

Guidance

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Determining the Need for Specialized Transportation

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This document provides guidance on how to determine the need for specialized transportation for a student with an individualized education program (IEP) consistent with the least restrictive environment (LRE) requirements in 34 CFR §300.114 for safe travel to and from school, field trips, and sports/extracurricular activities.

For the purposes of this document, which is specific to transportation as a necessary component of a free appropriate public education (FAPE) in an individualized education program, the term specialized transportation will be used throughout.

What is Special Transportation?

Special transportation is considered a related service and is defined in 34 CFR §300.34(c)(16). 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 specialized transportation for a student with an IEP. Decisions about specialized transportation also need to consider 34 CFR §§300.107 and 300.34 (a)(c)(16), which is included in LRE requirements for nonacademic settings described under 34 CFR §300.117.

The IEP Team Determines the Need for Specialized Transportation Based on Student Data

To determine specialized transportation needs, the IEP Team must consider the unique circumstances of the individual student. Transporting a student with an IEP separately and without access to their general education peers should be used only when necessary to meet the student's needs 34 CFR §300.117. Below is a list of special factors for an IEP Team to consider when determining the need for specialized transportation.



Factors to Consider

- The nature and severity of a student's disability: Look beyond the student's eligibility area and consider the unique disability-related needs that affect the student.
- **Behavioral needs:** Accommodations on transportation with peers without disabilities may be sufficient to support a student who engages in maladaptive behaviors. Behaviors that pose a safety risk to self or others may require specialized transportation.
- Medical or safety issues: Due to their disability, a student may require specialized transportation with specific accommodations such as air-conditioning, one-to-one assistance, and/or a sign language interpreter.
- The need for specialized equipment: A student may require specific equipment to help them get to their destination safely. For example, a wheelchair lift, booster seat, and/or safety harness. Specialized equipment may be provided on general transportation or specialized transportation. In most cases, specialized equipment is not the sole reason a student requires specialized transportation.
- Potential harmful effect: Consistent with the LRE potential harmful effect requirement of 34 CFR §300.116(d), the IEP team will consider the potential harmful effects specialized transportation may have on the student or on the quality of services the student needs. Most importantly, the IEP team must remember, the IDEA does not require a district to transport a student with an IEP in a separate vehicle, isolated from their nondisabled peers. In fact, many students with IEPs can receive the same transportation provided to non-disabled students, consistent with LRE requirements in 34 CFR §§300.114 through 300.120.

Cost is not a factor when determining the need for specialized transportation, unless the district will incur significant additional expenses to transport a student with their peers without disabilities.

Although specialized transportation must be considered for each student with an IEP, it is not an automatic entitlement for all students receiving special education programs and services. Most students with an IEP can be transported to and from school and extracurricular activities with students without disabilities. When considering the need



for specialized transportation, the IEP Team must consider supplementary aids and services to ensure a student's needs are met in the LRE.

IEP Teams should consider the following when determining the need for specialized transportation for an individual student with an IEP:

- Can the student walk or use general education transportation to get to and from school?
- If yes, the student does not need specialized transportation.
- If no, the student may need specialized transportation. The IEP Team will need to consider the following additional questions. If the answer is yes to either question, the student requires specialized transportation.
- Is the student's special education program placement located outside the student's regular attendance area?
- Does the student have medical, health, developmental, or behavioral needs that require the use of specialized transportation?

Range of Transportation Options

Transportation of a student with an IEP to and from school, as well as non-academic and extracurricular activities, includes the following transportation options which range from least restrictive to most restrictive environments based on a student's individual needs:

- General education vehicle without supplementary aids and services. (No demonstrated need for specialized transportation written into the student's IEP.)
- General education vehicle with supplementary aids and services for specialized equipment written into the IEP.
- Specialized transportation vehicle with other general education students and/or students without specialized transportation in their IEP. (Refer to the specialized transportation reimbursement section below for more information on required criteria for this option.)
- Specialized transportation vehicle only with other students with IEPs who need specialized transportation.
- Specialized transportation vehicle without other students.



Types of Specialized Transportation

Types of specialized transportation range from least restrictive to most restrictive based on a student's individual needs:

- **Supplementary Aids and Services:** The student travels on the general education bus and has supplementary aids and services used during transportation to support the unique needs of the student.
- **Corner to corner:** The student can independently travel from the designated drop-off and pick-up location at a corner near the student's home.
- **Curb to curb:** The transportation drop-off and pick-up are at the student's driveway. An adult should be at the end of the driveway to receive the student unless special permission is granted. If the student requires an escort into the school, then the specific requirements should be documented within the IEP.
- **Door to door:** The designated drop-off and pick-up are at the closest vicinity to the student's door. In situations where a student's need for supervision upon arrival at home is not related to a documented disability, but instead requires general parental oversight, it is the responsibility of the parent or guardian to be available to provide such supervision. A parent or designated adult must be present to assist the student in safely exiting the vehicle and transitioning into the home environment. This requirement must be clearly specified in the student's Individualized Education Program (IEP) and shall not be considered the responsibility of transportation personnel.

Specialized Transportation Reimbursement

All runs and the overall route of specialized transportation vehicles are restricted to providing specialized transportation to students with specialized transportation written in their IEP. If it is determined a general education student and/or special education student without specialized transportation in their IEP can ride a specialized transportation vehicle based on the criteria in Appendix A of the <u>Student Transportation Information and School Bus Inventory System Instructions</u>, the vehicle will remain classified as a specialized transportation vehicle eligible for specialized transportation reimbursement on the Transportation Expenditure Report (SE-4094).



If it is determined the LRE for a student with specialized transportation in their IEP is to ride a general education vehicle with supplementary aids and services, only the excess costs for the supplementary aids and services would be eligible for specialized transportation reimbursement on the SE-4094.

Resource Documents

- IEP Boot Camp: Writing Meaningful and Compliant IEPs
- Questions and Answers on Service Children with Disabilities Eligible for Transportation
- Student Transportation Information and School Bus Inventory System Instructions

