



## IEP FACILITATION

Individualized Education Plan (IEP) facilitation is an optional, informal dispute resolution process where an impartial facilitator assists the IEP team with communication and problem solving. The OPI provides trained, neutral facilitators for IEP meetings upon request. The cost of the facilitator is covered by OPI. Using facilitation as an early dispute resolution option keeps control of the decisions in the hands of the parties who know the student the best.

Facilitators help with the IEP process by keeping the meeting focused, helping ensure everyone's voice is heard and keeping the meeting moving forward. The facilitator is not part of the IEP team and will not give advice or make decisions. Facilitators are *not* investigating the school district and are not there to enforce special education law.

The school district is still responsible for determining that the IEP meeting is conducted in accordance with federal and state law and that all appropriate forms are completed.

### The IEP Facilitation Process:

1. Both parties must give written consent to facilitate. To receive an IEP Facilitation Request Form please contact the Early Assistance Program at the Office of Public Instruction or visit our website at <https://opi.mt.gov/Educators/School-Climate-Student-Wellness/Special-Education/Dispute-Resolution#IEPFacilitation>
2. There is not a set timeframe for requests, but the sooner the better.
3. There is no cap on the number of facilitations that may be requested, but the OPI will determine if/when a facilitator will be sent on a case by case basis.
4. Parties will receive an email notifying them if a facilitator will be appointed, and if so, which facilitator. Facilitators are selected on a rotational impartial basis.
5. The facilitator will contact the school district and parents to determine the date, time, location and duration of the meeting if one has not already been set up. Facilitated IEP meetings may take longer than what you are accustomed to, and it is important to allow enough time for the process. The facilitator will also contact the parties directly with additional information regarding the facilitation process.
6. If an IEP meeting is scheduled prior to submitting the IEP facilitation request, the IEP facilitator will work with the parties to determine if enough time has been scheduled for the meeting. If there is a concern that the amount of time scheduled for the meeting is not sufficient, the facilitator will work with the parties to determine how best to proceed.

7. Any emails, student education records, notes from the meeting, etc. will be destroyed after the meeting.
8. The facilitator is not responsible for drafting the IEP or any other forms. The school is still responsible for determining that the IEP meeting is conducted in accordance with federal and state law and that all appropriate forms are completed.
9. If the school wants to keep flip chart notes taken during the IEP meeting, then parents should be allowed to take photos of the notes. Both parties are entitled to the same information.
10. Facilitators do NOT keep educational records.
11. IEP facilitators are not participants and will not sign the IEP as a participant.
12. At the conclusion of the IEP facilitation, the facilitator will send an email to both parties informing the parties that their involvement as a facilitator has ended.
13. If the parties would like to request facilitation for another IEP meeting, please contact the Early Assistance Program at the Office of Public Instruction.
14. Facilitators will fill out an OPI Facilitation Report Form in order to be reimbursed for their time and expenses. The Report does not detail agreements between parties. The form does keep track whether the IEP meeting was a success, reached an impasse or was terminated. This data is used only by OPI to help track the usefulness of IEP facilitation.
15. Participants, including the facilitator, will be sent a survey to complete following the facilitation. The parties to a facilitation are also sent a follow-up survey approximately three months after the facilitation. This is to help the Early Assistance Program identify areas in need of improvement and to assess the efficacy of the facilitation process.