

The background of the slide is a composite image. The top left portion shows a line of yellow school buses, with the front of one bus clearly visible, displaying 'SCHOOL BUS' and the number '32'. The bottom left portion shows a classroom interior with blue walls, decorated with colorful balloons and framed pictures. Several white student desks and black chairs are arranged in the room.

Special Transportation 101

Module 3: Management of Students with Disabilities
During Transport

Guidance for Special Transportation in Kentucky

The “[Guidance for Special Transportation in Kentucky](#)” document covers a variety of topics relating to transporting students with disabilities.



Behavior Management of Students with Disabilities

- The need for special transportation including specific accommodations or strategies needed to meet the students' special transportation needs is up to the Admissions and Release Committee (ARC) or Section 504 Plan team.
- Behavior strategies and supports will be included in the student's Individual Education Program (IEP) and if developed, a Behavior Intervention Plan (BIP).
- Staff responsible for implementing the IEP and BIP must have plans readily available and be informed of responsibilities [[707 KAR 1:320, Section 1 \(6\)](#)].

Kentucky Administrative Regulation (KAR)

Behavior Management of Students with Disabilities Without Special Transportation

- Even if a student's IEP does not specify that a student is to receive special transportation, school transportation personnel may still be responsible for providing behavioral supports and strategies on the school bus, if these are written into the student's IEP or BIP.
- School transportation staff and special education staff are responsible for ensuring that the IEP and BIP are fulfilled on the school bus.
- There should be close communication between special education staff and transportation staff, including involvement of transportation staff in IEP meetings and BIP development, as appropriate.

Bus Suspensions

- A bus suspension counts as a day of suspension for purposes of the Individual with Disabilities Education Act's (IDEA's) disciplinary procedural safeguards only when the transportation is part of the child's IEP.
- If the transportation is not listed in the child's IEP, the transportation is not a part of the educational program and it is not required for the student to gain access to the location where the services are delivered. Therefore, the child and the child's parents have the same obligations to transport the child to and from school as do the parents of a nondisabled child suspended from the school bus. [71 Federal Register 46,715 \(2006\)](#); [Letter to Sarzynski](#), [Office of Special Programs (OSEP) 2012].
- "...the determination as to whether an in-school suspension or bus suspension counts as a day of suspension under § 300.530 depends on the unique circumstances of each case." [71 Federal Register 46,715 \(2006\)](#)

Physical Restraint and Seclusion

Districts must be careful not to physically restrain or seclude students in a way that constitutes disability discrimination or denies the student FAPE.

Districts should be careful not to seclude students with disabilities for behavior that would not result in the seclusion of nondisabled students.

Distinguish between restraints used for physical safety and restraints used for behavior management.

The appropriateness of a physical restraint depends on how it is used and if the student's behavior raises significant safety concerns.

- Kentucky Administrative Regulation (KAR) on Restraint and Seclusion: [704 KAR 7:160](#)
- [Dear Colleague Letter: Restraint and Seclusion of Students with Disabilities, 2016](#)

P.T. v. Jefferson County Board of Education (11th Circuit, 2006 Appeal from the United States District Court for the Northern District of Alabama)

- District was permitted to use a safety harness on a student with autism on the bus because her violent behavioral outbursts posed a threat to the driver and other passengers.
- The Office for Civil Rights (OCR) excludes the following from its definition of aversive restraints:
 - Adaptive devices or mechanical supports used to achieve proper body position, balance or alignment; and
 - Vehicle safety restraints during the transport of a student in a moving vehicle. [Special Education Connection (June 28, 2006) Legal Research Publications September 1, 2017]

Repeated use of physical restraint indicates a ...

- Need to contact school or district administration to discuss concerns with the student's behavior and revisit the student's behavior intervention plan.
- Kentucky regulation requires ongoing documentation of each instance of physical restraint or seclusion.
- More information is provided in section 4D of the [Guidance for Special Transportation in Kentucky](#) document.

Service Animals

- See [“Kentucky’s Guidance for Special Transportation in Kentucky,”](#) Section 4I (page 16).
- Not specifically addressed under the IDEA or Section 504.
- Rules governed by Titles II and III of the Americans with Disabilities Act (ADA) of 1990.



Service Animals

- 2010 Amendments to the ADA:
 - Allows a service animal to be a dog or a miniature horse;
 - Dog or miniature horse must be trained to do a specific task; and
 - Comfort and emotional support animals are not covered.
- District or school MAY NOT ask for documentation of training or proof of certification of the animal.
- A district may inquire as to the specific task(s) the service animal performs and proof of vaccination as required for the animal under state or local law.

Supports and Resources



How Can the Staff in the District Get Help?

- Bus drivers and driver assistants/monitors should first share concerns with the school principal or district transportation director.
- The district's transportation director may need to share concerns with the preschool coordinator or the district's director of special education for guidance.
- When a transportation or safety issue involves a student with an IEP or 504 plan, the district's transportation director should consult with the district's special education director to determine if an ARC meeting is needed or appropriate.

Additional Help

- Kentucky Department of Education (KDE) Division of District Support; Pupil Transportation
- KDE Office of Special Education and Early Learning
- [Special Education Regional Technical Assistance Centers \(SERTAC\)](#)
 - Provide assistance and expertise for the benefit of their member school districts.
 - Provide comprehensive educational services and programs that support the member districts and their schools in their school improvement efforts.
 - Include consultants available who can assist with training in special education, related service requirements and positive behavioral intervention strategies.

Effective Classroom Strategies for Students with Disabilities Video Series

[Effective Classroom Strategies for Students with Disabilities:](#)

Strategy 9: Supporting Bus Behavior



For Additional Information

[Admissions and Release
Committee \(ARC\) and
Individual Education Program
\(IEP\)](#)



Thank you for what you do to keep our students safe!

