

Wisconsin Special Education Mediation System

IEP Facilitation ■
Mediation ■
Resolution Process ■



Wisconsin
Special Education
Mediation System

Parents and Schools Working Together

WSEMS: IEP Facilitation

**Nissan Bar-Lev, CESA 7,
Special Education Director**

**Courtney Salzer, WI FACETS,
Executive Director**



WSEMS Intro

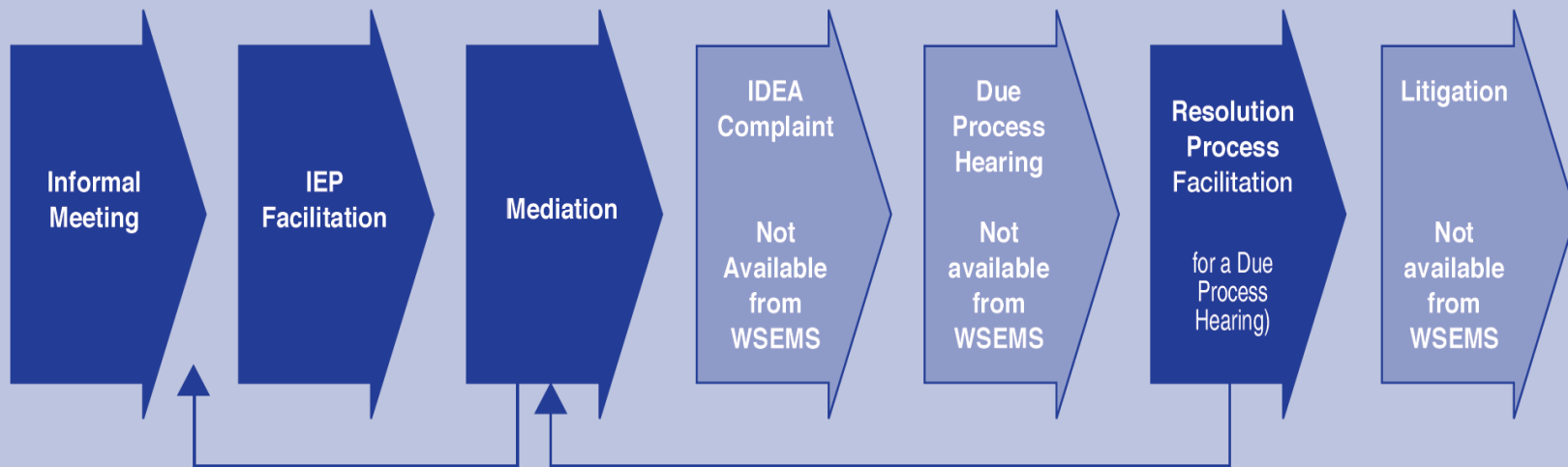
- Funded by WDPI since 1996
- Nationally-recognized Exemplar System
- Partner team:
 - Courtney Salzer, WI FACETS Executive Director
 - Nissan Bar-Lev, CESA 7 Special Ed. Director
 - Gia Pionek, Mediation Partner, System Administrator and Intake Coordinator
- Latino Outreach Coordinator
 - Nelsinia Ramos, WI FACETS Associate Director & WSEMS Latino Outreach Coordinator
- Stakeholder Designed System



WI Special Education Mediation System

STATEWIDE SYSTEM

Dispute resolution options available to parents and schools



Choosing the **dark blue** 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



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, Assistant State Superintendent – Division for Learning Support



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



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



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



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;

Written agreement that resolves the dispute & is a legally binding contract in state & federal court;

Or, not

Or, no written agreement.

Confidentiality

Confidentiality per IDEA 2004 & FERPA

904.085 WI confidentiality law, tested, & judges uphold




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



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

 WSEMS <small>Wisconsin Special Education Mediation System (WSEMS)</small>		<small>INSTRUCTIONS: Complete and submit one (1) signed copy. Retain a copy for your records. Submit signed form to:</small> WISCONSIN SPECIAL EDUCATION MEDIATION SYSTEM Gloria Plonek 6650 W. State Street, #D 168 Wauwatosa, WI 53213 PHONE: 1 - 888 - 298 - 3857 Website: www.wsems.us Email: glia@wsems.us	
REQUEST FOR A FACILITATED IEP MEETING			
Instructions			
1. Either the parent or school district may initiate the facilitated IEP process by completing this form and mailing, emailing, or faxing the completed form to the contact information provided above. 2. Both the parents and school district may jointly complete one form. This form should be sent or faxed to the contact information provided above. The WSEMS, with input from the parties, will appoint a facilitator for the IEP meeting from a list of trained professionals. 3. Parties should try and contact the WSEMS at least two weeks prior to the IEP meeting. Both parties must agree to the IEP facilitation in order for the process to take place. The WSEMS will keep the parties notified about the progress of the request.			
We understand and agree to the following:			
1. We are requesting that the WSEMS work with the parties to choose a neutral facilitator from its roster. 2. We understand that the WSEMS pays the fees of the facilitator. 3. We understand that signing this request gives the WSEMS facilitator, Intake Coordinator, and System Administrator access to information about the student, including information from the IEP document, disability information, and school day schedule. 4. We understand that the facilitator is not a member of the IEP team. 5. We understand that the facilitator cannot provide legal advice to any participant.			
GENERAL INFORMATION			
Name of School District Administrator		Name of Student	Date of Birth
Name of School District		Name of Parent/Guardian	
Address		Address	
City	State	Zip	City
Telephone Area/No.	E-mail	Telephone Area/No. (Daytime)	E-mail
Check One <input type="checkbox"/> The date and time are set for the IEP meeting. Date/Time: _____ <input type="checkbox"/> The date and time are NOT set yet for the IEP meeting.			
I (we) am (are) requesting a Facilitated IEP meeting because:			
SIGNATURES			
We understand that Facilitated IEP is a voluntary dispute resolution option. We understand and agree with the five (5) items noted above.			
Signature of School District Administrator		Date Signed	Signature of Parent/Guardian/Adult Student
			Date Signed
<small>The Wisconsin Special Education Mediation System (WSEMS), CFDA #84.027A, acknowledges the support of the Wisconsin Department of Public Instruction in the development of the system and for the continued support of this federally-funded grant project. There are no copyright restrictions on this document; however, please credit the Wisconsin DPI and support of federal funds when copying all or part of this material.</small>			



Who Participates?

Entire IEP team

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

Plus

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



Who Arranges the FIEP Meeting?

- If date already set – Gia Pionek 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.



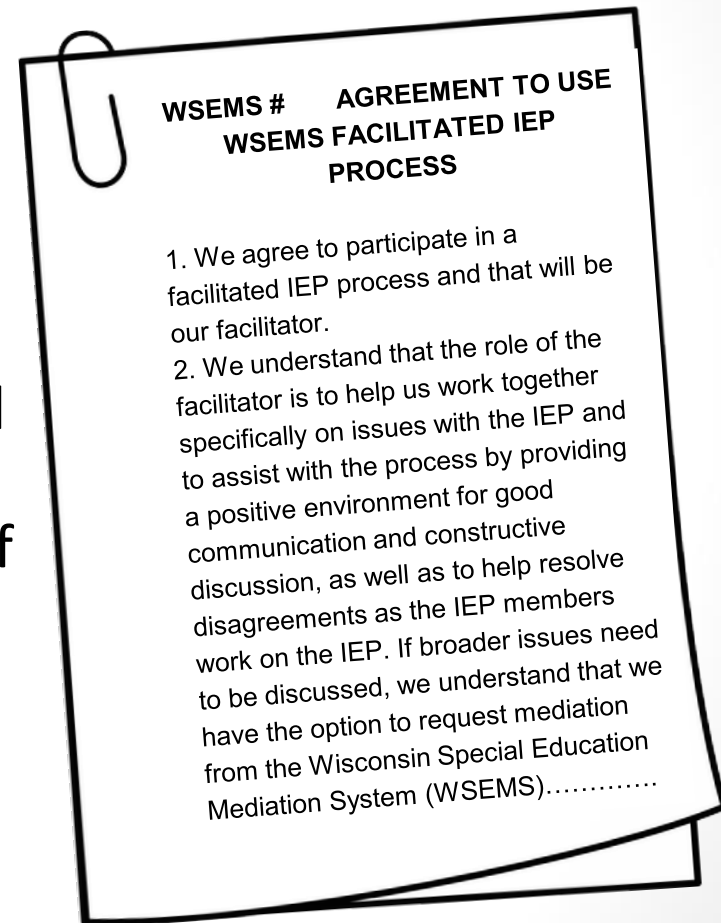
Who Are the Facilitators?

- 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/>



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



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



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



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



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



IEP Facilitation Outcomes

2004-2020, n=2,377

- Average of 60 requests per year
- 91% of participants were satisfied with the IEP Process
- 89% of participants would use the same Facilitator again
- 82% of participants thought IEP Facilitation will improve future IEP meetings
- Most common disabilities: Autism & Emotional Behavioral Disabilities
- Ave. length: About 3 hours



Other IEP Facilitation Data

- **Most common education issues:**
 - Placement (40%), Accommodation issues (39%), Behavior Intervention Plan (33%)
- **Most common meeting process issues:**
 - Help maintaining forward movement of the meeting (77%),
 - Communication breakdown (69%),
 - Help managing meeting time adequately (69%),



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:
<https://www.wsems.us/friendly-productive-iep-meetings/>
- And via live webinar on 4/5/2021, 12-1 p.m.



More Information?



The screenshot shows the homepage of the Wisconsin Special Education Mediation System (WSEMS). The website has a blue header with the WSEMS logo (a map of Wisconsin with a handshake) and the text "WSEMS Wisconsin Special Education Mediation System". A search bar is located in the top right corner. Below the header is a navigation menu with buttons for Home, About, Mediation, IEP Facilitation, Mediators/Facilitators, WSEMS Forms, Multimedia, Publications, Resources/Links, FAQ, and Contact. The main content area features a paragraph stating the purpose of the system and a disclaimer. Below this is a large image of two people in a meeting. To the right of the image is a "Contact WSEMS" section with an email address, phone number, and address. At the bottom of the page, there is a footer with a search bar and a taskbar.

Home - WSEMS

Search Go

[WSEMS en Español](#)

[WSEMS's ADA Site Audit](#)

Home About Mediation IEP Facilitation Mediators/Facilitators WSEMS Forms

Multimedia Publications Resources/Links FAQ Contact

The Wisconsin Special Education Mediation System helps parents and schools work together to resolve disputes about special education. We do not provide legal advice or advocacy for either parents or districts, and we do not mediate 504 plan disputes.

Welcome to the Wisconsin Special Education Mediation System (WSEMS) website

Wisconsin families of children with special needs and school districts, together or individually, can request a mediation, a facilitated IEP meeting, or a facilitator for a resolution meeting from the WSEMS (www.wsems.us/wsems-forms/). We offer a list of trained, impartial mediators and facilitators (www.wsems.us/mediators/). The WSEMS services are free and voluntary. Mediation is

Contact WSEMS

Email: gia@wsems.us
(888)-298-3857 (Toll Free Voice)

WSEMS
Gia Pionek
6650 W State Street, #D 168
Wauwatosa, WI 53213

[View All Mediators / Facilitators](#)

[WSEMS Brochure](#)

Please help us improve our website by taking this [brief survey](#).

- Phone: 888-298-3857
- Website: www.wsems.us/

