

WSEMS: IEP Facilitation

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Special Education Director

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WSEMS Intro

- Funded by WDPI since 1996
- Nationally-recognized Exemplar System
- Partner team:
 - Jan Serak, WI FACETS CEO
 - Nissan Bar-Lev, CESA 7 Special Ed. Director
 - Nina Meierding, Mediator/Professor/Attorney
- WSEMS staff:
 - Jane Burns, Burns Mediation Services
 - Nelsinia Wroblewski, WI FACETS Parent Services Coordinator & WSEMS Latino Outreach Specialist

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WI Special Education Mediation System

STATEWIDE SYSTEM

Dispute resolution options available to parents and schools

Choosing the light green options gives parents and schools more control over the outcome. For more information about the IDEA Complaint and Due Process Hearing options, contact the Wisconsin Department of Public Instruction at (608) 266-1781, or toll free 1-800-441-4563.

What is IEP Facilitation?

- Option for early conflict prevention
- Trained, impartial professional attends IEP meeting to help IEP team with IEP process
- May be used for any IEP meeting
- Free



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WI Dept. of Public Instruction

"The IEP is the cornerstone of special education and serves as a critical communication tool in the education of students with IEPs.

Wisconsin DPI values IEP facilitation as a means to provide a collaborative process for families and schools when differences in communication arise."

Dr. Barbara Van Haren, Director DPI Special Education Team



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Presidential Commission View of IEP Facilitation

"Early processes such as expert IEP facilitation. . .to increase collaboration and problem solving skills of school staff and parents can help avoid expensive disputes and promote efforts to help students."

The President's Commission on Excellence in Special Education, 7/02



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When to Request IEP Facilitation?



- Early in IEP Process
- If you think an IEP meeting will be difficult
 - Communication Issues
 - Trust Issues
- For any IEP
- Initial, Re-evaluation, Annual, or Review/Revision

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What are the Differences?

	Facilitation	Mediation
Objective	Facilitator helps with the meeting process; Helps prevent conflict from growing	Mediator helps parties work toward resolving specific disputes
Timing	Facilitator works with parties before they reach impasse, but realize discussion will be difficult & complex. 3-Hr time limit	Mediator works with the parties <u>after</u> they have reached impasse No time limit
Method	IEP process determines meeting agenda Entire group together	Mediator helps parties create an agenda Meetings w/entire group or separately w/specific parties

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Differences (continued)

	Facilitation	Mediation
Assistance	Facilitator helps with communication in developing the IEP	Mediator assists w/trying to resolve underlying issues and emotions
Outcome	IEP is either revised or completed; Or, not	Written agreement that resolves the dispute & is a legally binding contract in state & federal court; Or, no written agreement.
Confidentiality	Confidentiality per IDEA 2004 & FERPA	904.085 WI confidentiality law, tested, & judges uphold

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What are the Similarities?

- Modeling good communication for parents & districts for future conversations without the neutral
- Ensuring that active listening taking place
- Helping parties look at common goals
- Keeping the process focused, moving forward, focused on the student
- Helping parties avoid blaming, shaming, “zingers,” and attacks
- Manages group dynamics



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How to Request a Facilitated IEP

- Call WSEMS: 888-298-3857
- Complete **Request for Facilitated IEP** form (www.wsems.us/forms)
- Joint or individual request
- Voluntary process

Request for a Facilitated IEP

1. We are requesting that the WSEMS Facilitator be invited to facilitate the IEP meeting.

2. We understand that the WSEMS Facilitator will not be a member of the IEP team.

3. We understand that the WSEMS Facilitator will not be a representative of the IEP team.

4. We understand that the WSEMS Facilitator will not be a representative of the IEP team.

5. We understand that the WSEMS Facilitator will not be a representative of the IEP team.



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Who Participates?

Entire IEP team

- All participants normally required to be invited to attend an IEP meeting

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- The WSEMS Facilitator, who is not an IEP team member



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Who Arranges the FIEP Meeting?

- If date already set – Jane Burns will find a WSEMS Facilitator available on the date that both parent and district agree to work with
- Date not set – The facilitator works with parties to find date convenient for all
- In either case, the district is responsible to send IEP invitation letter.



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Who Are the Facilitators?

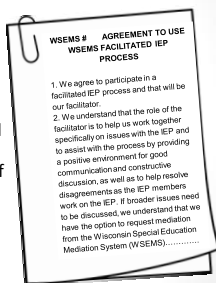
- Trained, impartial persons on the WSEMS roster
- Skilled in facilitation
- Knowledge about special education, including the IEP process
- WSEMS Intake Coordinator works with the parties to assign a facilitator
- Review bios: <http://www.wsems.us/mediators/>



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Signing the Agreement to Use IEP Facilitation

- Everyone agrees:
 - to use the process and
 - to the facilitator
- Everyone understands that:
 - the facilitator can not give legal advice
 - the parties can use mediation if they choose
 - IEP Facilitation does not have any of the confidentiality protections that are in state law for mediation



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Feedback: Staff Concerns

"This was my first time experiencing a facilitated IEP and I feel this facilitator did an excellent job hearing both perspectives and clarifying material for the parent. The facilitator also reassured me as a teacher which was great to see."

---Feedback from school district



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Feedback: Better Communication for Future Meetings

"The pre-existing conditions – lack of procedural assessment by LEA led to a confusion that kept unfolding as the participants chimed in, one at a time, but the facilitator helped clarify. Trust was on the way to being rebuilt, and there was hope for better meetings in the future at conclusion of meeting."

---Participant for the family



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Feedback: Summarizing Issues and Building Trust

"Facilitator did a great job of summarizing the parent concerns and what the school district was offering. The parent seemed to trust him which is what we needed to begin the IEP."

---Participant for school district



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Feedback: First Experience in a Facilitated IEP

"This was my first facilitated IEP and I was very impressed! I will recommend to other families!"

---Participant for the Family



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IEP Facilitation Outcomes

Since 2004

- Average of 35 requests per year
- 91% of meetings held resulted in a plan being developed or revised
- Most common disabilities: Autism & Emotional Behavioral Disabilities
- Ave. length: 3 hours
- Ave. time team met before using FIEP: 1.89 times



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Other IEP Facilitation Data

- **Most common education issues:**
 - Placement (41%), Accommodation issues (41%), Behavior Intervention Plan (37%), Identification Issues (24%)
- **Most common meeting process issues:**
 - Help maintaining forward movement of the meeting (75%), Communication breakdown (73%), Help conducting the meeting (63%), Help understanding perspectives (57%)
- **Other outcomes:**
 - 87% would use the Facilitated IEP process again
 - 91% felt process developed a satisfactory IEP
 - 89% of participants were satisfied with the FIEP process
 - 86% would use the same facilitator again



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Productive and Friendly IEP Meetings (a Resource)

- WSEMS, with feedback from parents, teachers, administrators, advocates, and the WSEMS roster of neutrals, has developed a new training,
- It has practical strategies for each stage of an IEP meeting (preparation, the meeting itself, and follow-up tips for after the meeting.)
- This valuable resource is on our website: <http://www.wsems.us/wp-content/uploads/2016/01/Updated-January-15-2016-WSEMS-Friendly-Productive-IEP-Meeting.pdf>
- And via live webinar on 5/9, 12-1 p.m.



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More Information?



- Email: jane@wsems.us Call Jane Burns:888-298-3857
- Website: www.wsems.us/



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