



## EXCUSED ABSENCE OF A TEAM MEMBER

### **34 C.F.R. 300.321(e)(1):**

A required member of the IEP Team is not required to attend an IEP Team Meeting in whole or in part, if the parent of a child with a disability and the (District) agree, in writing, that the attendance of that member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.

### **34 C.F.R. 300.321(e)(2):**

A member of the IEP Team..., may be excused from attending the IEP Team Meeting...if the member submits, in writing to the parent and the IEP team, input into the development of the IEP **prior** to the meeting.

### **POINTS OF CLARIFICATION:**

1. Written excuse is needed for any REQUIRED TEAM MEMBER not in attendance at a team meeting.
2. A REQUIRED TEAM MEMBER may be excused from attending the meeting if the parent and the district consent in writing to the excusal and the necessary member submits, in writing to the parent and the IEP team, INPUT PRIOR TO THE MEETING.
3. It is possible to use electronic signatures to indicate consent. Please refer to the Uniform Electronic Signature Act available at <https://www.revisor.mn.gov/statutes/?id=3251>.
4. Written documentation of parent agreement to the excusal of the REQUIRED TEAM MEMBER must be included in the file and must correspond to a specific IEP meeting date.
5. Written documentation of the input of the excused team member must also be included in the file. It is not acceptable to merely incorporate the input of the excused member into the newly developed or revised IEP.
6. Dates on the agreement to excuse and the written input from the excused member must be prior to, or date of, the IEP team meeting.
7. Parents must be informed that they do not need to consent to the excusal and that instead the meeting can be rescheduled. Parents can revoke their consent at any time.
8. When a discretionary member is unable to attend the meeting, it is not necessary to obtain a written agreement or consent from a parent. The parent may ask for the meeting to be rescheduled so that this member can attend.