

# Hot Topics in Special Needs Transportation

Peggy Burns

Education Compliance Group, Inc.

[www.educationcompliancegroup.com](http://www.educationcompliancegroup.com)

# 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 on the bus?
- 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?

# Recent legal challenges

- Unilateral decision-making and other procedural problems
- Sexual harassment between students with disabilities
- Choice and use of equipment and/or vehicle
- Action or inaction by staff

# Is this your responsibility?

- It's clear to you that transportation is not a related service for this new kid who's just cognitively disabled.
- You don't know why he was transported at his last district, but it sure isn't necessary here.
- Besides, you don't bus anyone from his neighborhood.

# There's never one issue at a time!

- After discovering that you've got 2 vehicles going to the same geographic area to pick up a total of 5 students with special needs, you've combined routes. Sam, Shawn and Sally now ride together with 2 younger students. Any problem?
- Yesterday, Mr. Jones called to complain that he saw Sam (a student with disabilities) kiss his daughter Sara as she was getting off the van.
- Mr. Jones has made complaints before. . .he says Sara was the victim of on-going sexual harassment by Sam and Shawn all during the previous year. Izzie Wright, the driver, said he observed the kids moving around on the floor, but thought they were just playing a game.

# Is it Friday yet?

- The driver and bus aide come in to ask for assistance with Holly Houdini. They have tried everything to keep her in her seat. She is in a safety vest but she has been able to escape. Plus she takes off all her clothes and throws them at the aide. Hava Hart, the bus aide, now rides in the seat behind Holly and holds the vest so Holly can't take it off. The problem is Holly hits Hava all the way home. Holly also has a very colorful vocabulary.
- *How can you help?*

# 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

## The case of Roland Wheels

- Roland has stolen the bus keys again. And, to think – putting him off the bus yesterday when he started that fight didn't teach him a lesson.
- He's got to go. But there's that little matter of his principal's note that he's already been suspended from school for 7 days.
- And his mom's so difficult. She's kept Roland's sister home for 6 months because you've refused to provide door-to-door support when the bus can't safely get into the apartment complex' parking lot.