



**Maine Department of Education
Office of Special Services**

IEP Facilitation- Frequently Asked Questions

1. Who can request an IEP meeting be facilitated? An independent facilitator may be requested by either the parent or the school, in any of the participating school districts. However, both parties must agree to participate in this voluntary process.

2. Who serves as an IEP meeting independent facilitator? The independent facilitator is an individual who has completed a training course in IEP Team Meeting Facilitation. The independent 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 independent facilitator remains neutral and focuses on the process while the team makes the decisions.

3. How does independent facilitation differ from mediation under the Individuals with Disabilities Education Act (IDEA)? Independent IEP facilitation should not be confused with mediation. The independent facilitation occurs at a regular IEP team meeting, which is generally run by the school system. There is no written agreement other than an IEP, which may be developed or revised. While independently 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. Mediation is typically used when there is a significant disagreement that the parties are otherwise unable to resolve. Mediation may be used to deal with a broader range of issues in special education than in an IEP meeting. A trained impartial mediator brings the parties together to work with each other to resolve a variety of disagreements, often including those not directly related to the student's IEP.

4. What does the independent facilitator do at the meeting? The independent facilitator can be expected to:

- Talk to parents and school staff in advance of the meeting
- Assist the team with 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 keep the team on task and focused on the agenda topics

- Remain impartial, and 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 an independent facilitated IEP team meeting? Parents and school personnel who have used independent facilitation at IEP team meetings report the following benefits:

- Focus remains on the student
 - Parties are encouraged to fully participate
 - Positive working relationships between parents and school staff are strengthened
 - Opportunities are created for creative, win-win, solutions
 - 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 independent facilitator. This is required under the Family Education Rights Privacy Act.

7. Who pays for the independent facilitator? There is no cost, to the parent or the school, to have an independent facilitator assist in the IEP process.

8. How far in advance do I need to request an independent facilitator? An important component of the IEP Facilitation process is the preparation work done by the independent facilitator in conversations with the parent and school personnel and the development of a formal agenda. In general, when a request is made **at least 10 days** in advance of a meeting, an independent facilitator can be assigned and this preparation work can be done. If the request is made with less time, all attempts will be made to provide an independent facilitator, but the independent facilitation service cannot be provided if the independent facilitator is not able to contact the parent and school personnel in advance of the meeting.

9. Who do I contact, to request an independently facilitated IEP team meeting? In early 2022, the form to request a Facilitated IEP meeting will be available to all stakeholders at

Effective Dispute Resolution | Department of Education (maine.gov)

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 Maine. The only significant difference is the presence of a facilitator.

Source:

Maryland State Department of Education: Division of Special Education/ Early Intervention Services. (April, 2017)
Facilitated IEP meetings in Maryland: An Introduction and Frequently Asked Questions for Parents and Public

Agency/School Personnel. The Center for Appropriate Dispute Resolution in Special Education (CADRE).
<https://cadreworks.org>