

Frequently Asked Questions: Special Education

Source: California Department of Education

1. Who are the required members of the IEP team?

- The parents of a child with a disability
- Not less than one general education teacher of each child (if the child is, or may be, participating in the general education environment)
- Not less than one special education teacher, or where appropriate, not less than one special education provider of the child
- An individual who can interpret the instructional implications of evaluation results
- At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel
- Whenever appropriate, the child with a disability
- A representative of the local education agency (LEA) who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; knowledgeable about the general education curriculum; and knowledgeable about the availability of resources of the LEA.

2. Is there ever a time when IEP team attendance is not necessary?

A member of the IEP team shall not be required to attend an IEP meeting, in whole or in part, if the parent of a child with a disability and the LEA agree that the attendance of such member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting. A parent's agreement shall be in writing.

3. What authorization is needed to excuse an IEP team member?

A member of the IEP team may be excused from attending the IEP 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 LEA consent to the excusal
- The member submits, in writing to the parent and the team, input into the development of the IEP team prior to the meeting
- The parent consents in writing

4. Are there new provisions for making changes to the IEP after the annual IEP meeting?

Yes, in making changes to a child's IEP after the annual IEP meeting for a school year, the parent of a child with a disability and the LEA may agree not to convene an IEP meeting for the purposes of making such changes and, instead, may develop a written document to amend or modify the child's current IEP.

Changes to the IEP may be made either by the entire team or, as provided in Education Code Section 614(d) (3) (D), by amending the IEP rather than redrafting the entire document. Upon request a parent shall be provided with a revised copy of the IEP with the amendments incorporated.

5. Is it OK for the LEA to consolidate IEP meetings?

To the extent possible, the LEA shall encourage the consolidation of re-evaluation meetings and other IEP team meeting for the child.

6. Is the use of alternative means of participation permitted for parents' attendance at IEP meetings?

Yes, the parent of a child with a disability and an LEA may agree to use alternative means of meeting participation, such as video conferences and conference calls.

7. Can the LEA conduct an IEP meeting without the parent in attendance?

Yes, an IEP meeting may be conducted without the parent if the LEA is unable to convince the parents that they should attend. In this case the LEA must have a record of its attempts to arrange a mutually agreed on time and place such as:

- Detailed record of telephone calls made or attempted and the results of those calls
- Copies of correspondence sent to the parents and any responses received
- Detailed records of visits made to the parent's home or place of employment and the results of those visits.

8. Can a parent revoke consent for the continued provision of special education services?

Yes, anytime after the initial provision of special education and related services the parent or the student at the age of majority may revoke consent in writing for the continued provision of services.