



FEDERATION FOR CHILDREN
WITH SPECIAL NEEDS

Family FACTS on Special Education

A publication of the Parent Training and Information Center

Facilitated IEP Meetings & Mediation



Facilitated IEP meetings and mediations are free services offered by the Bureau of Special Education Appeals (BSEA). In a facilitated Team meeting, the goal of the impartial facilitator is to make sure that the meeting runs smoothly and the parties discuss the issues. In mediation, the goal of the impartial mediator is to work with the parties to see if they can reach a mutual agreement.

“Facilitators for IEP Team meetings are commonly requested when the relationship between the district and the parents is strained or adversarial, when there is a history of disruptiveness at meetings or when an IEP Team meeting is expected to be contentious due to the complexity of the issues being discussed or due to some controversy.”
-BSEA website.

Mediation is often used when there is a specific issue or issues on which the parties cannot agree. The Mediator assists the family and school in finding a solution that is acceptable to both of them. The “collaborative problem-solving process encourages mutual respect, promotes communication and often provides the basis for positive working relationships between parents and school staff.” -BSEA website.

How are Facilitated Team Meetings and Mediation alike?

- Both services are free to the parties and conducted by impartial, trained BSEA professionals.
- A parent or school district may request either service. Only if both parties agree will a facilitator or mediator be assigned.
- Either service may be used when there is a disagreement between parents and educators about special education and/or related services.
- Both encourage respect and cooperation among the participants.
- Both help clarify the points of disagreement.
- Both processes can help parents and schools resolve disagreements. Facilitators and mediators are neutral; they cannot force a solution on the parties.
- You may opt to be represented by a special education advocate or an attorney. You should notify the school in advance whenever you plan to bring someone to a Team meeting.
- If the parties cannot reach agreement, the parents have full “due process” and “stay-put” rights.

Facilitated Team Meeting 617-626-7291	Mediation 617-626-7250
Typically used when communication and the relationships between parents and the school have broken down to the point that they are struggling to work together on an IEP.	Typically used when there are difficult IEP questions on which the parties cannot agree. The goal is help the parties reach a written agreement signed by both parties.
Requires attendance at a Team meeting, typically 1-2 hours.	Requires attendance for the full mediation, which typically lasts 2-5 hours.
Is held in the district and considered “less formal.”	Can be held in the district or the BSEA, depending on the mutual agreement of the parties. More formal than a Team meeting, but less formal than a hearing.
The format is a Team meeting and the typical structure of developing an IEP at a Team meeting.	Mediation is a process that will focus solely on the matters in dispute. Details of the IEP, other than those that are the focus of the mediation, will not be addressed.
The facilitator participates as a neutral with the Team to ensure the meeting runs smoothly. Everybody is given the opportunity to be heard. The Team focuses on the issues at hand.	The mediator typically holds a meeting with both parties and then meets privately with each party. The mediator may help each party, separately, determine priorities and where there may be opportunities to compromise.
The IEP Team decides what will go in the IEP. If agreement is reached to amend the IEP, the school will send an amended IEP to the parents after the meeting. The parents’ rights to accept, reject, or accept the IEP, in part, remain the same.	If successful, the mediator and the parties will draft and sign an agreement. When more than one issue is involved, the agreement can cover all or some of the issues.
If the matter goes to hearing, statements made at the facilitated Team meeting could be used as evidence.	If the matter goes to hearing, no evidence from the mediation may be used.

How to Prepare for a Facilitated Team Meeting or Mediation:

- Although they are different processes, your preparation will be similar.
- Identify issues you want to discuss.
- Make a list of your child’s needs and the questions you want to ask.
- Think of questions that others might ask and write down possible responses.
- Consider your priorities. Where are you willing to compromise in order to obtain your key objectives?
- Organize documents, put dates and notes on them, and bring extra copies.
- Bring materials that may be helpful to inform others.
- Be willing to listen and carefully consider others’ ideas, as well as possible solutions.
- Think about how you plan to deal with emotions during the meeting.
- Make sure you arrive a few minutes early, so you have time to get ready to participate.

RESOURCES on Facilitated IEP Meetings and Mediation

Mediation:

BSEA Mediation information: www.mass.gov/anf/hearings-and-appeals/bureau-of-special-education-appeals-bsea/mediation/
 IDEA Mediation brochure: www.directionservice.org/cadre/pdf/MediationParentGuideJAN14.pdf

Facilitated IEP:

BSEA Information: www.mass.gov/anf/hearings-and-appeals/bureau-of-special-education-appeals-bsea/facilitated-iep-team-meeting.html
 IDEA brochure: www.directionservice.org/cadre/pdf/IEP_Facilitation_ParentGuide_11.3.14.pdf

