



## Facilitated IEP/504 Plan Meetings and Mediation

### *A Resource Document*

A **facilitated IEP/504 meeting** is a voluntary process designed to help an IEP/504 team have a successful student-focused meeting. A trained facilitator helps the meeting run smoothly and remains focused on the needs of the student and the development of the IEP/504. The facilitated IEP/504 meeting is not a formal [dispute resolution process](#), like mediation. Sometimes people get confused between these two processes. The chart below describes the role of the facilitator and the difference between facilitated IEPs/504s and Mediation.

Facilitated IEPs/504s	Mediation
<ul style="list-style-type: none"> <li>Through assisted discussion, the facilitator assists IEP/504 team members to work together and accomplish meeting goals.</li> <li>The facilitator helps with the meeting process when discussions are difficult and complex, but parties are still willing to collaborate.</li> <li>The entire IEP team works together through the facilitation process. Attorneys are not present.</li> <li>The facilitator assists team members to communicate effectively and collaborate to develop an appropriate IEP/504 plan.</li> <li>A facilitator does not engage in discussion of the issues; instead, they guide the process.</li> </ul>	<ul style="list-style-type: none"> <li>A formal, voluntary dispute resolution process involving assisted negotiation.</li> <li>A trained, impartial mediator helps the parties resolve specific disputes, usually after the parties have exhausted all other options to reach a decision by consensus.</li> <li>The parties to the mediation are typically the family and school representative, not the entire IEP team. Attorneys may be present.</li> <li>The mediator may work separately with each party during the mediation session.</li> <li>A mediator engages in discussion of the issues and tries to resolve those issues through negotiation.</li> </ul>

**Commented [PK1]:** Should Facilitated 504 plans be included here as well?

**Commented [DJ2R1]:** Yes! Thanks!

**Commented [PK3]:** I think this chart may serve its purpose more efficiently if these two columns were combined so that the chart clarifies the differences between the two processes of facilitation and mediation. As it reads now, it seems as though the facilitator is distinct from both facilitated IEPs and mediation which may be more confusing to parents, especially since there is no column for mediators. If anything, I would include maybe 2 separate charts: (1) mediator vs facilitator (distinguish the roles of the individuals) and (2) facilitated IEP vs mediation (distinguish the processes). I also noticed that there are some bullets in the "facilitated IEPs" column that reference the role of the facilitator, so there is overlap between the two columns.

**Commented [DJ4R3]:** @Phelps, Kaelyn thanks so much for those thoughts and taking a look. I think you bring up some valid points. I'm going to restructure it based your suggestions. Is it ok if I shoot it back to you for one last review?

<ul style="list-style-type: none"> <li>• The outcome of the facilitated IEP/504 is an IEP/504 plan which is revised or completed, not a negotiated contract/agreement.</li> <li>• The IEP/504 plan created is confidential.</li> <li>• A facilitated IEP/504 plan may be less stressful than a formal dispute resolution process.</li> <li>• Facilitated IEP/504 plan discussions are confidential and cannot be used as evidence in a due process hearing.</li> </ul>	<ul style="list-style-type: none"> <li>• The outcome of mediation is a written agreement/contract, if one is reached, which is enforceable in court. The agreement/contract may include a provision involving revision of an IEP.</li> <li>• Mediation discussions are confidential and cannot be used as evidence in a due process hearing or civil proceeding.</li> </ul>
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**Commented [PK5]:** I wanted to clarify the confidentiality aspect of facilitation. As facilitated IEP/504 plan discussions are confidential, I wanted to make that clear given the reference to confidentiality for mediation

<b>Role of the Facilitator</b>
<ul style="list-style-type: none"> <li>• Establishes meeting guidelines/group norms and may help develop the meeting agenda.</li> <li>• Remains impartial and objective and creates a collaborative environment.</li> <li>• Models and promotes effective, open communication among IEP/504 team members.</li> <li>• Keeps the meeting focused on the agenda and the student.</li> <li>• Clarifies points of agreement and disagreement and encourages mutual problem-solving and solutions.</li> <li>• Helps team members understand each other’s perspectives.</li> <li>• Keeps team members on task with time allotted for the meeting.</li> <li>• Does not provide advice or recommendations.</li> <li>• Does not negotiate an agreement or render an opinion on agreements that are reached.</li> </ul>

If you need assistance with choosing the option that is right for you, please contact the:

- **OSCAS Special Education Call Center** at (401) 222-8999 or [RIDECallCenter@ride.ri.gov](mailto:RIDECallCenter@ride.ri.gov).
- El Centro de Llamadas al (401) 222-8999.