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**SELPA Policy C-23**

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Adopted by OSC "Hgdwtwt{ 32, 2010"  
Revised, OSC, March 8, 2042

## **Transportation for Students with Disabilities**

It is the policy of Marin County Special Education Local Plan Area that students with disabilities will get to and from school in the same manner as their non-disabled peers, unless the IEP team determines that the needs of the student require more restrictive transportation services.

Accommodations and/or modifications to regular transportation, including special seating, restraints, behavior interventions, etc. will be considered and implemented as appropriate. It is also the policy of this SELPA that any student eligible for special education services who requires special transportation services, shall receive transportation as a related service if an IEP team determines that such service is necessary for the student to benefit from special education services, or access the core curriculum in the least restrictive environment. This policy will apply to each agency in the SELPA that provides transportation to students with disabilities.

LEAs shall ensure that appropriate transportation services are provided for students with disabilities as specified in their individualized education program (IEP) or accommodation plan. Transportation will be provided at no cost to the student or their parents. Transportation schedules and routes will be arranged so that, to the maximum extent possible, students with disabilities will not spend an excessive amount of time on buses compared to other students. Arrivals and departures shall not reduce the length of school day for these students except as may be prescribed on an individual student's IEP. The method of transportation is determined by the LEA and may be provided by the LEA, through contract with another public or private agency or by agreement to reimburse the parent.

LEAs shall establish procedures to ensure compatibility between mobile seating devices and bus drivers shall be trained in the proper installation of such devices, as required by E.C. 56195.8 (a)(15). LEAs shall provide bus drivers training in the proper administration of medical and behavioral interventions as appropriate.

### *Legal Reference:*

#### EDUCATION CODE

EC 39800

EC 48915.5

EC 56195.8

EC 56345.2

## CODE OF FEDERAL REGULATIONS

34 CFR 300.34

### **Transportation for Students with Disabilities**

#### **Rationale**

Whenever possible, students with disabilities will ride the regular school bus, as provided by the district, and in accordance with district policy, to and from school. When the disabling condition of a pupil is such that the pupil requires special transportation services in order to benefit from their educational program, the IEP Team has the responsibility to include transportation services in the IEP as a related service.

As specified in the Code of Federal Regulations Section 300.34, specialized transportation for a disabled pupil is defined as a related service to be provided as "required to assist a child with a disability to benefit from special education." "Specialized transportation includes:

- travel to and from school and between schools
- travel in and around school buildings and
- specialized equipment (such as special or adapted buses, lifts and ramps), if required, to provide special transportation for a child with a disability."

#### **Specialized Transportation Options**

Specialized transportation service generally refers to any transportation arrangement, in excess of riding the regular school bus to and/or from a regularly scheduled school bus stop, that is determined by an IEP team. Specialized transportation services may include but are not limited to the following:

1. to and from home and the school of attendance,
2. between schools for purposes specified in the IEP
3. to and from work stations when specified in the IEP
4. to and from a California Children's Service Medical Therapy Unit
5. to and from a Mental Health service

## **IEP Procedures**

It is the responsibility of the IEP Team to determine when transportation services should be included in the IEP as a related service. The decision must be made on a case by case basis and be based on the unique needs of the student and the basic concept of least restrictive environment.

The IEP Team will consider student needs including, but not limited to the following (*this list is not prioritized*):

1. Medical Diagnosis and Health Needs:

- Does the student have significant limitations in strength, vitality or alertness that prevent him/her from riding the regular bus?
- Does the student have a medically fragile condition that prevents them from riding the regular school bus?
- Does the student have special medical equipment that must be transported on a specialized school bus?

2. Physical Needs:

- Does the student have a wheel chair requiring a special securement system on the school bus?
- Does the student have a visual impairment that prevents him/her from riding the regular school bus?
- Does the student have a hearing impairment that prevents him/her from riding the regular school bus?

3. Safety Needs:

- Does the students' disability or level of functioning prevent them from being able to travel to school independently?
- Does the students' disability or level of functioning prevent them from being able to travel to and wait independently at a regular school bus stop?

4. Behavioral Needs:

- Does the student have a behavior plan that requires certain transportation services?
- Is the student's behavior, after implementing a behavior plan, so severe that s/he cannot ride the regular school bus?

5. Program Location:

- Is the student required to attend a program outside of the district of special education accountability (DSEA) geographic boundary?
- Does the student require special transportation in order to access services designated on the IEP e.g. occupational therapy, physical therapy, mental health related service, etc?
- Does the student require special transportation in order to access a Non-public school placement?

6. Other needs may also be taken into consideration when the IEP team discusses a pupil's placement and transportation needs.

Specialized transportation, if offered, should be described in sufficient enough detail to inform the parties of how and where transportation will be provided and, where arrangements for the reimbursement of parents are required, the amount and frequency of reimbursement.

A representative from the Transportation Department may be consulted prior to an IEP meeting for a student who may require special transportation arrangements such as: adaptive or assistive equipment, specialized medical equipment, specialized monitoring or assistance, positive behavior interventions, etc. School bus drivers will be informed and properly trained whenever the IEP addresses special transportation needs for a student.

### **Service Delivery**

It is the responsibility of the DSEA to make arrangements for all transportation services described in the student's IEP. The District may provide service themselves, through contract arrangement with another public or private agency or by paying the parent for providing in lieu services.

Bus routes shall be, wherever possible, via the shortest distance, considering safety in operation, safety at bus stop locations and pupil time on bus.

Mode of Service – The LEA providing transportation service will determine the method of providing transportation services.

Scheduling – Students with disabilities are entitled to arrive at and depart school at the same time as general education students. Pupils receiving special education and related services must be provided with an educational program in accordance with their IEP for at least the same length of time as the regular school day for their chronological peer group, unless otherwise stated in a student's IEP.

Transportation to and from related services will be scheduled during the school day to the maximum extent possible. When related services cannot be provided during the school day, transportation will be provided before or after the school day.

Length of Ride – The length of ride for disabled students should be similar to that of nondisabled students except in cases where the distance to a student's home exceeds that of the other students and where a student attends a program outside his neighborhood school or DSEA.

In cases where a student attends a program outside his/her DSEA, the IEP Team will review the student's placement annually to determine if a placement closer to the student's residence would be appropriate.

### **Wheel Chairs**

Vehicles used to transport physically disabled students in wheel chairs shall be equipped with proper securement devices. Bus drivers will be trained in the use of equipment and proper securement procedures.

### **Medications**

Medications to be taken by the student while at school shall not be transported on a school bus in any manner including student bags or backpacks, unless otherwise specified in a Specialized Health Care Plan. It is the responsibility of the parent to transport their child's medication to and from school. Medications may be transported on the school bus for students who self administer medications and students who require that medications be available for emergency purposes, provided that the parents provide all required information from the child's physician, the school has developed an appropriate health plan and staff, including bus drivers, have been informed and, when necessary trained, in proper procedures regarding the student's individual needs.

## **Discipline and Behavior Interventions**

Students with disabilities are subject to the same rules of discipline governing regular transportation, unless the student has a behavior plan indicating otherwise. School bus drivers will be trained to implement positive behavior interventions as indicated in a student's behavior plan. Suspension During the period of any exclusion from bus transportation, pupils must be provided with an alternative form of transportation at no cost to the pupil or parent in order to be assured of having access to the required special education instruction and services (EC 48915.5).

EC 48915.5(c) reads: "If an individual with exceptional needs is excluded from school bus transportation, the pupil is entitled to be provided with an alternative form of transportation at no cost to the pupil or parent or guardian provided that transportation is specified in the pupil's individualized education program."

## **In Lieu Transportation**

When the district is unable to provide the necessary transportation services for a student, they may enter into an agreement with the parent to provide services in lieu of transportation. Parents who agree to provide in lieu services for their child will be reimbursed for their mileage at the rate established by the IRS. Mileage reimbursement shall be solely for transportation of the student to school for the start of school and return home at the end of the school day.