

A Framework for Decision-Making about Special Needs Transportation

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The purposes of the IDEA

- ▶ To ensure that students with disabilities have available to them a FAPE that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living
- ▶ To ensure that the rights of students with disabilities and parents of such students are protected



IEP Team Meetings

- ▶ “Other individuals who have knowledge or special expertise regarding the child, including **related services personnel as appropriate**”
- ▶ Is transportation a topic for discussion?
- ▶ Opportunities for input include submission of written recommendations
- ▶ Pre-meeting input with team members is fine



Involvement of Transportation

- ▶ Must transportation be provided?
 - Are non-disabled children transported?
 - Is transportation a related service?
 - Is it necessary for access to IEP services?
 - What is the impact of disability on the need for and type of transportation?
 - Consider, also, age, distance, and nature of the route
- ▶ Determination of LRE
- ▶ Determination of other aspects of methodology



How Should You Transport?

- Where should the child be picked up?
- What kind of support is needed?
- What kind of special equipment is needed?
- Are there behavioral considerations?
- Should travel training be part of the equation?
- How can you minimize any negative impact on the child's academic program?



Under the microscope

- ▶ Two situations can result in special needs transportation coming under review at potentially unexpected times:
 - Whenever the safety of other practices is an issue
 - When budget reductions are made

Note: When services are diminished for the general population, the district must still make a case-by-case determination about the transportation needs of students with disabilities



Cost-cutting Strategies

- Parental reimbursement
 - Can't be required, only requested
 - Do you have accessible parking, passenger loading zones, paths to building?
- Change of location of services
 - Not change of placement if IEP services won't change
 - Could mean transportation becomes necessary
- Combining routes with small ridership
 - Safety concerns?
- Tokens to ride public transportation
 - Appropriate?



Be ready to defend your decisions:

- ▶ Documentation should include:
 - Information about the student & his needs, the source of the information, and when you received it
 - Consideration of the implications of the student's unique needs on school transportation decisions
 - Options considered – and rejected, with reasons



The access issue

- ▶ Relationship between the child's disability and the need for transportation in order to access education
- ▶ Remember the "A" in FAPE – The method used to provide all components of "access" must be appropriate
- ▶ The question of actual attendance is directly related to the question of FAPE



Methodology, Maneuvers & Equipment

- ▶ District vs. parent/family role
- ▶ Individualized decision-making
- ▶ Investigation of alternatives
- ▶ Documentation, data and analysis
- ▶ Propose least intrusive, but effective
- ▶ Address personnel tasks
- ▶ Effective training
- ▶ Timing issues



How Soon?



- ▶ As soon as possible
- ▶ Short delay possible when:
 - IEP meeting is at end of year or during summer, or
 - Circumstances require delay to make transportation arrangements

When the “special” and the “basic “ are one and the same

- ▶ Showing you “care” avoids deliberate indifference
- ▶ Seating arrangements may be one of your most important behavior management strategies
- ▶ When bus conduct is out of control, serious legal issues can result



Avoiding problems

- ▶ Have common understanding of terms
- ▶ Participate in effective dissemination of BIP, IEP, Section 504 plan, behavioral contracts
- ▶ Have, and communicate, sound policies
- ▶ Document actual implementation of any interventions or responses on which there is agreement
- ▶ Anticipate unintended consequences, and minimize likelihood for potential of harm in reasonable ways

