



## **Q & A: Individual Education Program (IEP) Team Attendance – Regular Education Teachers and Related Service Professionals**

The Minnesota Department of Education (MDE) Division of Compliance and Assistance has developed this document to address questions raised by parents and school districts regarding the attendance of regular education teachers and related service professionals at IEP Team meetings.

**Question 1:** In the case of a child receiving special education services who has more than one regular education teacher, must the Individual Education Program (IEP) Team include all of the regular education teachers for that child?

**Answer:** No, only one regular education teacher is required to attend IEP Team meetings if the child is, or may be, participating in the regular education environment, though more than one may be invited.

If the regular education teacher(s) that the district designates as the IEP Team member(s) cannot attend the meeting, the parent of the child and the district can agree in writing that it is not necessary for the IEP Team member(s) to attend if the member's area of the curriculum or related services is not being modified or discussed in the meeting.

A necessary member of the IEP Team may be excused from attending an IEP Team meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services if the parent and the district consent in writing to the excusal, and the necessary member submits in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting. Consent requirements are set forth in 34 C.F.R. § 300.9. The district must ensure that the parents are informed that they do not need to consent to the excusal and that the meeting can be rescheduled and that the parent can revoke consent at any time. *See* 34 C.F.R. § 300.321(a)(2); 34 C.F.R. § 300.321(e)(2)(i); 34 C.F.R. § 300.321(e)(2)(ii).

**Question 2:** Must related services personnel attend IEP meetings?

**Answer:** No. Related services personnel are not one of the required IEP Team members; however, 34 C.F.R. § 300.321(a) requires the IEP Team to include not less than one special education teacher, or where appropriate, not less than one special education provider. The special education teacher or provider on the IEP team should be the person who is, or will be, responsible for implementing the child's IEP. This requirement can be met by the participation of either the special education teacher of the child or another special education provider if the related service consists of specially designed instruction and is considered special education under Minnesota standards. For example, if the child's

disability is a speech impairment, the special education teacher or provider on the IEP Team could be the speech language pathologist.

Other individuals who have knowledge or special expertise regarding the child may be included on a child's IEP Team. Therefore, related services personnel may be invited at the discretion of the parents or district. The determination of the knowledge or expertise of these individuals must be made by the party (parents or district) who invited the individual to be a member of the IEP Team. 34 C.F.R. § 300.321(a)(6).

Authority: Minn. R. 3525.2810, Subp. 1B; 34 C.F.R. § 300.9; 34 C.F.R § 300.321.