



If a student with a disability is provided transportation because of the disability, then it is considered a **Related Service** and **must be included** in the IEP. A member of the transportation department should be present at the IEP meeting to discuss the specific needs of the student.

Special Education Transportation



EC Section 56040

states:

“

Every individual with exceptional needs who is eligible to receive special education instruction and related services under this part [Part 30] shall receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her.

Special education transportation is defined in federal regulation [34 CFR Section 300.34(c)(16)] as a **related service**. Transportation is required to be provided as a related service if it is required to assist a child with a disability to benefit from special education. In addition, as required for any special education program, the service must be provided to meet the criteria for a free, appropriate public education as defined in federal regulation 34 CFR Section 300.17.

Source: California Department of Education, Special Education Transportation Guidelines

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EC Section 41851.2

EC Section 41851.2 [(Assembly Bill (AB) 876 (Canella)], Chapter 283, Statutes of 1991), required that the SSPI develop special education transportation guidelines for use by IEP teams that clarify “when special education transportation services, as defined in [EC] Section 41850, are required.”

EC 41850(d)

EC 41850(d) defines “special education transportation” as:

1

The transportation of severely disabled special day class pupils, and orthopedically impaired pupils who require a vehicle with a wheelchair lift, who received transportation in the prior fiscal year, as specified in their individualized education program.

2

A vehicle that was used to transport special education pupils.

EC 41850(b)

EC 41850(b) defines “home-to-school transportation services” for pupils with exceptional needs as:

5

The transportation of individuals with exceptional needs as specified in their individualized education programs, **who do not receive special education transportation as defined in subdivision (d).**

Examples that IEP teams may consider under EC 41850(b) include:

- Pupils with severe disabilities who are not placed in special day classes or otherwise enrolled in programs serving pupils with profound disabilities
- Pupils with orthopedic disabilities who do not use wheelchairs or require lifts
- Students beginning special education who did not receive transportation under an IEP in the prior fiscal year
- Pupils with other health impairments, learning disabilities or other cognitive disabilities
- Pupils who live beyond reasonable distance to their school and would not, without transportation, have access to appropriate special education instruction and related services at no cost.

Source: California Department of Education, Special Education Transportation Guidelines

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