IEP Facilitation in South Carolina

Mary Eaddy, Director Susan Bruce, Regional Education Coordinator PRO-Parents of S. C.

CADRE's Fifth Annual Symposium on Dispute Resolution in Special Education October 2011

Idea to implementation

- PTI and SDE staff attended FIEP Conferences and were excited about the possibility for South Carolina
- Proposed to SDE and grant was made available
- At the time mediations were not being utilized with only two held through the previous year

2008 Pilot Project

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

Pilot Original Conditions

- SDE awarded a grant to PRO-Parents to utilize PTI staff as facilitators
- LEA or parent may request
- Both LEA and parent must agree to facilitation
- Request made through the Ombudsman at the SEA

Pilot original conditions

- Could be used at any stage in the IEP process but especially when there were communication and trust issues
- Facilitators were paid by the grant
- There is no cost to parent or school district to use facilitation

Pilot Procedures

- facilitator selected by SEA in coordination with PTI
- parent consent 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

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- □ (5) IEP facilitated meetings were held with (1) request withdrawn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 reached consensus (5)
- ☐ (4) implemented IEP
- (1) proceeded to the complaint process

Feedback Data-Year 1

- 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

Feedback Data-Year 1

- 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

- More time-consuming than originally thought
- Pool of facilitators too small
- Pool of facilitators limited in terms of representation
- Limited in scope- only 6 LEA's, other LEA's wanted to be included

- Facilitators felt they needed more training in conflict resolution
- More funding was needed to sustain and expand
- More marketing/public awareness needed
- Needed to consider volunteers vs. paid facilitators

PTI staff (facilitators) were concerned with their ability to remain neutral

Felt that school personnel sometimes feel that we are adversarial due the nature of what we do.

At the first FIEP training this was somewhat evident from school district personnel

One district felt they could do this on their own and didn't need to use the trained pool of facilitators (they subsequently did have a FIEP using one of the SDE facilitators)

- Initially expanded to (6) additional districts (strategically chosen)
- Mid-year-added (3) districts
- □ A total of (15) LEAs participating
- Expanded the cohort of facilitators to include retired special educators, administrators, and mediators

- □ Efforts were made to utilize volunteer facilitators (Charleston School of Law & The Community Mediation Project)
- Training was provided by a local trainer
- The new director at the SEA chose to continue the project

- Provided conflict resolution training for expanded pool of facilitators
- Increased public awareness of the project
- Paid a flat fee to each facilitator free of charge to districts

Year 2 Data

- □ Total of (16) facilitation requests
- (14) facilitated IEP meetings held
- □ (1) request was withdrawn
- (1) request deferred to the 2010-2011 school year
- consensus was reached at (12) of the (14) facilitated IEP meetings

Year 2 Feedback

- (77) participants responded to the feedback survey-
 - √ (10) parents
 - √ (2) grandparents
 - √ (1) student
 - √ (5) advocates
 - √ (58) LEA/school reps
 - √ (1) personal care assistant
- 93% reported they felt comfortable sharing their thoughts
- 96% reported they felt the facilitator kept the team focused and the meeting moving forward

Year 2 Feedback

- 94% reported they felt their rights and the rights of others were protected
- 93% reported they felt they contributed to writing the IEP
- 94% reported they felt everyone shared responsibilities and played a role in the meeting
- 96% reported the meeting was organized, efficient, and productive

PTI staff (facilitators) felt they were utilized less with the addition of former school personnel as facilitators

PTI staff were concerned with the ability of the former school personnel to remain neutral and stay true to their role as facilitator

There was a real need to triage the request to insure that both parties understood the FIEP process and were willing to be open minded.

- □ Added (6) districts
- expanded facilitator roster to include community mediation project mediators
- provided conflict resolution training to the facilitator cohort
- explored RFP for an entity outside of the SEA to run the facilitation project

Year 3 Data

- □ Total of (23) facilitation requests
- (15) facilitated IEP meetings held
- (8) request withdrawn for various reasons
- consensus was reached in (10) of the (15) facilitated IEP meetings

3 Year Data Comparison by Issue

| | 08-09 | 09-10 | 10-11 |
|---------------------------|-------|-------|-------|
| Identification/evaluation | 0 | 5 | 5 |
| Placement | 4 | 7 | 7 |
| Progress reporting | 0 | 7 | 6 |
| Present levels of perf. | 1 | 8 | 6 |
| Accom./modifications | 3 | 11 | 10 |
| Transition | 1 | 2 | 3 |
| Goals & Objectives | 1 | 6 | 8 |
| Related services | 1 | 4 | 8 |

3 Year Data Comparison by Issue

| | 08-09 | 09-10 | 10-11 |
|----------------------|-------|-------|-------|
| Discipline/behavior | 3 | 7 | 6 |
| Services | 4 | 9 | 10 |
| Assistive Technology | 1 | 4 | 5 |
| IEP implementation | 3 | 8 | 7 |
| Other | 1 | 5 | 3 |

Successes

- Each year FIEP meetings have exceeded mediations
- Districts who were not included to date are requesting to be included
- Interest in becoming a facilitator has been expressed from individuals and groups outside of former school and PTI personnel

Considerations for the future

- Need bi-lingual facilitators
- Agreement of confidentiality to include prohibition from being subpoenaed
- Collect data on the number of meetings held prior to FIEP
- Forms should be on-line to allow electronic submittal

Considerations for the future

- Allow parents and LEA to request a specific facilitator
- □ Referral should be made to the PTI especially if they have not been in contact with them previously (if there is a need for training or information)
- Discourage IEP teams from adding new team members for FIEP

Communication leads to community, that is, to understanding, intimacy and mutual valuing.

Rollo May