



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

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MEMORANDUM

TO: State Directors of Special Education *Patricia G. Stewart for*
FROM: Stephanie Smith Lee
Director
Office of Special Education Programs
SUBJECT: Ensuring Safe and Appropriate Transportation for Children with Disabilities

As you know, being transported to and from school by school bus is a major factor of school life for millions of children, nationally, including many children with disabilities. Transportation is a costly venture. For example, during the 1999-2000 school year, the nation's school districts spent over **\$13 billion** on home-to-school and school-to-school transportation for students in public schools. Of that amount, an estimated **\$3.7 billion** (or 28% of the \$13.1 billion) was for special transportation services for children with disabilities.¹

In meetings (and correspondence) with representatives of two major national transportation associations (i.e., the National School Transportation Association, and the National Association for Pupil Transportation), these representatives have expressed concerns that transportation providers are often not included in local school district plans or training related to transporting children with disabilities. They also provided examples of problems resulting

¹ American Institutes for Research, Center for Special Education Finance, Report 3: *What Are We Spending on Transportation Services for Students with Disabilities, 1999-2000?* (Revised 4/17/03).

from not having prior knowledge about the needs of some of these children, and expressed interest in finding ways to ensure that transportation of children with disabilities is safely and appropriately provided.

The current regulations implementing Part B of the Individuals with Disabilities Education Act (IDEA) include a number of provisions related to transportation of children with disabilities. See e.g., -- (1) the definition of related services, which lists transportation, and includes a separate definition of "transportation" (34 CFR §300.24(a); (b)(15)); (2) Appendix A--Notice of Interpretation, which includes questions and answers regarding the provision of transportation in individualized education programs (i.e., Q-30 (64 FR 12478, March 12, 1999) and Q-33 (64 FR 12479); and (3) Attachment 1 to the 1999 Part B Regulations (Analysis of Comments and Changes) that includes a discussion about transportation as a related service (64 FR 12551).

To the extent appropriate, we encourage you to contact the local educational agencies in your State to call their attention to the transportation provisions in the regulations, and to encourage them, as appropriate, (consistent with the confidentiality provisions in §§300-560-300.576), to ensure that there is meaningful and effective communication -- before the fact -- between school district personnel and transportation providers about the transportation needs and potential problems of individual students with disabilities. This effort should be beneficial to all affected parties, but especially the children who are being transported.

Transportation providers play an integral role in the school lives of many children, including children with disabilities, which makes effective communication between the school and the providers essential. We believe that, for the safety and well-being of all children who ride school buses, including children with disabilities, it is crucial that they are appropriately and effectively transported by well-informed and well-trained transportation providers.

If you have questions or comments about this memorandum, please contact your Part B State contact or the persons listed above.

cc: Chief State School Officers
Federal Resource Center
Regional Resource Centers
Parent Training Centers
Protection and Advocacy Agencies
Section 619 Coordinators