



TOPIC: IEP Team Member – Regular Education Teacher

“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?”

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.