

Compliance Corner

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The IEP: Both a Product and a Process- Tips for Making It a Success! (Part 2 of 3-Conducting the IEP)

In the first edition of this three-part series, we discussed what steps could be taken prior to conducting an Individualized Education Program (IEP) meeting. These tasks could contribute to a meeting that may run more smoothly, resulting in less opportunities for last-minute surprises. Doing your homework ahead of time can assist you and the other members of the team in conducting a meeting in an environment that is conducive to working together because the meeting is organized and participants are well prepared.

People:

The person designated to facilitate the meeting has an important and often challenging task ahead of them. The Merriam-Webster Dictionary defines a facilitator as: *someone or something that helps bring about an outcome by providing indirect assistance, guidance, or supervision*. Contemplating this definition, it is clear this person plays a pivotal role while being unobtrusive. Not an easy task. Considerations should be given to the following:

- Is this person perceived as neutral to not favor one party or the other? This may be difficult, especially when the facilitator is an employee of the Local Education Agency (LEA). It may be difficult to portray an objective atmosphere while creating a culture of collaboration and trust.
- Is this person able to keep the participants focused and, if needed, bring the participants back together when dialogue goes off track? At times, participants can change the dialogue toward other matters. Bringing the conversation back to the agenda item(s) is crucial in keeping the meeting flowing.
- Is this person able to ensure that everyone has a voice and has the opportunity to share their ideas, opinions and concerns? There are times when someone might dominate the conversation or visa versa; there may be times when someone is hesitant to speak up. Recognizing this allows for all team members to participate in the development of the IEP.
- Are they able to ask clarifying questions or rephrase what is said to be able to get to the heart of what someone is expressing? This is sometimes difficult to do so as not to

appear as though you are challenging the speaker's opinions, possibly resulting in a defensive response.

- Is this person a good problem-solver? Can they think on their feet when situations arise? Are they able to generate different options to address the situation? Sometimes, there are multiple options to consider. This person could help the team members generate and analyze options to find the appropriate solution(s).
- Are they comfortable with high emotions? Sometimes, meetings can be contentious, especially when there is a difference of ideas and opinions. It is important this person is able to stay calm and continue to direct the meeting while at the same time provide a trusting and comfortable atmosphere for others.

Process:

Right from the start, setting a positive tone for the meeting is crucial. This may be difficult, especially when there has been conflict leading up to the meeting. Welcoming everyone, especially the parent(s) and any individuals they may have brought with them can create an environment where people are willing to work together as partners.

Letting everyone know the purpose of the meeting and reminding them of the time that has been allocated for the meeting gives everyone a framework from which they can gauge their contributions. While a specific amount of time may have been set aside for the meeting, it is important for people to understand that additional time can be scheduled should the meeting need to be continued at a later date.

Prior to beginning the development of the IEP, the facilitator may wish to obtain the participant's signatures. This may be advantageous should there not be enough time to complete the meeting. It can also be advantageous should the meeting become contentious. Informing members their signature denotes participation in the meeting rather than an agreement of its contents could possibly prevent the refusal to sign. The New Mexico Administrative Code (NMAC) states the following regarding the participant's signatures:

6.31.2.11(B)(3) Except as provided in 34 CFR Sec. 300.324(a)(4), each IEP shall include the signature and position of each member of the IEP team and other participants in the IEP meeting to document their attendance.

It is sometimes necessary to define the expectations of the participants when it pertains to their actions in the meeting. Providing and adhering to norms can assist in facilitating a well-run meeting where participants respect one another's opinions. These norms might be posted where everyone can see them and reviewed at each meeting or put at each participant's place setting. Some examples of norms might include:

- Start and end on time
- Follow the agenda

- Participate fully
- Respect other's opinions
- Maintain confidentiality

An example of placing norms at the participant's place setting comes in the form of a tent with the norms facing the individual participant and the person's name to be visible on the other side of the tent for the other participants to see. The sheet can be laminated, which would allow for members to write their names and relationship to the student on the designated side. The link below gives an example of what it could look like. You might choose different norms to be displayed.

https://cooperativeeducation-my.sharepoint.com/personal/csoohoo_ces_org/Documents/Desktop/Facilitation%20and%20Development%20of%20IEPs/Facilitate%20and%20Develop%202023-2024/Facilitate%20and%20Develop%20February%202024/Effective%20Facilitation%20Skills/Name-Title%20and%20Norms%20Tent.pdf

Posting and following an agenda will assist you in keeping your meeting on track. The agenda should follow the components of the IEP to indicate the portion of the meeting that is being addressed. It will assist people in gauging their participation and can assist in budgeting the remaining time that is allocated.

Problem:

There are times when a break might need to be taken due to the climate of the room or even stopped when emotions are running too high. Recognizing when a break is needed or when a meeting needs to be ended and rescheduled because consensus cannot be reached is a special skill. It would be important for the facilitator to maintain a positive attitude in order to encourage the participants to be willing to reconvene the meeting to resolve the issues.

Conclusion:

As you can see, facilitating meetings requires specific skills and tasks of the facilitator. Consideration needs to be given to certain characteristics and attributes so the meetings can run as smoothly as possible, even in contentious situations. Meetings that run smoothly help to build and maintain positive relationships among all parties. Members see that everyone is committed to developing a comprehensive and appropriate IEP, resulting in positive student outcomes.

The information included herein is not intended to provide legal advice. Should you need legal advice or guidance on any issue involving special education, please contact the appropriate person for your district.