



# IEP TEAM

Fast Facts # 3 (2/16)

The individual educational plan (IEP) is the centerpiece of the Individuals with Disabilities Education Act (IDEA). In order to develop an appropriate and effective IEP, the plan must be developed by a properly and legally constituted team. IDEA requires that an IEP be developed, reviewed and revised by an IEP Team for each child with a disability at least annually. The IEP Team is a group of individuals composed of parents, regular education teacher(s), special education teacher(s) or therapist(s), a teacher of the gifted, when the student is identified as gifted, a representative of the local education agency (LEA), an individual who can interpret the instructional implications of evaluations and other individuals at the discretion of parents and the school district. When appropriate, the student will be included.

PARTICIPANTS	DESCRIPTION
<b>Parent(s) of the student</b>	The district must ensure that parents of a student with a disability are afforded the opportunity to participate in IEP meetings. Parents are expected to be equal participants along with school personnel in developing, reviewing and revising the IEP for their child. Parents may provide valuable information regarding the strengths of their child and the concerns that they have for enhancing their child's education.
<b>Regular education teacher</b>	Not less than one regular education teacher of the child must attend the IEP meeting, if the child is, or may be, participating in the regular education environment. If the child has more than one regular education teacher, the LEA may determine which teacher will attend. Depending upon the child's needs and the purpose of the specific IEP Team meeting, the regular education teacher is not required to participate in all decisions, be present for the entire meeting or attend every meeting when there is the proper agreement/consent is obtained. The Case Manager should receive input from all of the student's teachers so that the IEP Team may consider that input in developing, reviewing and/or revising an IEP for the student. If the district proposes to conduct an IEP meeting without the attendance of a regular education teacher, the parents must provide written consent allowing the regular education teacher to be excused; <u>and</u> the excused regular education teacher must submit planning notes or other written input, in advance, to the parent and to the IEP Team. IEPs must be made accessible to general education teachers to make sure they are informed about the contents of the IEP.
<b>Special education teacher/therapist</b>	Not less than one special education teacher/therapist must attend the IEP meeting. The choice of particular individual(s) is up to the district, but it should select, to the extent possible, the person(s) who is(are) or will be responsible for implementing the student's IEP.
<b>Teacher of the gifted</b>	For a student who is dually identified as a student with a disability and a student who is gifted (per the criteria for gifted identification set forth by State Board Rule 6A-6.03019), at least one teacher of the gifted. The gifted teacher will ensure that the needs of the student related to his/her giftedness are appropriately addressed, and that appropriate goal(s) will be developed to address the student's needs beyond the general curriculum that result from the student's giftedness.

<b>LEA representative</b>	<p>The LEA representative may be a school-based or district-level ESE personnel (but not the student’s ESE teacher) who meet the following requirements:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities;</li> <li><input type="checkbox"/> Is knowledgeable about the general curriculum; and</li> <li><input type="checkbox"/> Is knowledgeable about the availability of school district resources.</li> </ul> <p>The LEA Representative must be authorized to make decisions on behalf of the district, commit its resources, and ensure that the IEP may be implemented as written.</p>
<b>Individual to interpret the instructional implications of evaluation results</b>	<p>An individual who is knowledgeable of evaluation results and can interpret the instructional implications of evaluation results must be present. Another member of the IEP Team may fulfill this role. This individual may be the teacher, therapist, psychologist, social worker or any other member of the team with knowledge of evaluation results and their instructional implications.</p>
<b>Other individuals</b>	<p>Other individuals who have special expertise or knowledge regarding the child may be a member of the IEP Team at the discretion of the parent or district, including related services personnel as appropriate. The right of parents and district personnel to bring other individuals to the IEP meeting must be exercised in a manner that ensures that all members of the IEP Team can contribute meaningfully to the IEP meeting process. In the case of a child previously served under Part C, an invitation to the initial IEP meeting shall, at the request of the parents, be sent to a Part C (Early Steps) representative. Upon the consent of the parents, or age-of-majority student, representative(s) of agency(ies) who may provide or pay for transition services must be invited to the IEP Team meeting.</p>
<b>The student, when appropriate</b>	<p>The student must be invited to be a member of his or her IEP Team, as appropriate. District personnel must invite students to attend IEP meetings in appropriate situations. If the purpose of the meeting is to discuss postsecondary goals and transition needs/services, the student must be invited to attend. The student must be provided the opportunity to participate and provide input in planning for his/her transition from school to post–school activities.</p>

### QUESTIONS AND ANSWERS

<p><b>May a required member of the IEP Team be excused from attending an IEP Team meeting?</b>  Yes, when the parent and the district consent to the excusal; and when the excused member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting</p>
<p><b>Must the public agency receive consent from a parent to excuse additional regular education teachers if at least one regular education will be in attendance?</b>  No. The public agency must ensure that the IEP Team includes “not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)...” Neither the Act nor the regulations require that an IEP Team include more than one regular education teacher. Therefore, if the IEP Team includes not less than one regular education teacher of the child, the excusal provisions of the regulations would not apply to additional regular education teachers.</p>
<p><b>Who determines the specific personnel to fill the roles of the district’s required participants at the IEP Team meeting?</b>  The district is responsible for conducting IEP meetings that are consistent with the IEP requirements of the IDEA and the federal regulations. The district determines which specific individuals will fulfill the role of required participants.</p>
<p><b>Is there a majority vote rule for IEP Team meetings?</b> No. It is not appropriate to make IEP decisions based upon a majority “vote.” If the team cannot reach consensus, the district must provide the parents with prior written notice of the district’s proposals or refusals, or both, regarding the IEP, and the parents have the right to seek resolution of any disagreements by requesting mediation, filing a state complaint or requesting a due process hearing.</p>
<p>References: <i>Individuals with Disabilities Education Act (IDEA)</i>  34 FR Part 300  <i>Florida Statutes and State Board of Education Rules</i></p>