

TRANSPORTATION SERVICES

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SPECIAL EDUCATION TRANSPORTATION

Specifically, special education transportation means "travel to and from school and between schools; travel in and around schools; and specialized equipment, such as special or adapted buses, lifts and ramps, if needed for an identified student with a disability."

There are two types of special education transportation defined in California Education Code.

1. Education Code 41850(d) defines "special education transportation" as:

"The transportation of severely disabled *special day class* students, and orthopedically impaired students who require a vehicle with a wheelchair lift, who received transportation in the prior fiscal year, as specified in their individualized education program." It also includes, "a vehicle that is used to transport special education students."

2. EC 41850(b)(5) defines "home-to-school transportation services" for students with exceptional needs as:

"The transportation of individuals with exceptional needs, as specified in their individualized education programs, who do not receive special education transportation as defined in subdivision (d)."

ELIGIBILITY FOR SPECIAL EDUCATION TRANSPORTATION

Special education transportation is a "related service" and as such only students with identified needs resulting from, or associated with, an identified disabling condition are eligible to receive special transportation .

Under E.C. 41850(d), eligible students would be:

1. Students with severe disabilities who are enrolled in severely disabled special day classes, and
2. Students with orthopedic impairments.

In both of these cases, eligibility would be based on a student's needs related to his/her physical and/or mental capacity.

Under EC 41850(b), other eligible students would be:

1. Students with severe disabilities who are not enrolled in special day classes or

Transportation Policy

- otherwise enrolled in programs serving students with profound disabilities;
2. Students with orthopedic disabilities who do not use wheelchairs or require lifts;
 3. Students with other health impairments, learning disabilities or other cognitive disabilities whose disabilities make it problematic to get to school in the same manner as nondisabled students; or
 4. Students who live beyond a reasonable distance to their school and would not, without transportation, have access to appropriate special education instruction and related services at no cost.

In each of the cases above, eligibility is based on the specific needs of the student.

DETERMINATION OF WHICH STUDENTS NEED SPECIAL EDUCATION TRANSPORTATION

The IEP team determines whether a student needs special education transportation. In reviewing the needs of each student with a disability, the IEP team should ask:

"Does the student's disability make it problematic to get to school in the same manner as non disabled students?"

The specific needs of the student must be the primary consideration when an IEP team is determining any transportation needs. If the answer to the above question is "yes," the IEP team should consider what type transportation is needed. If, on the other hand, the student can get to school in the same manner as non-disabled students, then special education transportation may not be needed.

SPECIAL EDUCATION TRANSPORTATION OPTIONS

Special education transportation options may include, but are not limited to, any of the following:

- No transportation. Student arrives/leaves school in the same manner as non-disabled students when there is no district-provided transportation.
- Regular school bus transportation. Student uses the same regular school bus as non disabled students when there is district-provided transportation.
- Regular school bus transportation with modification. Student uses same regular school bus as non-disabled students, with an arranged corner stop near student's home or at the end of road leading to the student's home.
- Public transportation. Student uses public transportation, with a reimbursement of the cost given to the parents.
- School to school. Student may walk to the neighborhood school and then be transported to the school where the student's special education services are being provided. (This option can be used only if the school sites are on different schedules as disabled students

Transportation Policy

are to have the same "school day" as their non-disabled peers, unless the disability requires a shorter day.) Special Education transportation may be provided by a regular school bus, special education transportation bus, or other district-approved transportation provider.

- School to non-school district service provider. Student may be transported, to and from school, to a service provider not located at a school site. Special Education transportation may be provided by a regular school bus, special education transportation bus, or other district-approved transportation provider.
- Door to door. Student is provided special education transportation between the student's home, or at the end of road leading to the student's home, and the location of his/her special education services. Special Education transportation may be provided by a regular school bus, special education transportation bus, or other district-approved transportation provider.
- A transportation option might also be a parent voluntarily transporting his/her child. If the parent is transporting and being reimbursed, the IEP should specify the details of this arrangement, including mileage reimbursement rate, the standard daily mileage for which reimbursement will be made, the frequency of reimbursement, and any documentation required of the parents.

INVITING TRANSPORTATION PERSONNEL TO IEP MEETINGS

Transportation personnel should be invited to participate to all initial IEP meetings when special education transportation is being considered and at all other meetings when there is a projected change to special education transportation services.

DISCIPLINE OF DISABLED STUDENTS RECEIVING SPECIAL EDUCATION TRANSPORTATION

There may be times when a student may need to be suspended from special education transportation services. (See EC 48900-48900.7 for Grounds for Suspension.) A proposed suspension from special education transportation services, however, is subject to the same rules as a proposed out-of-school suspension. It can constitute a significant change in placement, which would initiate a manifestation determination IEP meeting, if:

- 1) the student is suspended from special education transportation services as a disciplinary measure; and
- 2) the district does not provide another mode of transportation.

A significant change in placement requires an IEP meeting to determine whether the student's behavior was a manifestation of his/her disability. If the behavior is determined by the IEP team to be a manifestation of the disability, special education transportation services cannot be terminated. Although a student with disabilities can be suspended from special education transportation services, the student cannot be denied transportation on a permanent basis.

Shasta County Special Education Local Plan Area
Transportation Policy

PROCEDURES FOR BUS DISCIPLINE

The following suggested procedures are recommended for bus discipline of a student receiving special education services:

1. Upon occurrence of a discipline problem, the driver should submit a discipline referral to the program teacher, special education director/coordinator, or site/district administration. The program teacher and/or site/district administration then would make a decision as to the appropriate behavior management strategies to use.
2. Upon the second discipline referral, an IEP meeting should be held with the parents, transportation personnel, site administrator, and teachers to develop a behavior intervention plan.
3. Upon the third discipline referral, an IEP meeting should be held with parent, transportation personnel, site administrator, teachers and a representative from the district. During this meeting, the behavior intervention plan should be reviewed. Some suspension from the bus may be considered at this time.

COMMON CALENDAR

1. As of July 2015, Districts are required to adopt the SELPA Board one of the approved calendars (elementary, high school) and schedule minimum days on Mondays or Wednesday only to avoid additional transportation costs.