

# IEP Facilitation Procedures for Special Education

A Guide for Families and Districts

July 2021



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# Facilitated Individualized Education Programs

## WHAT IS IEP FACILITATION?

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A facilitated Individualized Education Program (IEP) is an optional process, not required by the IDEA, available to IEP teams to support collaborative problem-solving and clear communication. In a facilitated IEP meeting, a trained neutral facilitator guides IEP teams through a student-focused IEP process that ensures all team members have shared understanding and shared responsibility.

A facilitated IEP meeting provides an opportunity for teams to resolve disagreements and prevent conflict. It is available to school districts, parents of children experiencing disabilities, and adult students experiencing disabilities at no cost.

The process may be used for any IEP team meeting including an initial eligibility meeting, the annual IEP, a reevaluation, and other meetings to review and revise the IEP. IEP facilitation is free to all participants.

## WHAT IS A NEUTRAL FACILITATOR?

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A neutral facilitator is an independent contractor assigned by ODE. They have been trained in IEP facilitation and IEP procedures. They utilize tools and strategies to move teams through the IEP meeting process, model clear communication, and support collaborative problem solving. The facilitator is not a member of the IEP team and makes no educational decisions regarding the student or the IEP, but instead helps the IEP team members reach consensus on educational planning decisions. The facilitator's primary goal is to assist team members in the thoughtful, productive construction of a quality IEP.

The facilitator's role is to:

1. Keep the meeting focused on the student and their unique needs.
2. Ensure all IEP team members feel valued and heard.
3. Work with the IEP Team to create an agenda, desired outcomes, and group norms for the meeting.
4. Encourage clear communication and active listening by all participants.
5. Keep team members on task and the meeting within the scheduled time.
6. Help the team reach consensus by building small agreements.
7. Ask questions to clarify points of disagreement and helps identify workable solutions.
8. Remain neutral. They do not take sides, impose decisions on the team, place blame, or determine whether decisions are right or wrong.

## WHAT ARE THE BENEFITS OF A FACILITATED IEP?

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A facilitated IEP meeting:

- Builds and improves relationships among the IEP team members.
- Ensures that the meeting is student-focused.
- Improves communication among IEP team members by modeling effective communication and listening skills.
- Clarifies points of agreement and disagreement.
- Encourages parents and educators to generate creative solutions to resolve disagreements.
- Keeps decision-making with the IEP team members who know the student best.
- Reduces cost to the parents, districts, and the State when compared to more formal dispute resolution proceedings such as mediation, complaint, and due process.

- Supports better IEP implementation by establishing shared understanding and shared responsibility for follow-up action.
- Takes place during the IEP meeting and does not require a separate meeting.
- Supports full engagement and participation by all IEP team members.

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### WHEN SHOULD A FACILITATED IEP BE REQUESTED?

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IEP facilitation is an optional process available to parents and educators for all IEP meetings. If you believe it will be difficult for the IEP team to reach consensus and there are potential problems due to earlier conflicts (e.g., a lack of trust between team members, a breakdown in communication among the team), a facilitated IEP meeting may be the answer. In some cases, when parties have become entrenched in their position on a certain issue, IEP facilitation may not provide the level of support needed to remedy the situation and a formal dispute resolution option may be more appropriate. In order to request a facilitated IEP meeting, both the parent and the district must agree to participate.

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### WHO PARTICIPATES IN A FACILITATED IEP?

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The entire IEP team will participate in the facilitated IEP meeting.

**The IEP team consists of:**

1. One or both of the child's parents;
2. Whenever appropriate, the child with the disability;
3. Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
4. Not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child;
5. A representative of the public agency who is:
  - I. Qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
  - II. Knowledgeable about the general education curriculum;
  - III. Knowledgeable about the availability of resources of the public agency; and
  - IV. Authorized to commit agency resources and ensure that services set out in the IEP will be provided.
6. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team serving in another capacity; and
7. At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate (*OAR 581-015-2210(1)*).

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### HOW CAN FAMILIES PREPARE FOR A FACILITATED IEP?

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The following may help families prepare for a facilitated IEP meeting:

- Carefully consider the following three questions:
  1. Where is my child now in their educational performance?
  2. Where do I want my child to be a year from now and how can those expectations be measured?
  3. In what ways can the team help them to meet those expectations?
- Make a list of the child's strengths and needs;

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- List any major concerns about their education;
- Prepare a written list of issues to discuss and questions to ask the team;
- Consider how the child's disability affects their progress and education;
- Review the child's most recent IEP and make a list of what has worked and what did not work; and
- Think about whether the child has been making progress with their current program.

It is also essential that **all** participants be willing to listen carefully and consider creative options to meet student needs.

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### HOW IS A FACILITATED IEP REQUESTED?

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Parents or school staff may initiate the request for a facilitated IEP meeting by submitting the [IEP Facilitation Request Form](#). Submit the form via email directly to the Oregon Department of Education Legal Team at [ode.disputeresolution@ode.state.or.us](mailto:ode.disputeresolution@ode.state.or.us), and the form will be reviewed for completeness. If the form is complete, a facilitator will be assigned and both parties will be notified. The facilitator will contact the parties to schedule the facilitated IEP meeting.

Teams may also contact their district's special education director or the ODE to formally request a facilitated IEP meeting. IEP facilitation is not a required dispute resolution option under the IDEA. As such, facilitated IEPs are subject to facilitator availability and are provided at the discretion of the ODE. Districts may choose to provide a facilitator when the state is unable to schedule a facilitator for the IEP meeting. Four weeks' notice should be provided when making a request for facilitation. A facilitator will be selected based on availability, the proximity to the region of the facilitator, and with adequate time to become familiar with the IEP and the goals of the meeting.

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### WHO ARRANGES A FACILITATED IEP?

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Once the ODE receives the request form signed by both parties, the Legal Specialist will review the concerns of the IEP team and research any needed background information. If the Legal Specialist is able to verify that both parties have not reached an impasse and are open to discussion, a facilitator will be assigned and both parties will be notified. The facilitator will contact the district to schedule the facilitated IEP meeting. Please note that a facilitated IEP does not extend the deadline for completion of the annual IEP.

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### WHERE CAN I GET MORE INFORMATION?

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Please visit the ODE Dispute Resolution website at:

<https://www.oregon.gov/ode/rules-and-policies/Pages/Dispute-Resolution.aspx>

ODE contact:

Mike Franklin, Special Education Legal Specialist  
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