



Special Education Transportation Guidance

The vast majority of special education students use the regular school bus system. Special transportation – the need for different vehicles, equipment, procedures, and/or staff – is provided when the IEP team determines that the student requires it in order to benefit from their special education programming.

Special Education Transportation is a RELATED SERVICE

Special Transportation is a related service based on student need. Related services are transportation and such developmental, corrective, and other supportive services required to assist a child with a disability to benefit from special education, as determined by the IEP team **at least annually**.

Provision of special transportation at one point in time does not necessarily ensure that service should be provided in the future. While most students with disabilities receive the same transportation services as nondisabled children, it is the responsibility of the IEP team to determine whether the student's disability prevents the student from using the same transportation provided to nondisabled students, or getting to school in the same manner as nondisabled students.

Note: The educational evaluation must be sufficiently comprehensive to identify all of the student's special education and **related service needs**, whether or not commonly linked to the disability category in which the student has been classified. While the determination of related service provision is an IEP team decision, the evaluation report should provide information to inform the IEP team in this area.

Least Restrictive Environment (LRE)

The IEP team must take into consideration that each student with a disability participates with nondisabled students to the maximum extent appropriate to the needs of that student. When planning for appropriate transportation, the IEP team should start with the presumption that a student with a disability will likely ride regular transportation with nondisabled peers if such transportation arrangement can be implemented for that student and is appropriate to meet that student's educational needs. IEP teams should only consider a more restrictive transportation arrangement if regular transportation with supplemental aids and services is not appropriate for that particular student.

Bus Aides

In some cases, students with disabilities are able to ride the regular education school bus with the assistance of an aide. The need for a bus aide for a student with a disability is determined by the IEP team on an individual basis. If the team agrees this service is necessary to meet the needs of the student, the service is written into the IEP.

Altered length of school day

The length of a student's school day may not be shortened or lengthened to accommodate the district's transportation schedule. The length of day is determined by the IEP team based on the needs of the student, not administrative convenience or the district's bus service provider. If the



Special Education Transportation Guidance

school day is lengthened or shortened to meet the needs of the student, transportation must be provided at the times specified in the IEP.

Length of ride

Minnesota State Rule (M.R. 7470.1600, Subp. 3) states, “The length of time a pupil with a disability is transported must be appropriate to the physical, mental, and emotional wellbeing of the pupil. In general, a pupil with a disability should not spend more time in transit than a pupil without a disability except as may be required because of the unique location of the pupil’s education program.”

Helping students to the bus

Special accommodations may be made by an IEP team based on the needs of the student. In general, it is the parents’ responsibility to have the student meet the bus at the street, curb, or driveway. The district is not required to have the driver or assistant enter the student’s home. School district policies cannot limit or override transportation accommodations considered for a student’s individual needs and written into the IEP

Helping students on and off the bus

Minnesota State Rule (M.R. 7470.1700, Subp.3C) states, “Each driver and aide assigned to a vehicle transporting pupils must . . . assist pupils with disabilities on and off the bus when necessary for their safe ingress and egress [entrance and exit] from the bus.” These decisions are made by the IEP team and written into the IEP.

Transportation safety requirements

Minnesota State Rule (M.R. 7470.1600, Subp. 6) states that specially adapted seats, supports, and/or protective devices must be selected by the school district in consultation with the student’s parents and based on the specific needs of the student with a disability. State law also requires drivers and aides to be trained on first aid, methods of dealing with the needs of students with disabilities, safety in loading and unloading students, and other topics. Drivers and aides must have emergency health information (contained in the Emergency Health/Transportation Information Form in SpEd Forms) for each student. Vehicles used to transport students with disabilities must be equipped with a two-way communication system (M.S.169.4504, Subd.2). Wheelchairs must have specified tie-downs and restraint systems.

Parent transportation of student

Schools may ask but not require parents to transport a student to school. Parents and the district may make a mutually agreeable contract for the parents to transport. The contractual agreement will specify any reimbursement the parent is to receive, student safety, and other considerations.

(See next pages for team decision making guidance regarding Special Transportation and next steps following the decision.)



Special Education Transportation Guidance

IEP TEAM DECISION MAKING GUIDANCE

Use these questions in combination with **SPECIAL TRANSPORTATION DECISION MAKING FLOWCHART** on the next page to make a team decision.

1. Does the student have a unique cognitive or physical need that prevents regular transportation from being appropriate?
2. Does the student have a medical condition that prevents regular transportation from being appropriate?
3. Does the student have behavior challenges that prevent regular transportation from being appropriate?
 - a. Has the team conducted a functional behavior assessment and developed a behavior support plan?*

*All appropriate interventions must be implemented and results documented before considering the need for special transportation due to behavior.

4. What special equipment/personnel may be needed because of the student's unique physical/medical needs?

- Wheelchair lift
- Car seat or other special seating equipment
- Tinted windows
- Air-conditioning or other climate control measures
- Security devices such as harnesses, seatbelts, restraints, or vests
- Bus monitor
- Handrails
- Light control
- Other _____

5. Is the student eligible for an early childhood special education (ECSE) program and will not be able to participate in the program without transportation?

(Special Transportation would be required if there is no regular bus route provided to transport the ECSE student to and from the ECSE program.)



Special Education Transportation Guidance

SPECIAL TRANSPORTATION DECISION MAKING FLOWCHART

Start here:

Is the student able to ride the regular bus with non-disabled peers with no modifications or accommodations?

YES

Student **DOES NOT** need Special Transportation.

NO

Is the student able to ride the regular bus with supplementary aids and services?

YES

Student **DOES NOT** need Special Transportation.
Document needed aids/services in Accommodations & Modifications section of the IEP.

NO

Student **MAY BE** eligible for Special Transportation.

The IEP must identify child's impairment, how that condition prevents the child from accessing the same school bus, van or other vehicles that other students without a physical or mental impairment or disorder would normally use, and what adaptations are necessary.*



*Drop-downs in SpEd Forms are helpful starting points.

If Special Transportation is determined a need by the team...move on to the next page of this document.



Special Education Transportation Guidance

SPECIAL TRANSPORTATION DOCUMENTATION Examples and Scenarios

Example of EMERGENCY HEALTH/TRANSPORTATION INFORMATION Form.

In SpEd Forms 2.0, this is located within the IEP ---> Services (Page 2)

Special education transportation [Emergency Health/Transportation Information](#)

No Yes, explain

Transportation explanation

Helpful drop-downs

MARSS transportation code

MARSS Code: 03 ---Select---

This is a link directly to the Emergency Health/Transportation Form. You will also need to complete this.

SCENARIO 1: ECSE- Needs Special Transportation only access to the program

This scenario is about preschool age ECSE students who need special transportation only to get to and from the program at a time different from the regular route.

Step 1: Check “Yes” on the box in SpEd Forms. In the **Transportation explanation** box, write “[Student Name] is eligible to receive special transportation to and from preschool, because there is no regular transportation route offered during these times to typically developing preschool-age students.”

Step 2: Complete the [Emergency Health/Transportation Information](#) form from SpEd Forms.

Step 3: After you have received consent from the parent for the Prior Written Notice/Proposed IEP, route the [Emergency Health/Transportation Information](#) form from SpEd Forms to the district’s transportation company. It may be a good idea to give them a head’s up that a request may be coming.

SCENARIO 2: ECSE-Age 22 Needs Special Transportation because of disability



Special Education Transportation Guidance

This scenario is about students who need special transportation due to a need related to their disability – in the areas of health/medical condition, accessibility, or social behavior.

Step 1: Check “Yes” on the box in SpEd Forms. The provided drop-downs in SpEd forms are helpful starting points and/or here are some examples to help you write the **Transportation explanation**.

- **Health/Medical Condition:** *“Stella required special transportation because she needs a small vehicle where the temperature can be regulated due to her medical condition (name condition). The temperature on the vehicle must be between 65 and 70 degrees.”*
- **Accessibility:** *“George requires special transportation because the regular bus is not accessible. He uses a wheelchair and needs a lift and wheelchair tie downs in order to access the bus.”*
- **Social Behavior:** *“Robert requires special transportation because the regular school bus currently presents excessive antecedents which increase the likelihood that he will exhibit disruptive or unsafe behaviors.”*

Step 2: Complete the [Emergency Health/Transportation Information](#) form from SpEd Forms.

Step 3: After you have received consent from the parent for the Prior Written Notice/Proposed IEP, route the [Emergency Health/Transportation Information](#) form from SpEd Forms to the district’s transportation company. It may be a good idea to give them a head’s up that a request may be coming.

SCENARIO 3: ECSE-Age 22 Needs Special Transportation however the parent opts out

This scenario is about students who need special transportation due to a need related to their disability – **however, the parent is currently opting to transport the student themselves.**

Documentation in the Prior Written Notice (PWN)

In question 5. Additional Factors Relevant to the District’s Proposed or Refused Action: *“While the district has proposed special transportation, the parent indicates that they are opting out of that service at this time and will drive the student to and from school themselves. The district stands ready to provide special transportation upon notification from the parent that it is desired.”*

- Do **NOT** complete the [Emergency Health/Transportation Information](#) form from



Special Education Transportation Guidance

SpEd Forms.

- If the parent changes their mind and opts in to special transportation, then the [Emergency Health/Transportation Information](#) form from SpEd Forms would need to be completed at that point.

*NOTE TO CONSIDER: The Emergency Health/Transportation Information form **could be** completed during annual IEP and sent to transportation with a note indicating parents are choosing to transport. The benefit of doing the form at the time of the IEP is for the transportation director to have it in case the parent contacts them for transportation at some time during the year needing transportation. The document would be completed already and no time would be needed by the case manager to go into IEP and create the form.*

Documentation in the Special Transportation section of the IEP

Check “Yes” on the box in SpEd Forms. Complete the **Transportation explanation** box as well with the reason the student demonstrates a need.

- **Health/Medical Condition:** *“Stella required special transportation because she needs a small vehicle where the temperature can be regulated due to her medical condition (name condition). The temperature on the vehicle must be between 65 and 70 degrees.”*
- **Accessibility:** *“George requires special transportation because the regular bus is not accessible. He uses a wheelchair and needs a lift and wheelchair tie downs in order to access the bus.”*
- **Social Behavior:** *“Robert requires special transportation because the regular school bus currently presents excessive antecedents which increase the likelihood that he will exhibit disruptive or unsafe behaviors.”*