



**IEP FACILITATION**  
 Creating a Culture of Collaboration in Arizona

Arizona Department of Education  
 Legal/Dispute Resolution

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**VISION**

The Arizona FIEP Program's vision is to build capacity among educators and families to ensure that collaborative, student-focused IEP teams are equipped to make sound decisions in the development of IEPs that offer children with disabilities a free appropriate public education.




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**PRESENTATION OVERVIEW**

- Arizona Department of Education Dispute Resolution unit
- National Facilitated IEP (FIEP) trends
- Creating a Culture of Collaboration in Arizona step 1: IEP facilitation trainings
- Creating a Culture of Collaboration in Arizona step 2: State-wide facilitated IEP system
- Raising Special Kids




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<http://www.azed.gov/disputeresolution/>

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### NATIONAL TRENDS IN DISPUTE RESOLUTION UNDER THE IDEA

- The IDEA requires states to offer formal processes to resolve conflicts arising between parents and schools.
- Use of these formal processes has declined since the full implementation of IDEA 2004.
- Much of that decline results from the use of early, more collaborative approaches to resolve IDEA-related disputes between families and schools.

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### NATIONAL TRENDS IN DISPUTE RESOLUTION UNDER THE IDEA

- States are making significant investments in early collaborative alternative dispute resolution activities:
  - 43 states and jurisdictions are providing, developing, or exploring the use of IEP facilitation;
  - 29 of these currently offer IEP facilitation statewide (compared to 9 in 2005); and
  - At least 25 states support other activities, including local capacity building, ombudspersons, stakeholder training, advisory opinions, and other innovative approaches.
- Some states indicate that the use of collaborative approaches is linked to less use of formal processes, leading to fiscal savings, increased system efficiencies, and improved school-family relationships.

Center for Appropriate Dispute Resolution in Special Education (CADRE), October 2015

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HOW DOES A FIEP CULTURE BENEFIT YOUR PEA?

- o Builds and improves relationships among IEP team members and between parents and schools
- o Keeps the meeting focused on the student
- o Models effective communication and listening
- o Provides opportunities for team members to resolve conflicts if they arise
- o Supports the full participation of all IEP team members
- o No cost to the parties and typically less stressful than formal dispute resolution options
- o Is the IEP meeting and thus does not require a separate meeting




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FIEP TRAINING AGENDA

- DAY 1- THE NUTS AND BOLTS
- Welcome and Introductions
- Worst Case IEP Meetings
- Dispute Resolution
- National Trends
- Creating a Facilitated IEP Culture in Arizona
- Break
- The FAPE Mandate
- The IEP Team
- Lunch
- Prior to the IEP Meeting Preparation
- The IEP Meeting
- Break
- The IEP Meeting
- Wrap up




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LET'S TALK ABOUT WORST CASE IEP MEETINGS...



1. What rules- explicit or implicit- did group members violate during the worst meeting?
2. I would be ecstatic if this training could help me to figure out to do when...
3. My worst fear as a facilitator of an IEP meeting is...
4. What behavior did various people exhibit as the group became ineffective and/or dysfunctional?




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FIEP TRAINING AGENDA

DAY 2- THE PEOPLE  
 Welcome Back  
 Parent Participation  
 Communication Skills  
 Conflict  
 Role-Play and Reflection  
 Break  
 Interest vs Position  
 Role-Play and Reflection  
 Lunch  
 Meeting Tools  
 Role-Play and Reflection  
 Break  
 Facilitation Techniques  
 Handling Difficult People  
 Role-Play and Reflection  
 Dealing with Impasse  
 How do you bring this back to your district or charter?




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BRINGING A TRAINING TO YOUR DISTRICT/CHARTER

Free One or Two-Day Facilitated IEP Training for Districts/Charter Schools

- o If you attended or sent staff to one of our two-day trainings, and would like more of your staff to be trained using either a one or two-day model, please contact Amy Dill to schedule.
- o To have this one or two-day training come to your district/charter school, we will be asking the following prior to scheduling:
  - What is your plan to implement a facilitated IEP culture at your district/charter school after this training?
  - What is your plan to train parents regarding special education and IEPs?
  - How receptive is your staff to this training and creating a FIEP culture?
  - Which staff members have been to the two-day training and would be able to assist with the role-plays at the training?
  - How many people will attend?
  - Will you be able to print all materials?




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CREATING A STATE-WIDE FACILITATED IEP CULTURE

Arizona step 2: State-wide facilitated IEP system

- o During the 2016-2017 school year, a state-wide facilitated IEP system will be established
  - A free, voluntary early dispute resolution option available through the Arizona Department of Education/Dispute Resolution (ADE/DR) unit for IEP teams experiencing conflict or communication difficulties.
  - This option is available for both parents of children with disabilities and public education agencies (PEA) in cases where both parties agree it would be valuable to have a neutral, independent facilitator at an IEP meeting to assist with the IEP process.
  - The facilitator keeps the IEP meeting focused on developing an IEP that is reasonably calculated to provide the student with a FAPE.




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CREATING A STATE-WIDE FACILITATED IEP CULTURE

Arizona step 2: State-wide facilitated IEP system

- When is it appropriate to request a State-coordinated IEP facilitator?
  - IEP facilitation can be requested by either the parents of a child with a disability or the PEA when previous meeting attempts have proven unsuccessful.
  - The use of a State-coordinated IEP facilitator should not be the IEP team's first approach at working together, but should also not be accessed so late that the IEP team relationship cannot be maintained (or repaired).
  - Although IEP facilitation can be requested by either the parents of a child with a disability or the PEA, both parties must agree to participate in this voluntary process.

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CREATING A STATE-WIDE FACILITATED IEP CULTURE

Arizona step 2: State-wide facilitated IEP system

- How is a State-coordinated Facilitated IEP meeting different from mediation?
  - Mediation is part of a parent's procedural safeguards and is a formal dispute resolution process available for PEAs and parents of children with disabilities to utilize in order to resolve any matter that arises under Part B of the Individuals with Disabilities Education Act (IDEA).
  - Mediation is not used as a way to develop an IEP, but as a way to resolve conflict or address a specific issue through a written and signed legally binding agreement.
  - Facilitated IEP, on the other hand, is an informal dispute resolution option where members of a child's IEP team agree to include a neutral facilitator to lead the IEP meeting for the purpose of developing an IEP that is reasonably calculated to provide the child a FAPE.

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CREATING A STATE-WIDE FACILITATED IEP CULTURE

Arizona step 2: State-wide facilitated IEP system

- What is the role of the IEP facilitator?
  - Talks to all parties in advance of the meeting, assists in scheduling an IEP meeting date, and generates an agenda for the meeting.
  - Helps keep members of the IEP team focused on the student and on developing an effective IEP that addresses all requirements of the IDEA.
  - Helps maintain open communication among all members.
  - Assists the team in resolving conflicts and disagreements that may arise during the meeting.
  - Assists the team members in making decisions for the child that are consistent with IDEA requirements, but because the facilitator is not an IEP team member he/she will not make decisions for the child.
  - Maintains impartiality and does not represent the parent, student, school district/charter school, or the ADE/DR.

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CREATING A STATE-WIDE FACILITATED IEP CULTURE

Arizona step 2: State-wide facilitated IEP system

- Where and when will a State-coordinated facilitated IEP meeting be held?
  - The facilitator will assist in scheduling an IEP meeting date and location.
  - Similar to any IEP meeting, a State-coordinated facilitated IEP meeting is held at a time and place mutually agreed upon by the parent and PEA.
  - The PEA will be expected to provide a meeting space.
  - The PEA must provide the parent with a proper meeting notice.




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CREATING A STATE-WIDE FACILITATED IEP CULTURE

Arizona step 2: State-wide facilitated IEP system

- Can an annual IEP review date be delayed by requesting a State-coordinated facilitated IEP meeting?
  - No. If a facilitator is needed for an annual IEP meeting, a request for facilitation should be made well in advance of this date.
  - Although, ADE/DR will make reasonable efforts to assign a facilitator as quickly as possible, we cannot guarantee that specific date requests will be met.




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CREATING A STATE-WIDE FACILITATED IEP CULTURE

Arizona step 2: State-wide facilitated IEP system

- What happens if the IEP facilitation is not successful?
  - As with any IEP meeting, if the parties to a facilitated IEP 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 PEA is responsible for the education of the student and thus must make decisions when consensus is not possible.
  - In such cases, the PEA must provide prior written notice of its proposals and refusals to the parent and provide notification of the right to request mediation or a due process hearing.




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CONTACT INFORMATION

Amy Dill  
[Amy.dill@azed.gov](mailto:Amy.dill@azed.gov)  
602-542-7579  
<http://www.azed.gov/disputeresolution/facilitated-iep/>



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Parent Training and Information Center

- Raising Special Kids is Arizona's Parent Training and Information Center (PTI)
- Providing special education training and assistance to families of children with disabilities from birth to 26 years of age
- Every state has at least one center funded through the U.S. Department of Education under Part D of the Individuals with Disabilities Education Act (IDEA)



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What Can Families Expect From Us?

- Confidentiality
- Connection to community resources
- Opportunities for training on a variety of topics
- Spanish or English support and trainings
- We work hard to make sure all services are available free of charge for families
- Connection to other parents who are informed, experienced, and ready to assist in problem-solving

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### Education Services

Workshops and individual assistance on:

- Special education eligibility
- Individualized Education Programs (IEPs)
- 504 plans
- Transition processes (3 – 22)
- Dispute resolution
- Parent and Professional Collaboration




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### Non-Education Services

Workshops and individual assistance on:

- Parent to Parent Connection\*
- Legal options at the age of majority
- Transitioning to adult services
- Community resource connection
- Navigating health care systems
- Accessing Home and Community Based Services

\* 98% of parents have reported that Parent to Parent support is helpful to them

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### What Does it Look Like?



When a parent calls in with a concern, our Family Support Specialist:

- Listens and offers assistance
- Recommends training
- Connects to community resources
- May offer a 1:1 consultation
- Can review documentation
- Assist family with 'next steps'
- Encourages collaboration
- Assists with dispute resolution

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### Training Requests

- In requesting training for your school or organization please email, or call, to access our online training request form
  - [info@raisingspecialkids.org](mailto:info@raisingspecialkids.org) or 602-242-4366
- We ask:
  - for 45 days notice, and
  - a minimum of 12 registrants
- Please note:
  - Beginning July 1, 2016, some training requests will incur a fee

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### How to Refer a Family to Raising Special Kids

Families can always contact us directly  
**602-242-4366** or **800-237-3007**  
[info@raisingspecialkids.org](mailto:info@raisingspecialkids.org)

Or complete our referral form so we can contact the family. Forms are available at  
[www.raisingspecialkids.org](http://www.raisingspecialkids.org)

We will follow up with you after making contact with the family you referred!

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