



## Excusal Form

**MYTH:** An Excusal Form **MUST** be given to any person that was invited to the IEP meeting that could not or did not attend.

**FACT:** IDEA 34CFR – Section 300.321(e)(1) permits certain members of the IEP Team to be excused from attending an IEP Team meeting, in whole or in part, if the parent of the child with a disability and the public agency agree in writing that the member’s attendance is not necessary because the member’s area of the curriculum or related services is not being modified or discussed. Section 300.321(e)(2) permits certain members of an IEP Team to be excused from attending an IEP Team meeting that involves a modification to or discussion of the member’s area of the curriculum or related service if the parent and the public agency consent in writing to the excusal and the member submits written input to the parent and the other members of the IEP Team prior to the meeting.

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**MYTH:** The LEA may prohibit related services personnel, specifically speech-language pathologists, physical therapists, and occupational therapists, from attending individualized education program (IEP) Team meetings when parents request that a related services provider attend the meeting.

**FACT:** The IDEA does not expressly require that related services personnel attend IEP Team meetings. However, if a child with a disability has an identified need for related services, it would be appropriate for the related services personnel to attend the meeting. As discussed below, there are two provisions in 34 CFR §300.321, governing how related services personnel can attend an IEP Team meeting: 34 CFR §300.321(a)(3), which applies to required IEP Team members; and 34 CFR §300.321(a)(6), which applies to others with knowledge or special expertise regarding the child who are invited to attend by the parent or public agency. If the public agency designates the related services provider as an IEP Team member, the public agency must ensure that the individual attends the child’s IEP Team meeting, unless the excusal provisions in 34 CFR §300.321(e) are met. The excusal provisions apply only to the required IEP Team members described in 34 CFR §300.321(a)(2) through (a)(5), one of which is the child’s special education teacher or, where appropriate, the child’s special education provider. Therefore, if a public agency designates the child’s speech-language pathologist or other related services provider of the child as an IEP Team participant, the public agency could only restrict that employee to providing written input, in lieu of attending the IEP Team meeting in person, if the employee is properly excused from attending the IEP Team meeting in person pursuant to 34 CFR §300.321(e).

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