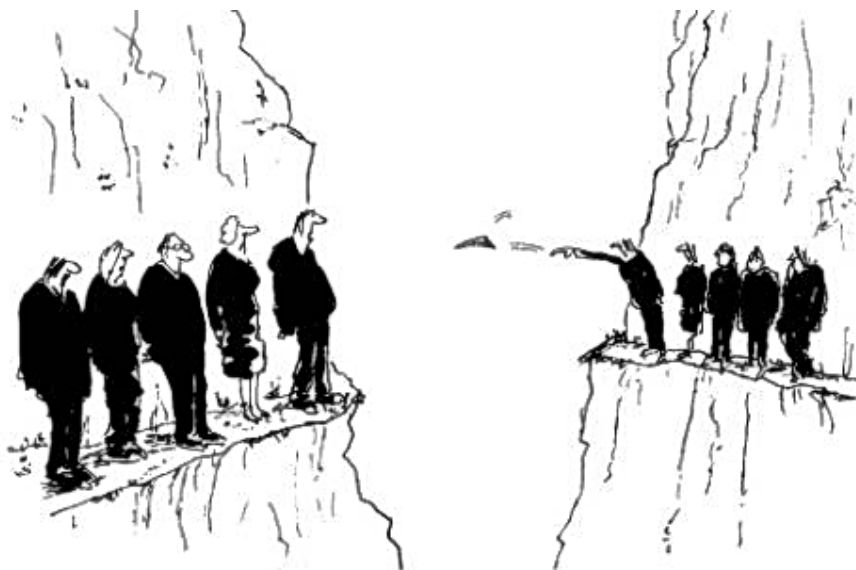


South Carolina Department of
Education
Office of Special Education Services



Procedures for Facilitated IEP Team Meetings

January 24, 2017



Couldn't we communicate better if we built a bridge?

The information shared in this document describes the procedures for the South Carolina Department of Education (SCDE) Office of Special Education Services (OSES) Facilitated Individualized Education Program (IEP) Team Meeting (FIEP) process. The FIEP is a voluntary informal dispute resolution process offered in addition to other dispute resolution options (i.e. mediation, due process hearing, and state compliance complaint). In an effort to serve South Carolina families of students receiving special education services and local education agencies (LEAs) and State Operated Programs (SOPs), OSES piloted the FIEP program in the 2008- 2009 school year within select districts. Now statewide, the FIEP meeting continues to assist families and LEAs by offering facilitated IEP team meetings at no cost to the family or LEA.

A facilitated IEP team meeting is one that includes an impartial facilitator. The facilitator serves as a neutral party helping to promote communication among IEP Team members as they work toward resolving differences of opinion that may occur concerning the provision of a free appropriate public education (FAPE). The facilitator aims to keep the IEP Team on task so that the meeting purposes can be accomplished and consensus reached among team members.

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 individuals who have knowledge or special expertise regarding the student.

In most situations, the IEP team is able to reach agreement about the identification, evaluation, educational program, placement, and the provision of a free appropriate public education through discussions and consensus decision-making. It may be appropriate to request IEP facilitation when parties have concerns about communication and trust; if parties are becoming apprehensive about the next IEP meeting; or when the parties need help focusing the IEP process on the student.

IEP facilitation is designed to work best when the disagreement is child or situation specific. If a dispute raises systemic concerns or involves a situation where the parties are not willing to vary from a set position, then facilitation may not be a viable option.

OSSES FIEP PROCEDURES

THE REQUEST FOR AN FIEP CAN BE MADE BY THE DISTRICT, PARENT, GUARDIAN, OR ADULT STUDENT (18 OR OLDER).

REQUESTING AN FIEP

- 1. An FIEP request is made through electronic transmission (e.g. email, fax, online) or postal mail. The *Facilitated IEP Team Meeting Request Form* may be accessed on the SCDE website on the Special Education Services Dispute Resolution Processes webpage <https://ed.sc.gov/districts-schools/special-education-services/parent-resources/dispute-resolution-information/> . Online submissions and printable forms are available.**
- 2. The party initiating the FIEP process is to sign their portion of the *Facilitated IEP Team Meeting Request Form*, and submit the form to the SCDE OSSES by online submission, email, fax or postal mail.**
- 3. Upon receipt of a request form, the OSSES ombudsperson will contact the initiating party (e.g. LEA, parent/family, or adult student) to discuss their concerns and reasons for the request.**

Note: an FIEP will not be scheduled if the ombudsperson determines that the issues identified by the parties are not related to special education services or otherwise determines that facilitation is not an appropriate resolution option. In such cases, the ombudsperson will work with the parties to identify other resolution possibilities.

- 4. The OSSES ombudsperson will contact the other party to discuss the concerns and obtain consent to an FIEP. If the other party agrees, the OSSES ombudsperson will send a copy of the submitted *Facilitated IEP Team Meeting Request Form* to the other party to be completed and signed.**

Note: if both parties fill out this form at the same time, the LEA/SOP will forward the form to the OSSES.

5. **Once an agreement between parties to have an FIEP has been reached, and the signed *Facilitated IEP Team Meeting Request Form* has been received by the OSES ombudsperson, the following email will be sent to the participating LEA/SOP.**

Dear [Name of Special Education Coordinator]:

The Office of Special Education Services has received a request for a facilitated IEP team meeting (FIEP) that has been signed by both parties, County School District Special Education Director, *director's name* and *parent(s) name*.

Please schedule a mutually agreed upon meeting date and time. Inform the OSES FIEP Coordinator of the scheduled date and time so that a facilitator may be selected.

If possible, select at least one alternate meeting date and time. This will assist in ensuring that a facilitator is available.

Submit the IEP Meeting Notice, copy of the current IEP and other educational records reviewed (e.g. BIP, evaluations, etc.) that may be discussed at the upcoming FIEP.

The FIEP process cannot proceed until receipt of the requested documentation.

Note: The parent's written consent releasing the educational records must be obtained on the **Facilitated IEP Team Meeting Request Form** before the IEP and other educational documents can be submitted to SCDE.

Thank you,
Cheryl Fitts, Ombudsperson
Facilitated IEP Team Meeting Coordinator
South Carolina Department of Education
Office of Special Education Services
1919 Blanding Street
Columbia, South Carolina 29201
Phone: 803-734-2833

6. **The LEA/SOP will then schedule an IEP team meeting at a mutually agreeable time and place, and electronically submit the Notice of Meeting and the current IEP along with other requested documents to the OSES ombudsperson.**
7. **The OSES requires that parties requesting a facilitator do so at least ten (10) school days before the projected date of the IEP team meeting in order to**

give the OSES ombudsperson time to confirm that both parties agree to use facilitation; locate an available facilitator; and gather and share relevant information.

Note: the OSES ombudsperson will make every attempt to locate a facilitator who is available during the time frame chosen by the IEP team. If no facilitator is available on this date, the IEP team may choose to reschedule the meeting, or proceed without a facilitator.

- 8. Once all documentation is received and the IEP date and time is confirmed, the email below will be sent to both parties and copied to the selected facilitator.**

Note: both parties will be provided a facilitator bio and given an opportunity to object.

Hello,

Thank you for agreeing to participate in a Facilitated IEP Team Meeting (FIEP) that is being offered by the South Carolina Department of Education (SCDE) Office of Special Education Services (OSES). The specifics of the meeting follow:

Date of Meeting:

Time of Meeting:

Location and Address of Meeting:

All of the necessary facilitation documents have been received in our office and will be forwarded to [name], who is currently assigned as the facilitator for this meeting.

Attached is a brief summary of the facilitator's background and experience with special education.

*Please contact the FIEP Coordinator as soon as possible (**within 48 hours of receiving this email**) with any concerns or objections to the facilitator assigned.*

If no concerns or objections are received by the FIEP Coordinator the assigned facilitator will be contacting both parties prior to the upcoming FIEP to discuss the major areas of concern and share general information on the facilitation process. He/she will also be drafting the meeting's agenda, outcomes and group norms. All parties will have an opportunity to give input and come to into agreement on these documents.

OSES welcomes the opportunity to provide this informal dispute resolution option as you address concerns related to special education programming and/or the working relationship between family and school. Please do not hesitate to contact our office should you have any additional questions. (See contact information below.)

Respectfully,

Cheryl Fitts, Ombudsperson
Facilitated IEP Team Meeting Coordinator
South Carolina Department of Education
Office of Special Education Services
1919 Blanding Street
Columbia, South Carolina 29201
Phone: 803-734-2833

- 9. If no objection is received within 48 hours, OSES will forward an email to the assigned facilitator with pertinent information (see example below). A Facilitated IEP Team Program Participation Agreement Form and a Facilitated IEP Team Meeting Feedback Form will be attached to the email along with the *Facilitated IEP Team Meeting Feedback Survey* online submission link with accompanying information. OSES will also forward the educational records received to the assigned facilitator by a secured method.**

Dear [Name of Facilitator]:

This is to confirm the date, time, and location of the upcoming Individualized Education Program (IEP) team meeting that you have agreed to facilitate.

The details of the meeting are listed below:

DAY/DATE OF MEETING: _____

TIME OF MEETING: _____

LOCATION OF MEETING: _____

SCHOOL DISTRICT: _____

DISTRICT CONTACT NAME _____

DISTRICT CONTACT PHONE NUMBER: _____

PARENT/GUARDIAN NAME: _____

PARENT/GUARDIAN PHONE NUMBER: _____

NEED FOR FACILITATED IEP MEETING AS STATED ON FACILITATION REQUEST FORM: _____

A pdf copy of the **Facilitated IEP Team Meeting Participation Agreement Form**, and the **Facilitated IEP Team Meeting Feedback Form**, and a link to the online **Facilitated IEP Team Meeting Feedback Survey** information are attached to this email. Please distribute copies of the feedback form at the close of the IEP team meeting. After the meeting, once the feedback forms are completed and returned to the facilitator, the facilitator should place the hard copies in a sealed envelope and return them via USPS to Brenda Turner's attention at the address below, or they can be submitted electronically to Brenda at bturner@ed.sc.gov. If team members choose to submit the online Facilitated IEP Team Meeting Feedback Survey rather than the hardcopy feedback form, please provide them with the online **url** and forward the name(s) and email address of those team members to Brenda Turner via postal mail or email bturner@ed.sc.gov.

Brenda Turner
South Carolina Department of Education
Office of Special Education Services
1919 Blanding Street
Columbia, SC 29201

Please contact me if you need further information.

Thank you,
Cheryl

Cheryl Fitts, Ombudsperson
Facilitated IEP Team Meeting Coordinator
Office of Special Education Services
South Carolina Department of Education
1919 Blanding Street
Columbia, SC 29201
803-734-2833 (office)
803-609-8027 (cell)
Email: cfitts@ed.sc.gov
<http://www.ed.sc.gov>

Role of the Facilitator

The facilitator is required to keep IEP team members on task, clarify points of agreement and disagreement, provide team members with opportunities to consider alternative solutions, and keep the meetings focused on the needs of students.

Before the meeting

- Contact all parties (family and/or adult student and local education agency (LEA) no less than five (5) days prior to the meeting to outline the facilitated IEP team meeting process and to obtain information on primary areas of concern;
- Draft group norms, meeting agendas, and meeting outcomes based upon areas of concern and consultation with family and/or adult student, and LEA; and coordinate meeting room location and room arrangement with LEA if needed.

During the meeting

- Direct the meeting process acting as a neutral party and maintain this position throughout the process;
- Obtain agreement on the meeting agenda, outcomes, and group norms;
- Address areas of concern noted on the FIEP team meeting request form or,
- If it is not possible to address all areas noted on the form, address all areas of concern agreed upon by the IEP team for the assigned meeting;
- Promote open communication among team members; and
- Guide team members toward consensus.

After the FIEP meeting

- Ensure the following are completed and signed:
- **Facilitated IEP Team Meeting Participation Agreement Form(s)** are **Facilitated IEP Team Meeting Feedback Form(s)** and
- Gather the names and email addresses of team members opting to electronically submit the **Facilitated IEP Team Meeting Feedback Survey** and request that the surveys be submitted within 48 hours of FIEP meeting.

If the FIEP team meeting is not successful:

A facilitated IEP team meeting can always be reconvened if consensus is not reached at the first meeting with approval of the parties and notification of OSES FIEP Program Coordinator. **Note: A reconvened meeting still equates to one(1) facilitation and will be treated as such when facilitators are compensated.**

As with any IEP team meeting, if the parties of a facilitated IEP team 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.