



National Down Syndrome Congress Statement on Transportation for Students with Disabilities

NDSC supports the U.S. Department of Education guidance issued in November 2009, *QUESTIONS AND ANSWERS ON SERVING CHILDREN WITH DISABILITIES ELIGIBLE FOR TRANSPORTATION*. This important guidance makes clear that “Transportation is a related service as defined by 34 CFR §300.34(c)(16) of the IDEA regulations and can include 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. A child’s individualized education program (IEP) Team is responsible for determining both if transportation is required to assist a child with a disability to benefit from special education and related services, and how the transportation services should be implemented.” Transportation may also include travel training.

At NDSC we unfortunately hear reports from families that individualized decisions are not always made at IEP meetings and instead “blanket” district policies are used, that students with disabilities are sometimes not allowed to travel on the “regular” school bus, and that needed aides are not always provided. The guidance, which can be found at https://sites.ed.gov/idea/files/OMB_08-0101_Transportation-11-4-09_FINAL-1.pdf, clearly specifies a number of important points, including the following:

- “The IDEA does not require LEAs to transport children with disabilities in separate vehicles, isolated from their peers. In fact, many children with disabilities can receive the same transportation provided to non-disabled children, consistent with the least restrictive environment requirements in 34 CFR §§300.114 through 300.120.”
- IEP teams should consider various strategies and “districts should explore options for integrating children with disabilities with nondisabled students, especially when the children with disabilities are in the same location and have the same schedule as children without disabilities. This option may require the utilization of a lift-equipped vehicle for the regular routes or the addition of a monitor or aide.”
- If the IEP Team has included transportation as a related service in the child’s IEP to enable the child to benefit from special education and related services, “then it should include transportation for required after-school activities, such as community service activities that are required by the school, as well as for activities necessary to afford the child an equal opportunity to participate in extracurricular activities.”

- “If the IEP Team determines that transportation is required to assist the preschool child to benefit from special education, and includes transportation as a related service on the child’s IEP, the LEA would be responsible for providing the transportation to and from the setting where the special education and related services are provided.” This includes transportation to/from private day care.

NDSC strongly encourages school districts to follow this important guidance and encourages parents to read the guidance to ensure that the IEP team makes appropriation decisions on transportation.