

Policy Guidelines for Transportation of Students with Special Needs

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Manitoba

Building for the Future

TABLE OF CONTENTS

	<u>Page</u>
Philosophy of Inclusion	1
Introduction	2
Requirements for Transportation Services	3
Who Pays?.....	3
Transportation Considerations	4
Transportation Alternatives	4
Costs	4
Length of Ride.....	4
A Continuum of Service.....	5
Transportation Personnel and the IEP Process	6
Personalized Transportation Plan (PTP)	7
Disciplinary and Suspension Procedures for Students with Special Needs	8
Safety	9
Assisting Devices	9
Emergencies	9
Evacuation Drills	10
Personnel Development Programs	11
Behaviour Management	11
Summary	12
Appendix A – Manitoba Regulation 221/96	
Appendix B – The Public Schools Act, Section 43	
Appendix C – The Public Schools Act, Section 41	
Appendix D – Categorical Transportation Funding (Taken from <i>Funding of Schools 2003/2004 School Year</i>)	
Appendix E – Manitoba Regulation 465/88R (School Buses)	

PHILOSOPHY OF INCLUSION

Manitoba Education, Citizenship and Youth is committed to fostering inclusion for all people.

Inclusion is a way of thinking and acting that allows every individual to feel accepted, valued, and safe. An inclusive community consciously evolves to meet the changing needs of its members. Through recognition and support, an inclusive community provides meaningful involvement and access to the benefits of citizenship.

In Manitoba we embrace inclusion as a means of enhancing the well-being of every member of the community. By working together, we strengthen our capacity to provide the foundation for a richer future for all of us.

INTRODUCTION

While many students with special needs are able to use the same transportation services made available to other students, some require specialized services. It is important to examine the needs of each individual student in order to ensure that they receive the assistance necessary for them to attend school. A transportation team joins psychologists, audiologists, occupational therapists, physical therapists, parents/guardians, and others in providing support to meet the needs of all students.

The following guidelines provide the basis for decisions related to transportation service.

REQUIREMENTS FOR TRANSPORTATION SERVICES

Manitoba Regulation 221/96 (Appendix A) requires that transportation to and from school be provided, regardless of how far a student resides from the school he/she attends, for pupils *“who are physically handicapped or mentally challenged, have learning disabilities, or have behavioural or emotional disorders.”*

Section 43(6) of The Public Schools Act (Appendix B) also states *“... and nothing herein requires the school board to provide for the conveyance of a pupil to and from a point closer than .8 kilometers from the residence of the pupil.”* While Manitoba does not require door-to-door service, by Regulation it is recognized that in some instances special arrangements may be necessary. It is the responsibility of each school division to provide safe student transportation in the most cost effective manner that meets the individual needs of each student. It is essential to keep in mind that the purpose of many regulatory requirements in transportation (particularly special needs transportation) is to ensure that all students with disabilities have access to an education. This requirement *may* also be satisfied through payment of a transportation allowance in lieu of providing transportation; through payment of a living allowance in lieu of providing transportation; or, by providing board and accommodation in a residence for pupils operated by the school division.

Sections 41(4) and 41(5) of The Public Schools Act (Appendix C) require that local school boards provide or make provision for education in Grades 1 through Senior 4 inclusive for all resident persons who have the right to attend school. In cases where the local school board is required to make arrangements for students with special needs to attend an appropriate program outside the division, the transportation plan should be developed jointly with the parents/guardians. Consultation with the receiving school board may also be required. This plan should be written on the Personalized Transportation Plan (PTP) for the student in question. (Development of a PTP is described on page 7.)

Who Pays?

Operating grants are available to a school division for eligible transported pupils (Appendix A).

Appendix D outlines categorical transportation funding as administered by the Schools' Finance Branch.

TRANSPORTATION CONSIDERATIONS

Transportation Alternatives

There are several transportation modes available that could accommodate students with special needs:

- School division-purchased wheelchair buses
- Contract services
- Public transit
- Sharing vehicles with other divisions
- Taxi services
- Payment in lieu of transportation services
- Living allowance in lieu of transportation services
- Residences

The transportation mode selected should be entered on the PTP for each student.

Costs

Cost, or the lack of available equipment, are generally insufficient reasons to deny transportation service to a student with special needs.

When a local school division arranges the placement of a student in a program that it does not operate, it must ensure that the means of discharging transportation responsibility is written on the PTP.

If a decision is made whereby the school division allows the parents/guardians to arrange transportation, or provides a living allowance in lieu of transportation, the PTP should include fair compensation for the actual expenses incurred. A reasonable reimbursement schedule should be negotiated between the service provider and the school division.

Length of Ride

The same general guideline applies for the transportation of all pupils. In most cases, transportation should not exceed one hour each way. Decisions to exceed this guideline should be written on the PTP and should be based on the following factors:

- Location of the home relative to assigned school
- Nature of the student's need – possibly necessitating a distant school placement
- Rush hour traffic in urban areas
- Routing/multiple runs
- Other unique situations requiring special arrangements

A Continuum of Service

Individual education planning is the process by which educators, support personnel, and parents/guardians collaborate to meet the needs of students who require a range of accommodations and supports. The Individual Education Plan (IEP) that results from this process ensures that each student's needs are addressed in a systematic way. Collaborative planning allows the team to identify, coordinate, and make use of a range of resources and strategies that will offer students the best opportunity for developing and achieving in all educational experiences. This ensures that the whole child is considered.

Transportation decisions should be based on a student's specific needs. Not all students with cognitive, physical, or other special needs will have special transportation needs. Inclusion begins with the assumption that all students who live within walking distance should walk to school. When walking is not appropriate because of a student's special needs, or because the student is not attending his/her local school, the IEP team may consider transportation alternatives.

Selection of a transportation service requires consideration of a number of factors. For example, some students will have no special transportation needs; some will be able to ride the school bus with a bus monitor; a few students will require a bus staffed with specially trained medical personnel; some will need a specialized bus with specialized equipment; or, at the extreme, the student may not be transportable by conventional school bus at all. In each case, consideration of the student's specific needs, as identified by the IEP team, would determine the most appropriate and cost effective transportation option for each individual situation.

Students with special needs may be transported on a variety of vehicles. These include, but are not limited to:

- Regular bus
- Regular bus with minor modification or lift
- Regular bus with integrated seat or restraint
- Modified bus with other students with special needs
- Modified bus with attendant with special training
- Bus ride alone with attendant
- Bus alternative
- Inappropriate for transportation

Vehicle choice depends on the student's needs as identified by the IEP team (which includes parents/guardians and transportation personnel). Parents/guardians should be informed and in agreement with the type of vehicle used to transport their child.

Deviations because of exceptional circumstances should be negotiated on an individual basis and should be recorded on the PTP.

Location of loading and unloading sites for students with special needs may require alteration from general operating procedures. These alterations should also be recorded on the PTP (parents/guardians of a student using transit should be consulted on the pick-up and drop-off point). There should also be a written procedure on how to handle the situation when no authorized person is available to receive the child.

Transportation Personnel and the IEP Process

At some IEP meetings it can be anticipated that the IEP team will recommend a specialized bus aide, specialized vehicle adaptations, adaptive bus equipment, non-routine schedule, or other service that is not regularly provided by the school division's student transportation department. In this case, it would be helpful to have a representative from the transportation department attend the meeting to discuss options and alternatives that might be considered. School divisions should have a written policy in place that allows transportation staff to provide input into the IEP process.

PERSONALIZED TRANSPORTATION PLAN (PTP)

The PTP is an instrument for recording the individual student's special needs and the requirements for related transportation services. It should be a written commitment for all transportation services to be furnished. The PTP should be attached to the student's Individualized Education Plan. Involvement of the IEP team, including parents/guardians, and the student if appropriate, will assist in the development of a plan that meets the unique needs of each student. If the PTP is a separate document it is recommended that, like the IEP, the PTP be signed by the parents/guardians.

Each school division should develop detailed procedures outlining the process by which parents/guardians and school personnel jointly make decisions and develop and approve the PTP document itself.

All students with special needs who require transportation should have a PTP. The type of vehicle used, the frequency of the service, and any special or unique modifications should be specified. The transportation defined should always identify the extent that the service is unique and that it exceeds service provided for regularly transported students. All specific information about a given student should be reflected on the PTP *prior* to actual implementation.

The transportation goal for every student should be to *use the most inclusive environment possible that enables the student to safely function at a maximum of his or her physical and mental ability.*

If transportation is necessary for the student to have access to the educational process, then any determination on a method of transportation should be decided on an individual basis as part of the IEP team's recommendation. As stated previously, school divisions should have a written policy in place that allows transportation staff to provide input into the IEP process.

DISCIPLINARY AND SUSPENSION PROCEDURES FOR STUDENTS WITH SPECIAL NEEDS

All students, including those with special needs, are subject to disciplinary action by school officials as documented in their school's code of conduct. The principal, by Regulation retains overall authority for student discipline, including school bus conduct (Appendix E).

It is important to be aware of the specific needs of students with special needs and to plan carefully to identify and provide the supports required. If a student's disability makes it difficult for her or him to meet the "responsibilities of pupils" as outlined in The Public Schools Act (58(9)), then implementation of policy, regulation, or legislative action based on these expectations may be discriminatory under the Canadian Charter of Rights and Freedoms and the Manitoba Human Rights Code. This is not to say that a principal or school board may not need to take action to suspend or expel a pupil when his or her conduct is "injurious to the welfare of the school." However, it does appear that accommodation must be made for the student with special needs when the inability to respond appropriately is based on a mental or physical disability.

If a student's behaviour is a danger to the driver and/or other students, transportation service could be interrupted. It is recommended that an interruption of transportation service be accompanied with an emergency PTP committee meeting to determine whether alternative services or methods can be arranged.

In order to deal equitably with suspension issues, written procedures (such as those contained in a school's code of conduct) are essential.

SAFETY

Students with special needs may be transported in a variety of vehicles:

- Regular school bus
- Specially adapted school bus
- Transit
- Taxi
- Private vehicle
- Contracted special needs vehicle

The vehicle choice should be based on the student's needs as determined by the IEP team. Parents/guardians, as part of the IEP team, should be informed, and ideally, be in agreement with the type of vehicle used to transport their child. This should be noted on the PTP form. Any changes necessary should be reviewed, documented, and approved by the PTP committee.

Assisting Devices

Assisting devices include crutches, canes, walkers, scooters, braces, and wheelchairs. The need for and use of assisting devices should be determined and monitored by qualified personnel. Students in need of these devices require careful, *individual* consideration.

If vehicle modifications are required, the modification procedures must be clearly defined on the PTP. (An example of this would be a description of the safety vest or safety belt used to secure the child in the wheelchair or school bus seat.) Wheelchair models with adequate back support for the occupant, and wheelchairs which are appropriately designed to accommodate the four-point tie-down system in the school bus should be given serious consideration by all care providers.

Wheelchair sizes vary and require different methods of locking and different belt attachment locations for the four-point tie-down system. Special consideration must also be given to the securement of crutches, canes, walkers, scooters, and braces while the vehicle is in operation.

Emergencies

Drivers must be properly prepared to respond to emergency situations. Adequate training could eliminate potential dangers. An emergency card for each child, or an updated passenger manifest, should be carried on the school bus and should list names and phone numbers of the following people: (1) parents/guardians (both mother's and father's home and work numbers); (2) teacher/school; (3) first person to contact in the event parents/guardians cannot be reached; (4) doctor. Parents/

guardians should complete the card annually and approve the use of the information. The information should be kept strictly confidential. Photographs should be attached to each card.

Students with health care needs should have an Individual Health Care Plan or Emergency Response Plan prepared. School bus drivers should be familiar with the plans for the students they transport.

Evacuation Drills

It is essential to have a written plan for emergency evacuation. Evacuation procedures should be well known and rehearsed by drivers in order to ensure competent handling of the emergency situation. The written plan should include:

- Emergency stop locations
- Phone locations if there is no radio
- Charted routes to hospitals
- Individual health care plans and emergency response plans, as appropriate

An accurate passenger manifest, available on each bus, would provide necessary information to the driver or emergency personnel in emergency situations.

Drivers should be trained to evacuate all passengers through all exits with or without the lift. Written directions should be posted near all mechanical apparatus requiring special skills or knowledge. Drivers will be better able to establish a safe environment for all students if they are provided with information regarding the special needs of any of their passengers as documented on the PTP.

All students, but especially those with special needs, should be familiarized with safe and organized evacuation procedures. Regardless of the vehicle, students with special needs should be instructed to function within their individual capabilities. Procedures should be written and practiced through periodic drills. School bus evacuation drills are required twice annually as per Regulation 465/88R (Appendix E). Students with special needs often require additional training beyond what is provided for other students. It may be helpful to have the assistance of school staff in ensuring that each student understands the evacuation procedures.

PERSONNEL DEVELOPMENT PROGRAMS

Specific written guidelines and a basic overview of special needs transportation should be provided to transportation personnel in order to facilitate understanding of the special needs of individual students.

Training should be conducted on a regular basis. Adequate skill development should be measured, and day-to-day management should be provided.

Periodic inservicing should include:

- An overview of specific special needs, as appropriate
- Development, approval, and implementation of PTP procedures
- Due process procedures
- Behaviour management
- Seating assignment
- Schedule management
- Care and management of assisting devices
- Communication with parents/guardians and students
- Emergency procedures
- Special evacuation procedures
- First aid
- Loading and unloading

Behaviour Management

Because behaviour management is essential to maintaining a safe environment for both the driver and students, knowledge and training is required to enable drivers to manage special situations.

Appropriate behaviour is necessary to ensure safe transportation. An effective driver is one who provides an in-vehicle environment allowing students the opportunity to exhibit appropriate behaviour. Students with special needs should have their particular needs recorded on their IEP, and each driver should know about these particular needs.

SUMMARY

While some students with special needs require specific transportation services, others require transportation only because of the location of their educational placement. It is important to know what to expect from each student.

Some steps to establishing a safe and pleasant environment include:

- Establishing a daily routine
- Personnel involved functioning as a cooperative team
- Minimizing the rules as much as safety will permit
- Clearly communicating expectations in ways that can be understood by students at different ages and levels of understanding
- Reinforcing appropriate behaviour with attention and praise
- Consistency with behaviour management

APPENDIX A

Manitoba Regulation 221/96

APPENDIX B
The Public Schools Act,
Section 43

APPENDIX C
The Public Schools Act,
Section 41

APPENDIX D
Categorical Transportation
Funding

Taken from *Funding of Schools*
2003/2004 School Year

APPENDIX E
Regulation 465/88R
(School Buses)