

## **2360 SPECIAL EDUCATION TRANSPORTATION POLICY**

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### **References:**

Weber School District Policy and Procedures for Transportation  
Utah Transportation Motor Carrier Rule R909-3  
Standards for Utah School Buses and Operations (2019)  
National School Transportation Specifications and Procedures (2005)  
Utah State Board of Education Special Education Rules (2016)

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### **1. PURPOSE AND PHILOSOPHY**

Weber School District is committed to ensuring students with special education needs receive appropriate district transportation. The District is also committed to ensuring that students, parents, teachers, and transportation personnel understand the procedures for eligibility and procedures to secure district transportation, scheduling and routes, safety provisions, and behavior requirements for students riding District Special Education busses.

### **2. POLICY**

Weber School District students who are on an Individualized Education Plan (IEP) under the Individuals with Disabilities in Education Act may be eligible for District Special Education transportation. It is the District's policy to comply with the following student eligibility criteria and procedures for riding a District Special Education bus. It is also the District's policy that students and parents are expected to comply with the scheduling and routing, safety, and behavior provisions as outlined in this Policy.

### **3. DEFINITIONS**

- 3.1 **"Individualized Education Program (IEP)"** means a written statement for a student with a disability that is developed, reviewed, and revised in accordance with the Utah State Board of Education Special Education Rules and IDEA. Part B of IDEA applies to students ages 3 through 21.
- 3.2 **"IEP team"** means a group of individuals that is responsible for developing, reviewing, or revising an IEP for a student with a disability.
- 3.3 **"Behavior Intervention Plan (BIP)"** means a written plan for changing a student's behavior, including target behavior, strategies for teaching replacement behavior, reinforcers, and a schedule for review of intervention effectiveness data.

- 3.4 **“School day”** means any day, including a partial day, on which students are in attendance at school for instructional purposes.
- 3.5 **“IDEA”** means the Individuals with Disabilities Education Improvement Act as amended, and its implementing regulations 34 CFR 300 and 303 (20 USC 1401 et. seq.). Part B of the IDEA applies to students ages 3 through 21.
- 3.6 **“Parent”** means a biological or adoptive parent; a guardian, but not the State if the student is a ward of the State; a person acting in the place of a parent of a student (such as a grandparent, stepparent, or other relative) with whom the student lives; a person who is legally responsible for the student’s welfare; an adult with power of attorney or other legal authority to make educational decisions, or a surrogate parent who has been appointed in accordance with the Utah State Board of Education Special Education Rules.

Consistent with State law, a foster parent may act as a parent under Part B of the IDEA if the following four conditions are met:

- (a) The biological or adoptive parent(s)’ authority to make educational decisions on the student’s behalf has been extinguished under State law.
- (b) The foster parent has an ongoing, long-term parental relationship with the student.
- (c) The foster parent is willing to make the educational decisions required of parent(s) under these Rules.
- (d) The foster parent has no interest that would conflict with the interests of the student.

The biological or adoptive parent, when attempting to act as the parent and when more than one party is qualified to act as a parent, must be presumed to be the parent unless said parent does not have legal authority to make educational decisions for the student. If a judicial decree or order identifies a specific person or persons to act as the “parent” of a student or to make educational decisions on behalf of a student, then such person or persons shall be determined to be the parent for purposes of these Rules.

#### **4. ELIGIBILITY**

- 4.1 A student's IEP team is responsible for determining whether transportation between school and home is necessary in order for the child to benefit from special education services. Eligibility considerations for transportation as a related service include, but are not limited to:
- the student's age;
  - the student's disability;
  - the distance the student must travel;
  - the nature of the area through which the student must travel;
  - the student's access to private assistance in making the trip;
  - the availability of other forms of public assistance, such as crossing guards or public transit; and
  - whether the related service is designed to meet the unique needs caused by the child's disability.
  - whether the student's disability prevents the student from using the same transportation as children without disabilities
  - whether the student's disability prevents the student from going to and from school in the same way as children without disabilities
- 4.2 Transportation services will be reviewed on an annual basis at a student's IEP meeting.

#### **5. PROCEDURES**

- 5.1 School team will contact Special Education Coordinator to request a transportation plan following determination of transportation eligibility by the student's IEP team.
- 5.2 Transportation will be curb-to-curb services, i.e. from home to school. Bus drivers and aides are not permitted to transport students into the school building or front door of the home.
- 5.3 Student will be transported to/from location designated on the transportation plan only.
- 5.4 Student must be met at the curb by school personnel (at school), and parent or designated responsible party (at home). Failure to meet the bus will result in parent being contacted. If parent cannot be reached, the student will be returned to the school. Repeated failure to meet the bus will result in suspension of transportation services until a resolution can be determined.

- 5.5 Bus drivers will wait 2 minutes for a student in front of the student's home (or designated location), then leave if student does not exit the home within that time frame. Due to city ordinances, bus drivers are not allowed to use bus horns to notify arrival.
- 5.6 Parent will notify the student's bus driver if the student will not be riding the bus to school.
- 5.7 Parent will notify the student's teacher, if student will not be riding the bus home from school.
- 5.8 If a student does not ride the bus for 3 consecutive days/school sessions, without advance notification to the bus driver, transportation services will be discontinued until the Special Education Route Coordinator receives contact from the parent to resume services. A district representative will attempt to contact and notify the parent prior to discontinuing transportation services.

## **6. SCHEDULING & ROUTES**

- 6.1 **If transportation is determined by the IEP team to be a necessary related services,** student will be transported to and from one location within the student's school boundary, or the boundary of the student's IEP placement location.
  - (a) Students living in two different homes due to a joint custody situation, may be transported to/from both locations, if:
    - (i) one or both parents provide court documentation of joint custody; and
    - (ii) both parents live within the school boundary or boundary of IEP placement location.
  - (b) Preschool students may be transported to and from a child care facility, if:
    - (i) transportation is to and from this location only; and
    - (ii) the child care facility is within the designated boundary for the preschool session.

Note - The above two exceptions will be reviewed on an annual basis at a student's IEP meeting to determine continued need.

- 6.2 Students will be transported according to the route designed by district transportation services. Special routes will be determined based on documented medical need only.
- 6.3 Transportation services will be initiated within 3-5 school days following submission of transportation plan, unless:
  - (a) a special route needs to be developed for a student due to the student's medical need(s), or
  - (b) parents are notified at the time the transportation services are developed of an alternate timeline.
- 6.4 Bus drivers will contact parent at least 24 hours prior to initiation of transportation services to provide designated pick-up and drop-off times. Times may be altered throughout the school year as students are added or removed from routes.
- 6.5 Open Enrollment: Open enrollment students are responsible for providing their own transportation. (Refer to Policy 2340, paragraph #4 and to the disclosure statement on "Open Enrollment Application")

## **7. SAFETY**

- 7.1 Students transported in a wheelchair must be properly secured in the wheelchair and on the bus during transport. Wheelchairs must have adequate tie down options, in addition to lap belts and upper body restraints.
- 7.2 Strollers must be medically durable and pre-approved by the district based on the ability to properly secure it prior to transport.
- 7.3 Preschool students may be transported in a five-point harness as appropriate for each student.
- 7.4 Buses are not permitted to travel on private property such as mobile home parks and apartment complexes, thus a designated pick up/drop off location will be determined by district transportation services.

## **8. BEHAVIOR**

- 8.1 The bus is an extension of the classroom, and students should conduct themselves in a manner consistent with established standards for appropriate behavior any time they are riding a bus, exiting a bus, and during transfer.

- 8.2 Parent and school will be contacted by the bus driver to discuss behavior, interventions and supports necessary to maintain appropriate behavior and safety on the bus if a student demonstrates behavior that:
- (a) impacts the safety and well-being of the student or of other students, or
  - (b) causes significant disruption on the bus.
- 8.3 When parent is contacted under paragraph (2), the bus driver will complete the bus behavior form summarizing the behavior and implemented interventions, and provide a copy to the Special Education Transportation Route Coordinator, school, and parent.
- 8.4 Students who become a serious safety or disciplinary problem, or who have multiple minor incidents on the school bus may have their riding privileges suspended by the school administrator. In such cases, the parent becomes responsible for transporting the student to and from school safely until an IEP team meeting can be arranged to discuss and develop a BIP to support the student in changing their behavior.