- 2005, CADRE convenes the first *National Symposium on IEP Facilitation* (22 Concurrent Sessions)



IEP Facilitation: 'Present' Status

- 2009, approx. 24 SEAs provide IEP facilitation on state-wide basis
- Sept. 2011 – CADRE sought SEAs for workgroup (Illinois became participant)
- Feb. 2012 – States met with CADRE for 1st meeting (Connecticut, Idaho, Ohio, Texas, Utah, Georgia, Illinois)
- March 2013 – Training in Connecticut



Wisconsin Facilitated IEP System

- **Sample Facilitator Opening**

--“My role is to help you communicate with each other to reach a consensus around the most effective IEP for _____ (child’s name).

-- I am not a formal member of the IEP team.

-- I will be working closely with _____ (name of case manager) who will ensure the IEP process is followed.

-- Let me know if you have any questions at any time.”





Wisconsin FIEP Data (2004-2011)

- Total FIEPs Held – 247
- IEPs Developed or Revised – 71.6%
- Average Length of Meeting – 3.14 hours
- Issues that led to FIEP
 - ✓ Communication – 48%
 - ✓ Accommodations – 42.1%
 - ✓ Placement - 40%
 - ✓ Identification - 28.6%
 - ✓ IEE Request - 23.4%
 - ✓ Discipline – 22.7%



Wisconsin

FIEP Feedback Data (2004-2011)

96.9% believed it is important to be a part of the IEP process. (n=738)

85.6% believed the facilitator was neutral. (n=815)

96.4% reported they understood the IEP facilitation process. (n=814)

84% would use the facilitator again. (n=793)

87.1% were satisfied with the facilitation process. (n=815)

83.9% believed the IEP facilitation provided a satisfactory IEP. (n=737)

86.2% did NOT feel pressured to agree with the IEP. (n=815)

75.5% believed the facilitation will improve future IEP meetings. (n=816)

85.8% would use the facilitated IEP process again. (n=815)



Wisconsin Lessons Learned

- Use of external, neutral facilitators successful in helping guide IEP development process
- High quality neutral screening process (by same person) for both FIEPs & mediation is critical
- Needed to limit FIEP time (3 hrs)
- FIEP especially good when strained relationships, communication & trust issues
- Important for Facilitator to connect with IEP Coordinator/Case Manager in advance to explain role



South Carolina: 2008 Pilot Project

- State PTI funded by SEA - PRO-Parents
- Piloted in six school districts (chosen by several criteria)
- Facilitators for the pilot year consisted of parent trainers & a few others
- School district personnel (pilot districts) and facilitators were trained together



South Carolina: 2008 Pilot Project

- 6 IEP facilitation requests were made from August '08- June '09
- 5 IEP facilitated meetings were held with 1 request withdrawn
- All 5 reached consensus
- 4 Implemented IEP, 1 proceeded to the complaint process



SC: Pilot Original Conditions

- SDE awarded a grant to PRO-Parents to utilize PTI staff as facilitators
- LEA and parent had to agree to Facilitation
- Facilitators were paid by the grant – no cost to school district



SC: Pilot Procedures

- Facilitator selected by SEA in coordination with PTI
- Parent consented to share student records with facilitator
- Facilitator contacted both parties prior to the meeting for introduction, determine concerns, and gauge desired outcomes
- Recommended that meetings not exceed 3 hours
- Free of charge to all participants



SC: Feedback Data

- 44 participants completed feedback survey-
6 parents, 38 LEA/school representatives
- 100% reported they felt comfortable sharing their thoughts
- 98% reported they felt the facilitator kept the team focused and the meeting moving forward



SC: Feedback Data

- 100% reported they felt their rights and the rights of others were protected
- 95% reported they felt the meeting was organized, efficient, and productive
- 100% reported they felt they contributed to writing the IEP
- 100% reported they felt everyone shared responsibilities and played a role in the meeting





SC: Lessons Learned

- More time-consuming than originally thought
- Pool of facilitators too small
- Limited in scope- only 6 LEAs, other LEAs wanted to be included
- Facilitators felt they needed more training in conflict resolution
- More marketing/public awareness needed



Logic Model for IL FIEP Project

January 2012-June 2016

Inputs	 Activities Participation	Outputs  Short Outcomes Medium Long
<p>IDEA State Discretionary Funding</p> <p>ISBE Management, Dispute Resolution staff and other select ISBE staff</p> <p>Other individuals with expertise & experience, including advisory stakeholder committee</p> <p>Other states and external contacts</p> <p>CADRE and other national support and expertise</p>	<p>Analyze other states' data on IEP Facilitation</p> <p>Finalize initial plan with internal ISBE staff to include definitions, implementation plan, expected outcomes and survey tool, etc.</p> <p>Conduct webinars and/or in-person meetings with advisory stakeholder committee to review and provide feedback for FIEP project</p> <p>Develop outreach materials that reach a large audience including website</p> <p>Establish pilot FIEP project: Select districts Recruit & select facilitators Train facilitators, districts and parents Implement FIEP project</p> <p>Evaluate pilot project and revise as necessary</p>	<p>Assigned state staff</p> <p>CADRE</p> <p>Advisory stakeholder committee</p> <p>Facilitators</p> <p>Selected district staff</p> <p>Parents</p> <p>Analysis of other states' data provided a starting point in developing the FIEP plan</p> <p>Stakeholder input assisted in finalizing the details of the FIEP implementation project</p> <p>Website, that includes outreach materials, has increased amount of hits on the site</p> <p>Facilitators, district staff and parents report satisfaction with trainings</p> <p>Agreements established with selected districts for FIEP project participation</p> <p>IEP facilitators were requested in pilot districts</p> <p>FIEP project was expanded based upon other interested school districts and parents resulting in additional district agreements</p> <p>IEP facilitators reported expanded skill set based on technical assistance and training</p> <p>Participants report continued satisfaction with the FIEP process and IEPs</p> <p>Statewide FIEP model implemented</p> <p>Improved IEP facilitation skills for district staff, parents, etc.</p> <p>Increased use of IEP facilitation in lieu of more formal dispute resolution processes</p> <p>Increased communication between parents and districts</p>



ISBE's FIEP System Overview

- Mission
- Goals and Anticipated Outcomes
- Begin Pilot Jan/Feb 2014
- Process initiated by request from district and/or parent
 - Both parties must agree
 - FIEP Coordinator
- Facilitator's Role



ISBE's FIEP System Overview

- FIEP implementation principles:
 - Agreement for voluntary participation in this process
 - Solution focused
 - Focus on treating others with respect and listening for understanding
 - Aims at developing a child centered IEP
- Satisfaction survey completed at end of meeting



Feedback on ISBE's FIEP System

- What are your first impressions about the overview?
- In your opinion is there a need for this kind of service?
- How receptive do you think school districts and parents might be to participate in this kind of process?
- What might be some possible barriers during implementation?



ISBE FIEP System Structure

- FIEP Coordinator @ ISBE
- Internal Procedures
- Request Form



Qualifications of an IEP Facilitator

DESCRIPTION OF POSITION:

- Facilitates IEP meetings
- Helps members of the IEP Team focus on developing a satisfactory IEP



Qualifications of an IEP Facilitator

FUNCTIONS AND RESPONSIBILITIES

(Pre-meeting):

- Contacts district and parent to introduce self, reiterates role of facilitator and asks clarifying questions.
- Becomes familiar with the concerns by:
 - 1) telephone contacts; and
 - 2) reviewing most recent IEP and evaluation data.



Qualifications of an IEP Facilitator

FUNCTIONS AND RESPONSIBILITIES

(During the meeting):

- Creates meeting agenda and ground rules for IEP meeting
- Guides discussion by focusing on student outcomes
- Assists IEP Team to resolve conflicts/disagreements that may occur
- Maintains open communication among all IEP Team members



Qualifications of an IEP Facilitator

FUNCTIONS AND RESPONSIBILITIES

(During the meeting continued):

- Asks clarifying questions about issues, interests and potential solutions
- Helps to keep members on task
- Follows legal mandates for IEP meeting
- Maintains impartiality and confidentiality at all times
- Does not impose a decision on the group



Qualifications of an IEP Facilitator

FUNCTIONS AND RESPONSIBILITIES

(Post-meeting):

Participate in:

- 1) process evaluation,
- 2) self-assessment and
- 3) improvement activities.



Application/Solicitation Process



Regional vs Statewide Facilitators

REGIONAL		STATEWIDE	
PROS	CONS	PROS	CONS
Less travel	Contrasts with the Mediation system	Consistency with the Mediation system	Potential for increased travel
Program promotion	Recruitment barriers	Recruitment flexibility	Potential for decreased program promotion at local level
Increased consistency with other ISBE initiatives	Differences in supply and demand across the state	Flexibility for assignments across the state	Contrasts with other ISBE initiatives
Might have future implication regarding sustainability	Increased potential for conflicts of interest	Decreased potential for conflicts of interest	



Regional vs Statewide Facilitators

- What is your opinion regarding proposed pros and cons?
- Are there some things that we have not considered?
- How would you weigh the proposed pros and cons?



Regional vs Statewide Facilitators

- What would be your thoughts if a hybrid model were a possibility ?
- What would it look like?
- Are there risks that need to be considered if we deviate from a more straight forward model?



RFSP: Training Entity



Confidentiality

- Information and data discussed in IEPs is confidential, subject to the requirements of ISSRA and FERPA
- Under both ISSRA and FERPA, an IEP Facilitator is NOT someone who is privy to confidential student record information
- Some mechanism for releasing information to the Facilitator will need to be in place



Confidentiality

- Given these facts, several questions arise:
 - When should a release of information be completed? In advance of arranging the FIEP or at the time the FIEP is convened?
 - Should the Facilitator have access to student record information in advance of the FIEP?



Confidentiality

- The FIEP system is designed to be a conflict resolution method
- Other conflict resolution methods, such as mediation, have certain confidentiality components built in (e.g., the mediator is not called as a witness in due process, discussion in mediation cannot be used as evidence)



Confidentiality

- In considering FIEPs as a conflict resolution method, the following questions need to be considered:
 - Should the Facilitator, like a mediator, also be given immunity from testifying in due process?
 - Should discussions during a FIEP also be barred as evidence at a due process hearing or in a complaint investigation?



Facilitated IEP External Stakeholder Group

Illinois Principals Association, Springfield, IL

October 2, 2013

10am to 3pm



Welcome Back!

- Welcome Back!!
- Brief Introductions



FIEP Pilot System

- In order to get a sense of how the system might work on a state-wide basis, ISBE proposes piloting the FIEP project among a select number of districts.
- Piloting will help identify strengths and weakness, as well as what works and what doesn't, before expanding this to a state-wide system.



FIEP Pilot System

- What we believe piloting will tell us:
 - The logistics involved in setting up a FIEP
 - What we can anticipate a reasonable caseload to be for a Facilitator
 - What problems might arise across a range of demographics (urban, rural, big district, small district, etc.)
 - Scenarios, problems and challenges we have not yet anticipated at the present stage of development

2008-2013 Conflict Resolution Requests

Region II-
98 mediations
47 complaints
122 due process

Region III-
52 mediations
44 complaints
61 due process

Region V-
54 mediations
39 complaints
76 due process



Cook County

- REGION I-A (Chicago)
- REGION I-B-B (West Cook)
- REGION I-B-C (South Cook)
- REGION I-B-D (North Cook)

- REGION I-C (Northeast)
- REGION IV (East Central)

- REGION VI (Southeast)

Chicago-
256 mediations
136 complaints
588 due process

West Cook-
46 mediations
41 complaints
91 due process

South Cook-
73 mediations
55 complaints
130 due process

North Cook-
91 mediations
27 complaints
137 due process

Northeast-
296 mediations
115 complaints
359 due process

Region IV-
32 mediations
57 complaints
47 due process

Region VI-
34 mediations
20 complaints
44 due process



FIEP Pilot System

- Questions that are presented going forward:
 - What's the optimum number of districts that should be involved in the pilot stage?
 - What should the selection process be (i.e., volunteers or appointed districts)?
 - Is there a minimum number of FIEP requests we would expect a district in the pilot phase to make?



FIEP Pilot System

- More Questions ...
 - Should districts in the pilot phase be able to decline a FIEP request from a parent?
 - What range of demographics should be represented in the pilot group?
 - Given answers to the foregoing, what's the impact on the logistics of running the pilot stage?



General Public Awareness

Dissemination of information about the FIEP program:

- To the districts involved in the Pilot phase
- To the State, as a whole

Provision of general information regarding the overall FIEP system

Provision of more specific information regarding the “moving parts” of the system (i.e., procedures, participants, etc.)



General Public Awareness

Considerations for Pilot Phase:

- Targeted Audience vs. Request for Volunteers
- What type of training or information should the pilot districts receive?
- Should parents within the pilot districts receive the same training or information?
- What information or materials are posted on the ISBE webpage during the pilot phase?



General Public Awareness

Statewide Dissemination of Information:

- When is it appropriate to broaden the audience beyond those districts who participate in the pilot phase?
- How should public awareness guidance be structured? (focused upon parents/districts as a group, separate awareness strategies for each group)
- What are the most effective tools of dissemination to ensure consistency and the provision of necessary information to all? (webinars, on-site training, etc.)



General Public Awareness

Other Potential Avenues of Dissemination:

- Creation of Documents
- ISBE Webpages
- ListServes
- Superintendent's Newsletter
- Personal Invitation
- Stakeholder Support



Data Collection

Records maintained by ISBE

(Paper filing system and SEDS)

- Request form
- Facilitator assignment
- Date of facilitation meeting
- Number of hours spent per meeting
- Outcome of facilitation meeting
- Satisfaction level of all meeting participants
- Post-meeting feedback completed by facilitator
- Follow up after case

Users of FIEP Process Post-Survey Draft

Please take a few minutes to complete this survey.

To what extent do you agree or disagree with the following statements:

		<u>Strongly Disagree</u>	<u>Disagree</u>	<u>Neutral</u>	<u>Agree</u>	<u>Strongly Agree</u>
1.	I received information prior to the FIEP that helped me prepare for the meeting.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2.	The facilitator explained the FIEP process and their role as facilitator.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3.	The facilitator kept the meeting focused on the child's needs.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4.	The facilitator was impartial during the meeting.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5.	The facilitator guided the development of the IEP in an organized way.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6.	All participants had input into the FIEP process.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7.	The issues/concerns that were present prior to the FIEP meeting were discussed in the meeting.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8.	The issues/concerns that were present prior to the FIEP meeting were resolved during the meeting.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9.	The presence of the facilitator was helpful in developing the IEP.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10.	School staff members better understand the family's views and perspectives following the FIEP.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

		<u>Strongly Disagree</u>	<u>Disagree</u>	<u>Neutral</u>	<u>Agree</u>	<u>Strongly Agree</u>
11.	The family better understands school staff members' views and perspectives following the FIEP.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12.	Relationships between school staff members and the family are more positive following the FIEP.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
13.	It will be easier to develop future IEPs after participating in this FIEP meeting.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14.	Participation in the FIEP will reduce the likelihood that other dispute resolution options (mediation, complaint, due process hearing) will be needed to resolve disagreements about the child's program.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
15.	I would recommend the FIEP process to others.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

16. Other comments/suggestions:

IEP Facilitator Self-Evaluation Draft

Please take a few minutes to complete this survey.

To what extent do you agree or disagree with the following statements:

		<u>Strongly Disagree</u>	<u>Disagree</u>	<u>Neutral</u>	<u>Agree</u>	<u>Strongly Agree</u>
1.	I adequately prepared for the FIEP meeting.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2.	I explained the FIEP process and facilitator's role to participants.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3.	I kept the meeting focused on the child's needs.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4.	I was impartial and respectful to all parties during the meeting.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5.	I guided the development of the IEP in an organized way.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6.	I ensured input from all participants during the meeting.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7.	I ensured presenting issues and concerns were addressed in the meeting.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8.	Presenting issues and concerns were resolved as a result of the FIEP meeting.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9.	I was helpful in developing the child's IEP.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10.	School staff members better understand the family's views and perspectives following the FIEP.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

		<u>Strongly Disagree</u>	<u>Disagree</u>	<u>Neutral</u>	<u>Agree</u>	<u>Strongly Agree</u>
11.	The family better understands school staff members' views and perspectives following the FIEP.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12.	Relationships between school staff members and the family are more positive following the FIEP.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
13.	The parties will have less difficulty developing future IEPS after participating in the FIEP.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14.	The parties will be less likely to need other dispute resolution options (mediation, complaint, due process hearing) to resolve disagreements about the child's program following the FIEP.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
15.	The parties are likely to recommend the FIEP process to others.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

16. Other comments/ additional training needs:



Evaluation of Facilitators and User Satisfaction

- What is the best method to ensure a high completion rate for the Users Post-Survey that contains honest input into their experiences with the FIEP?
- Asking participants to complete the survey at the completion of the FIEP meeting, providing the survey by mail or email at some point following the FIEP meeting?



Evaluation of Facilitators and User Satisfaction

- Should facilitators be provided feedback from the Users Post-Survey?
- In other words, should the facilitator know how the parties participating in a specific FIEP meeting rated him or her?
- In lieu of the above bullet item, should facilitators be provided feedback on an aggregate basis over a period of time(annually?) of how users rated him or her, instead of receiving feedback after a specific FIEP meeting?



Evaluation of Facilitators and User Satisfaction

- Should the Users Post-Survey and/or Facilitator Self-Evaluation be used solely to guide training/professional development for facilitators, or should that information also be used as one component in evaluating the performance of the facilitator?



Evaluation of Facilitators and User Satisfaction

- Do the Users Post-Survey and Facilitator Self-Evaluation capture the core components of the IEP facilitation process and duties of the facilitator, or are there other factors that should be considered which are not currently addressed in the surveys?



Qualifications of an IEP Facilitator

Qualifications are generally expressed in terms of training and experience, rather than education and degrees.

Questions:

- Minimum of bachelors? Or training?
- Experience as a facilitator or mediator?
- Experience running IEP meetings?
- Background/experience/degree in special education?
- Flexibility with being able to travel?
- What types of individuals would make good facilitators?

Qualifications of an IEP Facilitator

- Qualifications are generally expressed in terms of training and experience, rather than education and degrees.
 - Several discussions around ‘requiring’ a degree or saying a degree is ‘preferred’.** The ‘preferred’ language allows ISBE to give consideration to those with extensive background experience, but no degree. Some argued that requiring a degree ‘sets a high and consistent standard.
- Training requirements may vary from a 30-50 hour training to no training required where the individual is considered qualified because of another position held, for example, as a mediator or special education professor.
- A background working in special education or knowledge about special education programs and law is considered desirable.
- Continuing education is usually required and may be offered quarterly, semi-annual, annual, or biennial basis. The number of hours varies, as does educational content. Training content may be determined by whether the facilitator’s role includes providing content expertise in addition to process expertise.



Document Review

1. FIEP Overview (pdf) [Kelly and Juana]
2. Requesting Facilitated IEP Webpage (doc)[Kelly and Juana]
3. FIEP Request Form (doc) [Sherry and Marcia]
4. Facilitated IEP Brochure (pub) [Karen]
5. Chart comparing mediation and IEP facilitation
6. Q&A Document (doc) [Felicia]



FIEP Overview Document



- FIEP defined
- Benefits of FIEP
- FIEP vs. Mediation Chart
- Facilitator's Role
- ISBE's FIEP
- Access
- What to expect during meeting



Webpages

Facilitated Individualized Education Program (FIEP) System

Vision: To promote productive child-centered IEP meetings conducted in a respectful and collaborative manner.

Mission: To maximize district level capacity to develop child-centered IEPs and minimize state level interventions which result from ineffective IEP meetings.

Overview

Facilitated IEP is a process that helps foster effective communication between parents and districts as they develop a mutually acceptable IEP. This process may be used as a preventative measure in which a trained facilitator promotes whole team participation, acknowledging and addressing differing opinions in a respectful and impartial manner. Facilitated IEP enhances partnerships between school districts and parents in order to effectively plan services to meet the student needs.

Why Facilitated IEP?

Successfully facilitated IEP meetings:

- save time and money
- improve the relational dynamics; and
- reduce the negative emotional impact on all team members caused by conflict resolution procedures (e.g., complaints, due process hearings).

How does FIEP compare to Mediation?

	Facilitation	Mediation
Who guides the process	Facilitator	Mediator
Meeting Type	IEP Meeting	Informal Meeting
Participants	IEP Team	Small Group of Decision Makers
Goals	Promoting effective communication; Developing a mutually acceptable IEP	Resolving Special Education disagreement; Developing a legally binding mediation agreement

[A-Z index](#)

[Requesting IEP Facilitation](#)

[Preparation for FIEP Meeting](#)

[What to Expect at an FIEP Meeting](#)

[FAQ Document](#)

[Individualized Education Program](#)

[Special Education Home Page](#)

[FIEP System Home Page](#)

Pages

- Home Page
- What to Expect at an FIEP Meeting
- Requesting FIEP Meeting
- Preparing for FIEP Meeting
- Other documents/forms accessible through web



Requesting Facilitated IEP Webpage

- Embedded in ISBE's Special Education website
- Timing and content during pilot

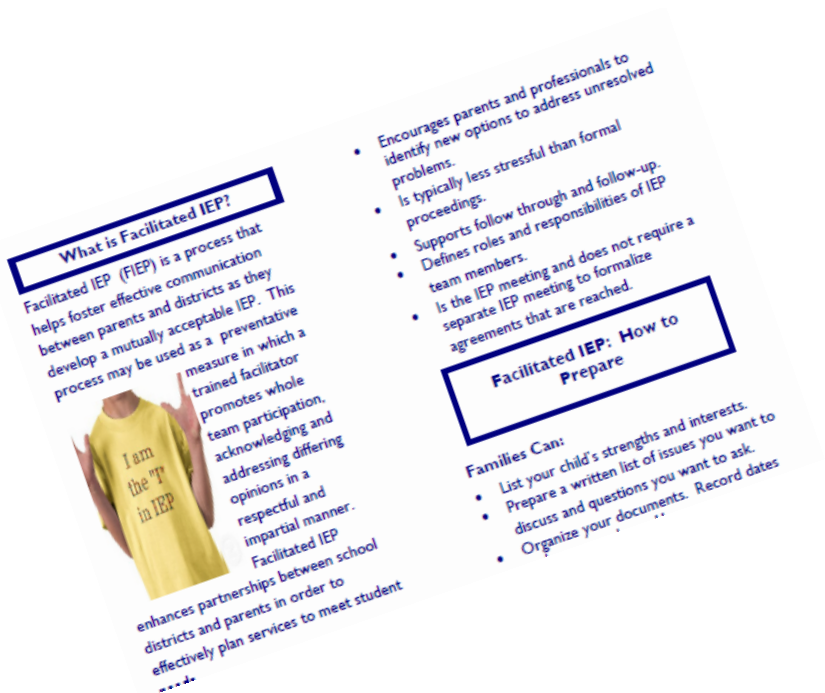


FIEP Request form

- Informal process
 - Phone call
 - Form completion
- Voluntary process
 - Both parties must agree to participate



Facilitated IEP Brochure



- FIEP defined
- Benefits of FIEP
- How to Prepare
- Resources



How does FIEP compare to Mediation?

	Facilitation	Mediation
Who guides the process	Facilitator	Mediator
Meeting Type	IEP Meeting	Informal Meeting
Participants	IEP Team	Small Group of Decision Makers
Goals	Promoting effective communication; Developing a mutually acceptable IEP	Resolving Special Education disagreement; Developing a legally binding mediation agreement

How IEP Facilitation and Mediation are different

	Facilitated IEP Meeting	Mediation Meeting
OPTION	Is an option for using a third party (facilitator) to promote effective communication and assist the IEP team in developing a mutually acceptable IEP.	Is an option for using a third party (mediator) to resolve disagreements regarding special education services, placement, and related services to children enrolled in Illinois public schools.
FOCUS	Focuses on the needs of the child, the IEP process and an agreed upon IEP document.	Focuses on the needs of the child, the relationship of the participants and the resolution of the conflict.
GOAL	Collaborative efforts resulting in a mutually acceptable IEP.	Resolving existing disputes about special education placements or services resulting in a mutually acceptable mediation agreement.

<p>PARTICIPANTS</p>	<p>IEP facilitation participants:</p> <ul style="list-style-type: none"> • must include the required IEP Team members to complete the IEP process. including the parent • when appropriate, the required IEP team members would include the student • may also include attorneys, advocates, interpreters, and other relevant parties who have knowledge of the student. 	<p>Mediation participants:</p> <ul style="list-style-type: none"> • must include persons who have legal authority to act on behalf of the student and local district respectively • the number of participants shall generally be limited to three persons per party. • may also include attorneys, advocates, interpreters, and other relevant parties who have knowledge of the student.
<p>ATTORNEY</p>	<p>Parties generally advise each other if an attorney will be present.</p>	<p>ISBE requests that parties advise each other if an attorney will be present</p>
<p>SCHEDULING</p>	<p>The school schedules the IEP meeting and sends out the notice to the parent and the ISBE.</p>	<p>The appointed mediator works with the parties to schedule the mediation and ISBE sends confirmation to the parties.</p>
<p>LENGTH</p>	<p>ISBE highly recommends a 3 hour time limit</p>	<p>Whatever is needed to resolve the conflict, an average session is 3 hours.</p>

<p>PRACITIONERS' ROLE</p>	<p>Facilitator keeps the focus on a productive child-centered IEP process conducted in a respectful and collaborative manner and on developing an acceptable IEP document in a timely manner.</p>	<p>Mediator helps the parties identify issues, see each other's perspectives and consider options for the resolution of the disagreement.</p>
<p>CONFIDENTIALITY</p>	<p>The state is silent on confidentiality of IEP meetings.</p>	<p>All discussions that occur during the mediation process are confidential and may not be used as evidence in any subsequent due process hearing or civil proceedings.</p>
<p>OUTCOME</p>	<p>IEP facilitation does not relieve the district of the responsibility to meet regulatory timelines.</p> <p>If an agreement is reached on the IEP, the school district is required to complete the IEP document and provide a copy to the parent; as well as send notice to the parent regarding the provision of services.</p> <p>The only record kept of the facilitated IEP session is the date, time and location of the session and the result. ISBE will not keep the IEP document.</p>	<p>Mediation cannot be used to delay or deny a due process hearing.</p> <p>If a resolution is reached in mediation, the parties must execute a legally binding mediation agreement.</p> <p>The only record kept of the mediation session is the date(s), time(s) and location of the mediation session(s), the result of the mediation session(s), the written agreement (if applicable), and the signatures of each participant.</p>

<p>AUTHORIZATION</p>	<p>An initial IEP cannot be implemented without the parent’s written consent. Subsequent IEPs can be implemented unless the parent objects by requesting a due process hearing within the 10 calendar days after receiving the notification of services.</p>	<p>Both the parents and an authorized district representative must sign the mediation agreement.</p>
<p>ENFORCEMENT</p>	<p>The IEP is enforceable through the state complaint process or a due process hearing.</p>	<p>The written, signed mediation agreement is enforceable in any State court of competent jurisdiction or in a district court of the United States. [20 USC Sec 1415(e)(2)(F)]</p>
<p>ADMISSIBILITY</p>	<p>The IEP is admissible in subsequent proceedings.</p>	<p>The mediation agreement is not admissible in a due process hearing.</p>

How IEP Facilitation and Mediation are the same

Request process – parents or districts may request by contacting ISBE

Voluntary – both parents and districts must agree to participate in either process

Provided at no cost to either parents or districts

Scheduled at a mutually agreed upon time

Usually held within the school district

Cannot be used to deny or delay the right to a hearing

Practitioners are:

- impartial
- knowledgeable about special education rules and regulations
- not decision-makers, has no authority to enforce or override any action by either party
- cannot be called to testify in any subsequent proceedings (parties must sign a waiver)
 - selected and trained by the Illinois State Board of Education



Q & A Document

Question 1. What is IEP facilitation?
Answer 1. IEP facilitation is a free and voluntary service that the Illinois State Board of Education offers to individualized education program (IEP) teams to provide assistance to the team in developing a mutually acceptable IEP.

Question 2. Who can request IEP facilitation?
Answer 2. Either parents or the school district can request IEP facilitation. Both parties must agree in order for facilitation to occur.

Question 3. Do all requests result in facilitated IEP meetings?
Answer 3. ISBE attempts to accommodate all requests for IEP facilitation. However, there are circumstances that can prevent the assignment of a facilitator. These include:

- Both parties do not agree to facilitation
- The request is not received with sufficient time to assign a facilitator to the IEP meeting by a certain date to meet a regulatory timeline
- Demand for IEP facilitation exceeds the number of available facilitators

- Anticipated Questions
- Do answers bring greater clarity?
- Additional Q&A needed



Next Steps

- Next meeting
- Expected timelines
- How to further assist in this process



Thank You!!!