



TOPIC: IEP Team Member – Regular Education Teacher

Question: Must a regular teacher be invited to the IEP meeting when the child with a disability is receiving special education services outside of the regular classroom or in an out of district placement?

The Department of Education through their 2000 Guide to the Individual Education Program addresses IEP Team Membership within section 7.

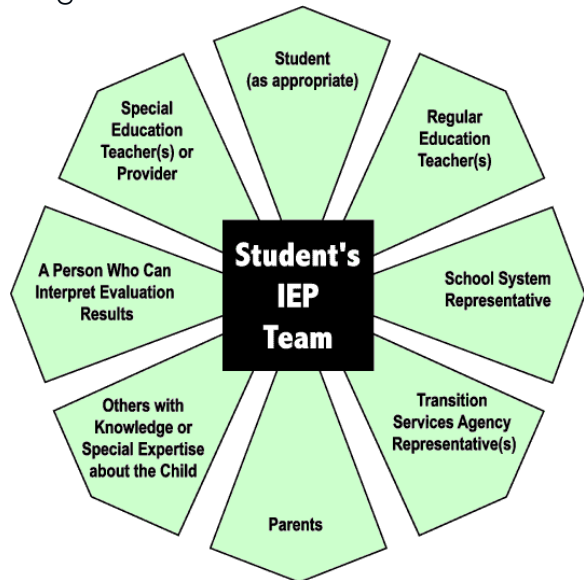
## 7. The IEP Team Members

By law, certain individuals must be involved in writing a child's Individualized Education Program. Note that an IEP team member may fill more than one of the team positions if properly qualified and designated. For example, the school system representative may also be the person who can interpret the child's evaluation results.

These people must work together as a team to write the child's IEP. A meeting to write the IEP must be held within 30 calendar days of deciding that the child is eligible for special education and related services.

Each team member brings important information to the IEP meeting. Members share their information and work together to write the child's Individualized Education Program. Each person's information adds to the team's understanding of the child and what services the child needs.

**Parents** are key members of the IEP team. They know their child very well and can talk about their child's strengths and needs as well as their ideas for enhancing their child's education. They can offer insight into how their child learns, what his or her interests are, and other aspects of the child that only a parent can know. They can listen to what the other team members think their child needs to work on at school and share their suggestions. They can also report on whether the skills the child is learning at school are being used at home. (See box on page 12 regarding parents' possible need for an interpreter.)





**Teachers** are vital participants in the IEP meeting as well. At least one of the child's **regular education teachers** must be on the IEP team if the child is (or may be) participating in the regular education environment. The regular education teacher has a great deal to share with the team. For example, he or she might talk about:

- the general curriculum in the regular classroom;
- the aids, services or changes to the educational program that would help the child learn and achieve; and
- strategies to help the child with behavior, if behavior is an issue.

The regular education teacher may also discuss with the IEP team the supports for school staff that are needed so that the child can:

- advance toward his or her annual goals;
- be involved and progress in the general curriculum;
- participate in extracurricular and other activities; and
- be educated with other children, both with and without disabilities.

Supports for school staff may include professional development or more training. Professional development and training are important for teachers, administrators, bus drivers, cafeteria workers, and others who provide services for children with disabilities.

The child's **special education teacher** contributes important information and experience about how to educate children with disabilities. Because of his or her training in special education, this teacher can talk about such issues as:

- how to modify the general curriculum to help the child learn;
- the supplementary aids and services that the child may need to be successful in the regular classroom and elsewhere;
- how to modify testing so that the student can show what he or she has learned; and
- other aspects of individualizing instruction to meet the student's unique needs.

Beyond helping to write the IEP, the special educator has responsibility for working with the student to carry out the IEP. He or she may:

- work with the student in a resource room or special class devoted to students receiving special education services;
- team teach with the regular education teacher; and
- work with other school staff, particularly the regular education teacher, to provide expertise about addressing the child's unique needs.





Another important member of the IEP team is the **individual who can interpret what the child's evaluation results mean** in terms of designing appropriate instruction. The evaluation results are very useful in determining how the child is currently doing in school and what areas of need the child has. This IEP team member must be able to talk about the instructional implications of the child's evaluation results, which will help the team plan appropriate instruction to address the child's needs.

The **individual representing the school system** is also a valuable team member. This person knows a great deal about special education services and educating children with disabilities. He or she can talk about the necessary school resources. It is important that this individual have the authority to commit resources and be able to ensure that whatever services are set out in the IEP will actually be provided.

The IEP team may also include additional **individuals with knowledge or special expertise about the child**. The parent or the school system can invite these individuals to participate on the team. Parents, for example, may invite an advocate who knows the child, a professional with special expertise about the child and his or her disability, or others (such as a vocational educator who has been working with the child) who can talk about the child's strengths and/or needs. The school system may invite one or more individuals who can offer special expertise or knowledge about the child, such as a paraprofessional or related services professional. Because an important part of developing an IEP is considering a child's need for related services (see the list of related services in the box on the previous page), related service professionals are often involved as IEP team members or participants. They share their special expertise about the child's needs and how their own professional services can address those needs. Depending on the child's individual needs, some related service professionals attending the IEP meeting or otherwise helping to develop the IEP might include occupational or physical therapists, adaptive physical education providers, psychologists, or speech-language pathologists.

When an IEP is being developed for a student of transition age, **representatives from transition service agencies** can be important participants. (See the box below for more information about transition.) Whenever a purpose of meeting is to consider needed transition services, the school must invite a representative of any other agency that is likely to be responsible for providing or paying for transition services. This individual can help the team plan any transition services the student needs. He or she can also commit the resources of the agency to pay for or provide needed transition services. If he or she does not attend the meeting, then the school must take alternative steps to obtain the agency's participation in the planning of the student's transition services.



And, last but not least, the **student** may also be a member of the IEP team. If transition service needs or transition services are going to be discussed at the meeting, the student must be invited to attend. More and more students are participating in and even leading their own IEP meetings. This allows them to have a strong voice in their own education and can teach them a great deal about self-advocacy and self-determination.

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### **The Regular Education Teacher as Part of the IEP Team**

Appendix A of the federal regulations for Part B of IDEA answers many questions about the IEP. Question 24 addresses the role of the regular education teacher on the IEP team. Here's an excerpt from the answer:

"...while a regular education teacher must be a member of the IEP team if the child is, or may be, participating in the regular education environment, the teacher need not (depending upon the child's needs and the purpose of the specific IEP team meeting) be required to participate in all decisions made as part of the meeting or to be present throughout the entire meeting or attend every meeting. For example, the regular education teacher who is a member of the IEP team must participate in discussions and decisions about how to modify the general curriculum in the regular classroom to ensure the child's involvement and progress in the general curriculum and participation in the regular education environment.

"Depending upon the specific circumstances, however, it may not be necessary for the regular education teacher to participate in discussions and decisions regarding, for example, the physical therapy needs of the child, if the teacher is not responsible for implementing that portion of the child's IEP.

"In determining the extent of the regular education teacher's participation at IEP meetings, public agencies and parents should discuss and try to reach agreement on whether the child's regular education teacher that is a member of the IEP team should be present at a particular IEP meeting and, if so, for what period of time. The extent to which it would be appropriate for the regular education teacher member of the IEP team to participate in IEP meetings must be decided on a case-by-case basis."



In 2013, The Nebraska Department of Education shared the following guidance that still holds true today.

92 NAC 51-007.03A specifies the required members of the IEP team. The regulations require that a regular education teacher be included on the IEP team if the child is, or may be, participating in the regular education environment. General education teachers play a central role in the education of children with disabilities and have important expertise regarding the general curriculum and general education environment. With the passage of the IDEA amendments in 1997, there has been an increased emphasis on the involvement and progress of children with disabilities in the general education curriculum and general education teachers have an increasingly critical role in implementing IEP's for children with disabilities. Thus, the district should carefully consider whether a general education teacher is necessary for children who are not currently receiving general education services. (This may include students in contracted programs, detention facilities or in residential settings, etc.) Thus, the participation of the Regular Education Teacher in the IEP meeting is not determined by the nature of a particular program, but by the unique needs of the student, and whether or not the student will be involved in the regular education environment. In those situations in which a child is not participating in the general education environment the district should consider whether the child will be returning to the regular education environment, and if so, whether the participation of the regular education teacher is necessary to ensure a smooth transition back to a general education setting. Additionally, the district must determine whether the participation of a general education teacher (for children placed outside of the general education environment) is necessary in order to develop an IEP which result in the provision of a free appropriate public education for the child.





Supporting Regulations:

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

007.03A2 Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)

007.03A2a The regular education teacher of the child, as a member of the team, shall, to the extent appropriate, participate in the development, review and revision of the IEP of the child, including assisting in the determination of appropriate positive behavioral interventions and supports, and other strategies, and the determination of supplementary aids and services, program modifications, and support for school personnel consistent with 92 NAC 51-007.07A5.