

Individualized Education Program (IEP) Meeting Facilitation Program

End-of-the-Year Report for 2018–2019
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Preface

As the director of the Institute for Public Administration (IPA) at the University of Delaware, I am pleased to provide this *Individualized Education Program (IEP) Meeting-Facilitation Program End-of-the-Year Report for 2018-19*. We are pleased to work with DDOE to offer statewide special IEP meeting-facilitation services that assists families, schools and districts to work collaboratively in the best interest of students with special needs. This report examines the disposition of all IEP meeting-facilitation requests initiated by parents, public school districts, and charter schools between July 1, 2018 and June 30, 2019.

Part of IPA's mission is to assist state agencies to better meet the needs of constituents through best practices and democratic processes. The Conflict Resolution Program (CRP) is a unique resource, within IPA, dedicated to building statewide capacity for collaboration through facilitation, mediation, and training services. For more than twenty years, CRP has been helping families and educators find amicable resolutions to special education disputes. We are extremely proud to have CRP as part of the IPA team to serve the public through the facilitation of IEP meetings in our public schools.

Delaware was one of the first states to offer IEP meeting-facilitation services, to IEP teams, as a conflict prevention tool. The Center for Appropriate Dispute Resolution in Education (CADRE) is a national program that encourages the broadest possible access to the full range of conflict resolution options while honoring individuals and organizations that build schools and communities that are respectful of cultural, linguistic and class differences. CADRE considers Delaware's program be a model program and regularly features it on their website. They also utilize CRP staff as presenters at their national conference, guest lecturers for webinars, and as a resource to other states.

We would like to thank the Delaware Department of Education's Exceptional Children Resources workgroup for the privilege of coordinating this program, specifically Mary Ann Mieczkowski, Director, of the Exceptional Children Resources workgroup, and Maria Locuniak, Education Associate.

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Executive Summary

The Individualized Education Program (IEP) Meeting-Facilitation Program was formally implemented in 2000 through a partnership between the Delaware Department of Education's (DDOE) Exceptional Children Resources (ECR) workgroup and the Conflict Resolution Program (CRP), within the Institute for Public Administration at the University of Delaware.

This program was established as a conflict prevention tool. It is an essential statewide program supporting parents and school personnel to work collaboratively to meet the unique educational needs of students with disabilities. Upon request, staff members facilitate challenging IEP meetings to assist teams in reaching consensus on a student's IEP. The information and statistical data provided in this report reflect the results of IEP meeting-facilitation inquiries for the current project year July 1, 2018 through June 30, 2019.

The services covered by this contract include all pre-facilitation intake activities with relevant team members, such as telephone discussions, email correspondence, and information dissemination. It also covers time spent on pre-meeting preparation; statewide travel; facilitation of the meeting; and post-facilitation activities. Statistics are maintained on all phases of the program and are explained throughout this report. This report also includes an overview of previous years' statistical data, which have been maintained since the program's inception.

The number of inquiries regarding IEP meeting-facilitation services vary from year to year. During the 2018-2019 reporting year, there were a total of 43 individual inquiries about SPARC facilitation services, and 19 of these inquiries requested a facilitator for an IEP meeting. SPARC staff facilitated 33 IEP meeting involving approximately 216 IEP team members.

At the conclusion of each facilitated IEP meeting, CRP staff distribute IEP meeting feedback forms to all team members. This form is utilized to gather feedback on each member's experience with the facilitator, the process and outcome of the meeting, and their interactions with other team members. This year, thirteen forms were returned.

To increase awareness of this program, CRP staff promote the program at county-wide special education directors meetings, parent advocate meetings, and parent/teacher school meetings. CRP staff also regularly update program marketing materials and website. The following report is respectfully submitted to DDOE's ECR workgroup.

IEP Meeting-Facilitation Program Overview

Background

The Individualized Education Program (IEP) Meeting-Facilitation Program was formally implemented in 2000 through a partnership between the Delaware Department of Education's (DDOE) Exceptional Children Resources (ECR) workgroup and the Conflict Resolution Program (CRP), within the Institute for Public Administration at the University of Delaware. The program is a service offered through CRP's Special Education Partnership for the Amicable Resolution of Conflict (SPARC) program.

SPARC is a three-prong statewide special education dispute resolution program serving special education students, their families, and the educators that serve them. The three services offered through SPARC are special education mediation, IEP meeting-facilitation and professional development. SPARC originated from the idea that not all disputes require legal intervention, therefore, Delawareans should have access to alternative resolution processes. It was borne from a belief that adults, with a little support, are capable of working together and resolving differences amicably. Empowerment, recognition and self-determination became the foundation on which the SPARC program was built. This report focuses on IEP-meeting facilitation and includes detailed information about facilitation inquiries, as well as, more general program data to evaluate its effectiveness. CRP provides DDOE with a separate report for SPARC's mediation and professional development programs.

Purpose

The rationale behind this program is to support IEP teams to address conflict at the onset and avert time-consuming and expensive legal proceedings that can damage relationships and deny parents and educators a voice in the outcome of their disputes. The IEP meeting facilitation program promotes open and honest communication between parents and educators and empowers them to find a mutually agreeable resolution to their conflicts. It is designed to foster positive working relationships between parents and school personnel and is ideal for those who want to work together but do not always see eye-to-eye. SPARC provides neutral facilitation services, upon request, to IEP teams that need assistance with resolving differences and reaching consensus regarding a student's IEP. These services are voluntary, confidential and free of charge to IEP teams.

Staff

IEP meeting-facilitation services are administered through SPARC's team of experienced facilitator who specialize in special education dispute resolution. A facilitated IEP meeting emphasizes the present and future needs of the student and assists the team members to interact in a collaborative and respectful manner. The role of the facilitator is to help team members

communicate effectively to reach decisions that are in the best interest of the student. Facilitators are committed to providing confidential and impartial dispute resolution services to those in need. SPARC staff adhere to the highest standards of ethics, professional competence, and personal integrity.

Program Procedures

IEP meeting facilitation inquiries occur when a parent/guardian, school or district contacts SPARC to discuss an IEP team problem. A SPARC staff member listens to their concerns and explains the various dispute resolution services available through SPARC. This pre-facilitation process, known as intake, is intended to help the requestor select the appropriate dispute resolution service.

If all team members chose to use a facilitator, SPARC staff coordinate the IEP meeting date, time, location, attendee list, and issues to be discussed. During the IEP team meeting, the facilitator guides the participants through the meeting agenda while promoting dialogue, understanding, and consensus. If the team is able to work together and resolve their differences, the meeting may conclude with a signed IEP, as appropriate. If the team does not resolve their differences, they are free to seek other forms of dispute resolution. Upon conclusion of the meeting, members asked to complete an IEP Meeting Feedback form to rate various aspects of the program.

Report Summary

The following report discusses the facilitation inquiries received for the 2018–2019 reporting year. This report also outlines additional work completed to meet contract requirements, such as, outreach, marketing and program evaluation.

Overview of Work Conducted

SPARC staff are responsible for the implementation of this IEP facilitation service from initial contact with parents and educators through preparing for and facilitating an IEP meeting. SPARC staff respond to inquiries from parents, families, and educators about utilizing SPARC services. During the pre-facilitation intake, SPARC staff listen to the caller to understand the current conflict and concerns. Staff educate the caller about facilitation services and the role of a neutral facilitator, as well as the other SPARC services, and allow the caller to decide how they wish to proceed. Because SPARC is built on empowerment and self-determination, it is crucial that participants make their own decisions about how they wish to move forward. SPARC staff do not give advice, suggestions, or recommendations.

During intake, staff may also provide callers with resources and referrals to other services, as appropriate. For example, staff may refer the parent to a school level contact, such as a classroom teacher, school administrator, or district special education director to address the conflict at the lowest level possible. Staff may also refer the parent to a different agency such as the Parent Information Center of Delaware, Inc. (PIC), DDOE's Exceptional Children Resources work group, or a related advocacy group. Additionally, staff offer other special-education resources, such as those from the DDOE and the Center for Appropriate Dispute Resolution in Special Education (CADRE).

Between July 1, 2018 and June 30, 2019, SPARC responded to 43 inquiries about SPARC facilitation services and, overall, nineteen inquiries requested a facilitator for one or more facilitated IEP meetings.

Inquiries for SPARC Services

Inquiry Issues

During the intake, SPARC staff listen to the requestor’s concerns and work to identify the primary issues being expressed. The primary issues are categorized into one of eight categories to help identify trends. The categories are:

- Evaluation for special education services
- Eligibility of a student for special education
- Student educational plan set in IEP
- Educational placement
- Discipline
- Procedural safeguards
- Related services
- Other

Conflicts often involve more than one issue, one being breakdown in communication. This year, the most frequently cited issue was student educational program set in IEP (42%), followed by issues categorized as “other”. Table A summarizes the categories of issues for this contract year.

Table A. Inquiry Issues for 2018/19

Issue	Number of Inquiries
Student Education Plan Set in IEP	18
Other	14
Concerns with Staff (4)	
Communication (4)	
FAPE (3)	
Behavior (1)	
Promotion (1)	
Credits (1)	
Educational Placement	8
Discipline	2
Related Services	2
Eligibility for Special Education Services	1
Evaluation for Special Education Services	0
Procedural Safeguards	0

LEA Involvement

In addition to understanding the main concerns, SPARC staff also note who is inquiring about and utilizing SPARC facilitation services. This year, thirty-six inquiries were from parents or on behalf of parents, and seven inquiries were from educators. Thirty-seven inquiries involved school districts, and 15 of those cases resulted in one or more facilitated IEP meetings.

REACTED was most frequently involved in inquiries (9), and REDACTED participated in the most facilitated IEP meetings (4). Six inquiries involved charter schools, of which three resulted in one or more facilitated IEP meetings. REDACTED had the most inquiries (2). Tables B and C show the overview of school districts and charter schools involved in inquiries this year.

Table B. School Districts Involved in Inquiries for 2018/19

School District	Facilitation Inquiries	Facilitated Cases
	REDACTED	
Total	37	15

Table C. Charter Schools Involved in Inquiries for 2018/19

Charter School	Facilitation Inquiries	Facilitated Cases
	REDACTED	
Total	6	3

Referral Source

In addition to understanding who utilizes services and the common reason, SPARC staff also ask requestors how they heard about SPARC services. This allows staff to identify successful methods of connecting with parents and educators, as well as insight for increasing outreach. This year, like previous years, the most common referral source was previous contact and experience with SPARC services (40%). Approximately one-fourth of this year’s referrals came from DDOE, which is an increase from last year. Table D summarizes the referral source for this year’s inquiries.

Table D. Referral Sources for 2018/19

Referral Source	Count
Previous contact with SPARC services (5 school districts, 16 parents)	17
DDOE on behalf of parents (ECR)	10
Source not stated	5
CRP marketing material and online resource	4
School District	4
Parent Information Center (PIC)	1
Parent-to-parent communication	1
DDOE IEP-Facilitation Training Workshop	1
Total	43

Facilitated IEP Meetings

This year, 19 of the 43 inquiries (44%) requested a facilitator for one or more IEP meetings. SPARC staff facilitated 33 IEP meetings involving approximately 206 IEP team members. The primary issue(s) for each inquiry were categorized to help identify trends. The most commonly cited issue for facilitated IEP meetings was student educational plan (11) followed by educational placement (6). Table E summarizes the primary issues cited for this contract year.

Table E. Primary Issues in Facilitated IEP Meetings in 2018/19

Issue	Number of Inquiries
Student Educational Program	11
Educational Placement	6
Other	3
Concern with Staffing	
Communication	
Evaluation	
Discipline	1
Related Services	1
Eligibility for Special Education Services	0
Evaluation for Special Education Services	0
Procedural Safeguards	0

Of the inquiries that requested facilitation services, 15 involved school districts and 4 involved charter schools. Tables F and G show the overview of school districts and charter schools involved in inquiries that agreed to facilitation services this year.

Table F. School Districts Involved in Facilitated IEP Meeting(s) for 2018/19

School District	Facilitated Cases
REDACTED	
Total	15

Table G. Charter Schools Involved in Facilitated IEP Meeting(s) for 2018/19

Charter School	Facilitated Cases
REDACTED	
Total	3

The outcomes of IEP meetings vary depending on the goals and purpose of the meeting. Table H shows the various outcomes from this year’s facilitated IEP meetings.

Table H. Results of IEP Meeting Facilitation for 2018/19

Result of Facilitated IEP Meeting	Count
Did not reach consensus in the meeting	13
Reached consensus and resulted in a signed IEP	9
Did not require a signature	7
Did not result in a signed IEP	4

IEP Meeting Facilitation Feedback

In order to understand the team members experience with the facilitation process, an IEP Meeting Facilitation Feedback Form is distributed to all participants at the end of the meeting. Team members are asked to complete the form in person, or to mail the form back to the SPARC using the prepaid envelope. This year the Feedback Form was also made available online. For this reporting year, 13 feedback forms were completed and returned.

The Feedback Form asks participants about their experience before, during, and after the IEP-meeting facilitation. This year, all responding participants were satisfied or very satisfied with the communication with SPARC staff prior to the mediation. During the meeting, all responding participants felt the facilitator helped clarify and prioritize concerns, was fair and unbiased, and kept the group focused and moving forward. A majority of responding participants felt the facilitator had a positive influence on their relationship and communication with the team after the meeting. Fifty percent of responding participants felt the use of the facilitator helped the team overcome the team’s challenges. The feedback form and detailed breakdown of participant responses is located in Appendix A.

Historical Data Overview

Inquiries and Facilitated Meetings Over Time

Yearly statistics have been maintained since the beginning of the program to identify possible trends over time. The number of inquiries has remained fairly stable over the past seven years, however, the number of inquiries that result in a facilitated IEP meeting varies. Table I illustrates the history of IEP meeting-facilitation inquiries, the number of cases facilitated, and the number of signed IEPs from July 1, 2000, through June 30, 2019.

Table I. 2000–2019 IEP Meeting-Facilitation Summary Data by Year

Year	Facilitation Inquiries	Facilitated Cases	Signed IEP
2018–2019	43	19	9
2017–2018	43	15	6
2016–2017	30	9	5
2015–2016	28	12	9
2014–2015	35	8	6
2013–2014	43	8	6
2012–2013	34	12	6
2011–2012	20	5	4
2010–2011	13	2	2
2009–2010	36	9	9
2008–2009	38	8	3
2007–2008	57	22	16
2006–2007	19	5	3
2005–2006	20	8	5
2004–2005	16	6	4
2003–2004	29	40	11
2002–2003	26	39	16
2001–2002	11	14	9
2000–2001	1	1	1
Total	542	242	130

District	Facilitation Inquiries	Facilitated Cases	Signed IEP
REDACTED			
Total	542	241	128

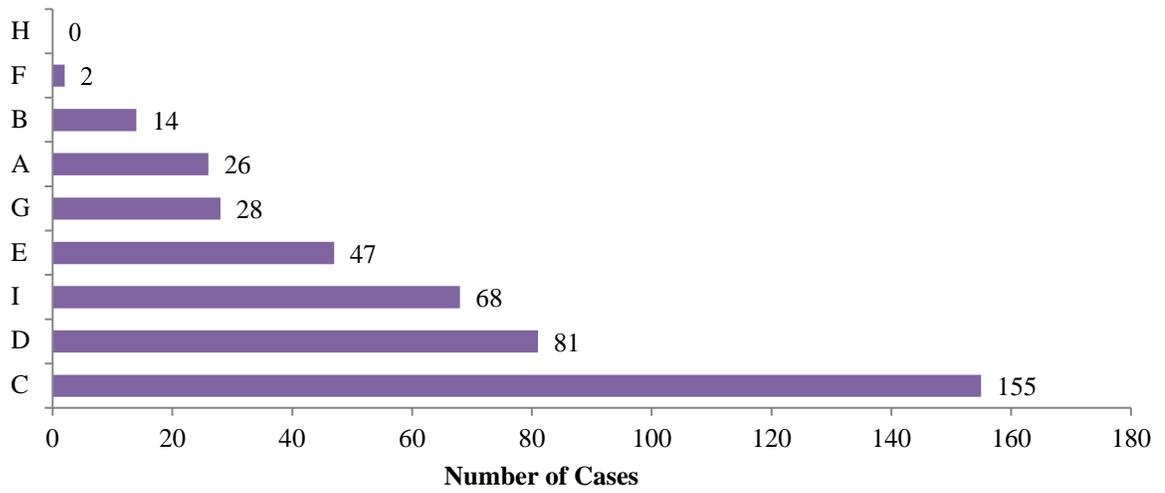
Inquiries by Primary Issue(s)

During the 2007–2008 reporting year, SPARC began recording and categorizing primary issues expressed in inquiries to assist DDOE in its reporting and program improvement process. The nine categories used are listed below:

- A. Evaluation of Student for Special Education (re-evaluation, requesting new)
- B. Eligibility of Student for Special Education
- C. Student Education Program Set in IEP (annual review, “not following” the IEP)
- D. Educational Placement
- E. Discipline (including suspension, expulsion, manifestation determination)
- F. Procedural Safeguards (prior written notice, safeguards)
- G. Related Services (occupational therapy, physical therapy, speech therapy, transportation)
- H. Tuition Reimbursement (private school)
- I. Other (tutoring, custody question, parent update, and question regarding rights)

Overall, the most common issue cited in inquiries is *Student Education Program set in IEP* (155) followed by *Educational Placement* (81). Figure 1 illustrates the issues expressed during the intake process since the 2007–2008 reporting year.

Figure 1. 2007–2019 Inquiry Issues



Program Development

Marketing and Outreach

Each year, SPARC staff make an effort to raise awareness of the program and to connect with parents and educators who may benefit from of the program’s services. During this reporting year, all SPARC brochures and flyers were updated, translated into Spanish and displayed on the Institute for Public Administration’s website as well as the DDOE’s website. The brochures were also distributed to all special education directors in Delaware by both mail and email at the beginning of the school year.

SPARC staff attended five meetings for district and charter school special education directors to promote SPARC services. These meetings also provided an opportunity for SPARC staff to have a dialogue with school officials to learn about their experiences with the program and answer their questions about the program. The meetings were as follows:

- **February 3, 2019** – Charter School Special Education Directors Meeting
- **February 7, 2019** - Kent County Special Education Directors Meeting
- **February 13, 2019** - New Castle County Special Education Directors Meeting
- **March 7, 2019** - Sussex County Special Education Directors Meeting
- **March 15, 2019** - DDOE Leadership Meeting

In addition, SPARC staff made presentations at two advocate and education surrogate parent meetings hosted by the Parent Information Center (PIC) of Delaware. Approximately 40 people were in attendance to learn about the benefits of mediation and IEP meeting facilitation services. The presentations took place on June 4, 2019 in Sussex County and June 13, 2019 in New Castle County.

Conference Attendance

SPARC staff attended various special-education and dispute-resolution trainings to keep abreast of current issues, laws, and best practices. This year staff attended the LRP Special Education Law Conference in May 2019 as well as the Special Education Law Symposium at Lehigh University in June 2019.

DDOE Annual Meetings

SPARC staff meet with key members of the Exceptional Children Resources Work Group twice a year to assess the efficiency and effectiveness all SPARC programs. These meetings promote the exchange of ideas and information around special education trends, best practices, policies, and laws. They also provide a forum for the continuous improvement of services and practices. This year, the annual meeting took place on January 22, 2019 in Dover, Delaware.

SPARC staff also attended the DDOE Dispute Resolution Data Retreat and contributed to drafting the protocols for data collection for indicators 15 and 16 of the OSEP Annual Performance Report. These meetings furthered the collaboration between DDOE and SPARC staff to document and clarify the internal procedures for collecting data about mediation. The meeting took place on April 24, 2019 at the Collette Building in Dover, Delaware.

Appendix A: IEP Meeting Feedback Form for 2018-2019

Pre-Meeting Communication with CRP Staff

How satisfied were you with staff's willingness to listen to your concerns? N/A (1)

Not at all A Little Somewhat Satisfied (3) Very Satisfied (9)

How satisfied were you with the time, attention, and information you received from staff about IEP meeting facilitation? N/A (1)

Not at all A Little Somewhat Satisfied (4) Very Satisfied (8)

Did you feel the creation of a meeting agenda assisted in outlining your concern(s) and helped the team be prepared to discuss the concerns you wanted to address? N/A (2)

Not at all A Little Somewhat Satisfied (7) Very Satisfied (4)

The Facilitator...	Not True	A Little	Some-what	True	Very True
Promoted listening and understanding among the meeting participants. N/A (1)	1	2	3 (1)	4 (4)	5 (7)
Helped clarify and prioritize all concerns.	1	2	3	4 (5)	5 (8)
Was fair and unbiased throughout the meeting.	1	2	3	4 (5)	5 (8)
Kept the group focused and kept the meeting moving forward. N/A (1)	1	2	3	4 (6)	5 (6)
It was helpful to have a facilitator in the meeting.	1	2 (1)	3 (1)	4 (2)	5 (9)

IEP Meeting Facilitation Outcome

Having a facilitator in the meeting had a positive influence on my relationship and communication with the other team members. No Response (2)

Not at all A Little Somewhat (2) Satisfied (3) Very Satisfied (6)

Overall, the use of the facilitator helped overcome the team's challenges and won't be necessary for future meetings. No Response (2)

Not at all A Little Somewhat (4) Satisfied (3) Very Satisfied (4)

Number of Responses = 13