

Transportation – Responsibility for Transportation services

Question: *When must a district consider the provision of transportation for a student with a disability?*

The school district must consider the need for transportation services for students with disabilities throughout the educational planning process. Below is a discussion of when transportation should be considered.

Transportation as a related service:

Transportation is included in the list of related services which may be needed to provide the student with a Free Appropriate Public Education (FAPE). A district may be required to provide transportation for a student with a disability if the student requires transportation in order to benefit from his/her special education program. Appropriate transportation accommodations and adaptations must be specified and written into the IEP.

To determine if a student is eligible for transportation as a related service, the IEP team shall consider the following:

- Due to the student's disability, does the student require transportation in a manner different from his/her non-disabled peers? If a student with a disability is capable of using the same transportation services as nondisabled students, the IDEA does not require transportation to be listed as a related service in the IEP. (Letter to Hamilton, 1996)
- Is the program location to which the district has assigned the student different from the student's home school?
- Is transportation required in order for the student to benefit from his/her specialized instruction?

Transportation for Option Enrollment Students:

Transportation services may be required for a child with a participating in the Option Enrollment Program if, because of the child's disability, the child requires transportation services and such services are included on the student's IEP. The transportation services must be provided by the district from which the student optioned. A representative from the district from which the student optioned should be invited to the IEP meeting to provide information about transportation and to be made aware of particular needs related to transportation of the student. Nebraska Department of Education will reimburse the district from which the student optioned for the cost of

transportation in accordance with Section 014 of Rule 51.

Transportation for Extracurricular Services and Activities:

The school district must take steps to provide nonacademic and extracurricular services and activities in the manner necessary to provide students with disabilities an equal opportunity for participation in those services and activities. This may include transportation to and from school related activities that occur outside of normal school hours if the IEP Team has included transportation as a related service in the child's IEP.

Transportation for Transition Services:

Transportation may be necessary if as part of the transition services the child is participating in community services or at a job site. When determining the appropriate transportation service which will be provided the district should consider the age-appropriateness of the transportation service selected. For example, the team should consider whether it is appropriate to use a school bus to transport a 20 year old student to a job site. Additionally, teaching a student to use public transportation may be an appropriate option for the student to travel to the job site when the IEP team agrees that it meets the student's needs.

Transportation for Preschool Children:

92 NAC 51 requires school districts to provide for all children with disabilities birth to age five including children birth to age five who are wards of the state or court.

Transportation for Parentally Placed Non-Public School Children:

If it is necessary for the child to benefit from or participate in the services provided, the district must provide transportation from the child's school or the child's home to a site other than the nonpublic school; and from the service site to the nonpublic school, or to the child's home, depending on the timing of the services. However, school districts are not required to provide transportation from the child's home to the nonpublic school.

Transportation for Field Trips:

A student with a disability must be included in any scheduled field trip unless the IEP Team determines that participating in the field trip would cause a safety issue for the child. Transportation, as any other related service, must be provided, to the maximum extent appropriate, with nondisabled peers.