

Business and Non-Instructional Operations

Transportation for Special Education Students

The Board of Education desires to meet the transportation needs of students with disabilities to enable them to benefit from special education and related services. The district shall provide appropriate transportation services for a student with disabilities when the district is the student's district of residence and the transportation services are required by his/her individualized education program (IEP) or Section 504 accommodation plan. (cf. 0430 - Comprehensive Local Plan for Special Education) (cf. 3540 - Transportation) (cf. 6159 - Individualized Education Program) (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education) (cf. 6164.6 - Identification and Education Under Section 504)

The specific needs of the student shall be the primary consideration when an IEP team is determining the student's transportation needs. Considerations may include, but are not limited to, the student's health needs, travel distances, physical accessibility and safety of streets and sidewalks, accessibility of public transportation systems, midday or other transportation needs, extended-year services, and, as necessary, implementation of a behavioral intervention plan.

The Superintendent or designee shall provide IEP teams with information about district transportation services in order to assist them in making decisions as to the mode, schedule, and location of transportation services that may be available to each student with disabilities. The IEP team may communicate with district transportation staff and/or invite transportation staff to attend IEP team meetings where the student's transportation needs will be discussed.

Transportation services specified in a student's IEP or Section 504 plan shall be provided at no cost to the student or his/her parent/guardian. (cf. 3250 - Transportation Fees)

If a student whose IEP or accommodation plan specifies transportation needs is excluded from school bus transportation for any reason, such as suspension, expulsion, or other reason, the district shall provide alternative transportation at no cost to the student or parent/guardian. (Education Code 48915.5) (cf. 5131.1 - Bus Conduct) (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

The Superintendent or designee shall arrange transportation schedules so that students with disabilities do not spend an excessive amount of time on buses compared to other students. Arrivals and departures shall not reduce the length of the school day for these students except as may be prescribed on an individual basis. (cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 3541 - Transportation Routes and Services)

The Superintendent or designee shall ensure that any mobile seating devices used on district buses are compatible with bus securement systems required by 49 CFR 571.222. (Education Code 56195.8) (cf. 3542 - School Bus Drivers)

BP 3541.2(b)

As necessary, a student with disabilities may be accompanied on school transportation by a service animal, as defined in 28 CFR 35.104, including a specially trained guide dog, signal dog, or service dog. (Education Code 39839; Civil Code 54.1-54.2; 28 CFR 35.136) (cf. 6163.2 - Animals at School)

When transportation is not specifically required by the IEP or Section 504 plan of a student with disabilities, the student shall be subject to the rules and policies regarding regular transportation offerings within the district.

Legal Reference:

EDUCATION CODE

39807.5	Payment of transportation cost
39839	Guide dogs, signal dogs, and service dogs on bus
41850-41854	Allowances for transportation
48300-48315	Alternative inter-district attendance program
48915.5	Expulsion of students with exceptional needs
56040	No cost for special education and related services
56195.8	Adoption of policies
56327	Assessment for special education and related services
56345	Individualized education program
56365-56366.1	Nonpublic nonsectarian schools or agencies

CIVIL CODE

54.1-54.2	Service animals
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CODE OF REGULATIONS, TITLE 5

15243	Physically handicapped minors
15271	Exclusion from report

UNITED STATES CODE, TITLE 20

1400-1482	Individuals with Disabilities Education Act
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UNITED STATES CODE, TITLE 29

794	Section 504 of the Rehabilitation Act of 1973
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CODE OF FEDERAL REGULATIONS, TITLE 28

35.104	Definitions
35.136	Service animals

CODE OF FEDERAL REGULATIONS, TITLE 34

104.4	Equal opportunity under the Rehabilitation Act of 1973, Section 504
300.1-300.818	Individuals with Disabilities Education Act, especially:

300.34 Transportation defined as related service
CODE OF FEDERAL REGULATIONS, TITLE 49
571.222 Federal requirements for bus securement systems

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Special Education Transportation Guidelines

Pupil Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Protecting Students with Disabilities: Frequently Asked Questions About Section 504 and the Education of Children with Disabilities, 2009

Questions and Answers on Serving Children with Disabilities Eligible for Transportation, 2009

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education: <http://www.ed.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/ocr>