



## TOPIC: IEP- Team Participants

*“The parent invites an individual with special knowledge or expertise regarding the child to the IEP meeting. Is it sufficient to allow the person to be present but not allow the person to speak at the IEP meeting?”*

No. Physical “attendance” at the IEP meeting is not the same as “participation”. The purpose of the IEP team is to develop an appropriate plan which will result in the provision of FAPE. 92 NAC 51 delineates the required IEP team members. The purpose of requiring various members is to ensure a full and complete dialogue to aid in the development of the IEP. Refusing to allow any member to speak at an IEP meeting does not permit full participation and is a violation of 92 NAC 51-007.03.

Nebraska’s 92 NAC 51-007.03A6 and 92 NAC-007.03A6a state:

### 007.03 IEP Team Participants

007.03A The school district or approved cooperative shall ensure and document that each IEP team includes the following:

007.03A6 At the discretion of the **parent** (emphasis added) or the school district or approved cooperative, other individuals who have knowledge or special expertise regarding the child, as appropriate;

007.03A6a The determination of the knowledge or special expertise of any individual described in 92 NAC 51-007.03A6 **shall be made by the party** (parents or school district or approved cooperative) who invited the individual to be a member of the team.