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SELPA Guide Clarification of Agency Participants to an IEP Which Addresses Post Secondary Transition

IDEA 2004 does not directly address inviting other public agencies to the IEP meeting addressing transition, however, the IDEA Regulations do. Section 300.21 (b)(3) states:

“To the extent appropriate, with the consent of the parents or a child who has reached the age of majority, in implementing the requirements of paragraph (b)(1) [*Transition services participants*] of this section, the public agency must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.”

The following understanding helps to clarify this section:

- a. Local Agency: Means LEA.
- b. Participating Agency: Means any agency other than education.

The following conclusions should be drawn from this section of the regulations:

- a. LEAs have an obligation to invite potentially responsible participating agencies to most IEPs that relate to transition.
- b. LEAs are required to obtain consent from the parents/student prior to inviting possible responsible agencies.
- c. LEAs should document:
 - Attempts to gain permission from the parents/student to invite possible participating agencies.
 - Invitation of participating agencies.