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## FACILITATED IEP TEAM MEETINGS IN MARYLAND

### An Introduction and Frequently Asked Questions for Parents and Public Agency/School Personnel

**Introduction to Facilitated IEP Team Meetings:** Having IEP team meetings facilitated by an external, independent, trained “Facilitator” is rapidly becoming a popular means for parents and school personnel to reach agreement in the educational decision making process for students needing or suspected of needing special education services. When the relationship between parents and school personnel become strained or better yet, before the relationship has the opportunity to fray, parents and school personnel are finding that using external facilitators can assist the IEP team process. A facilitator may help parents and school personnel avoid misunderstandings or disagreements when it is believed that discussions at the meeting may become challenging. Using a trained facilitator has been found to be an effective means to keep IEP teams focused on the development of the educational program for the student while addressing some of the conflicts and disagreements that may arise from inadequate communication. The facilitator will utilize skills that create an environment in which the IEP team members; school personnel and parents can listen to each other and work together in developing high quality education programs for students suspected of, or identified as disabled.

#### 1. Who can request an IEP meeting be facilitated?

A facilitator may be requested by the parent or the school. However, both parties must agree to use this voluntary process.

#### 2. Who serves as an IEP meeting facilitator?

The facilitator is a trained volunteer from a community mediation center, generally located in the jurisdiction where the parent resides or another community close to where the parent resides and where the student attends school. The facilitator has completed a 50-hour training course in mediation skills, has experience mediating a variety of disputes, and has completed a 3-day training in IEP Facilitation. The facilitator is not a member of the IEP team and does not have a relationship with the school or the parents other than to assist in the meeting. The facilitator remains neutral and focuses on the process while the team makes the decisions.

### **3. How does facilitation differ from mediation under the Individuals with Disabilities Education Act (IDEA)?**

While facilitated IEP team meetings are emerging as a means to avoid conflicts and/or to resolve conflicts prior to requesting mediation or filing a due process complaint, it is not required under the IDEA. States or local school systems are not required to offer the service. Some other differences between IEP facilitation and mediation under IDEA are the following:

- The facilitation occurs at a regular IEP team meeting
- The IEP meeting is generally run by the school system in the same manner as an IEP meeting that is not being facilitated
- There is no written agreement other than a written Individualized Education Program for the student and the prior notice requirement of the IDEA.

IEP facilitation should not be confused with mediation. Mediation may be used to deal with a broader range of issues in special education than in an IEP meeting. Mediation is typically used when there is a significant disagreement that the parties are otherwise unable to resolve. A trained impartial mediator brings the parties together to work with each other to resolve a variety of disagreements, often including those unrelated to the student's IEP.

### **4. What does the facilitator do at the meeting?**

The facilitator can be expected to:

- Assist the team in establishing an agenda
- Guide the discussion and keep the focus on the student
- Make sure everyone has a chance to speak and be heard
- Help resolve disagreements
- Use communication skills to help parents and school personnel to work together to make decisions about the program
- Help team members develop and ask clarifying questions about issues that may have occurred in the past
- Help to keep the team on task and within the time allotted for the meeting
- Remain impartial, not take sides, place blame, impose a decision on the group, nor offer an opinion on the appropriateness of a decision.

### **5. What are the benefits of a facilitated IEP team meeting?**

Parents and school personnel who have used facilitation at IEP team meetings report the following benefits:

- Focus remains on the student
- Supports all parties in participating fully
- Positive working relationships between parents and school staff are maintained
- Opportunities for creative, win-win, solutions are possible
- Facilitation services are free to the parties and non-confrontational

- Effective communication and listening skills are modeled
- Points of agreement and disagreement are clarified
- Parents and professionals are encouraged to identify new options to address unresolved problems
- Is part of the regular IEP meeting and, therefore, does not require a separate meeting
- All decisions are made by the team, rather than a mediator or a hearing officer

**6. How is the confidentiality of the student and family maintained?**

The parent must provide their consent to allow the school to share confidential information about the student with the facilitator. This is required under the Family Education Rights Privacy Act.

**7. Who pays for the facilitator?**

There is no cost to the parent or the school to have a facilitator assist in the IEP process. The funds to train facilitators and support the program, including, in some cases mileage reimbursement for the facilitators, are provided through grants to Community Mediation Maryland by the State Judiciary’s Mediation and Conflict Resolution Office which is under the direction of the Honorable Chief Judge Robert M. Bell, Maryland Court of Appeals, and the Maryland State Department of Education, Division of Special Education/Early Intervention Services, Carol Ann Baglin, Ed.D., Assistant State Superintendent.

**8. What public agencies are offering facilitated meetings to parents and school staff?**

Following are the public agencies offering the services of a facilitator to parents and school personnel for the 2007-2008 school year:

- Anne Arundel County Public Schools
- Baltimore County Public Schools
- Cecil County Public Schools
- Board of Education for Dorchester County
- Frederick County Public Schools
- Howard County Public Schools
- Montgomery County Public Schools
- Prince George’s County Public Schools
- St. Mary's County Public Schools
- Washington County Public Schools

The facilitators and the services provided are through the cooperation of staff and volunteers of the following Community Conflict Resolution Centers: *Anne Arundel Conflict Resolution Center; Charles County Community Mediation Center; Mid- Shore Community Mediation Center; Washington County Community Mediation Center; Conflict Resolution Center of Montgomery County; Community Mediation, Upper Shore, Inc; Center for Conflict Resolution, Inc., Salisbury; Prince George’s County Mediation and Conflict Resolution Collaborative, Community Mediation Center of St. Mary's County*, and the staff of *Community Mediation Maryland*, under the direction of Lorig Charkoudian, Ph.D., Executive Director.

**9. Who do I contact if I want a facilitator to attend the IEP team meeting for my child?**

School systems offering facilitation services have individualized the process for requesting a facilitator. To find out how to request the service, it is suggested that you contact the Office of the Director of Special Education for the school system responsible for student's educational program or Community Mediation Maryland (410-553-0206, or toll free 888-826-2262).

**10. Who do I contact, if my school system does not offer facilitated IEP team meetings?**

If you are interested in having your school system offer facilitated IEP team meetings you should contact the local school system's Director for Special Education. The Maryland State Department of Education and Community Mediation Maryland are committed to expanding the service to all school system's that are interested in providing the service to parents of students with disabilities and school personnel. Availability is subject to the number of trained facilitators and the capability of Community Mediation Maryland and each Conflict Resolution Center.

**It is important to know that facilitated IEP meetings are the same as any other IEP meeting. The same expectations exist for compliance with legal regulations and any other requirements that govern the IEP process in Maryland. The only significant difference is the presence of a facilitator.**

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