



Students with Disabilities and Special Health Care Needs Writing Committee

State Delegation Ready Proposals

Writing Committee Chairperson, Alexandra Robinson, New York
17th NCST Coordinator, Mike LaRocco, Indiana

Page Intentionally Left Blank

Students with Disabilities and Special Health Care Needs –Editorial Updates Pages 208 through 224

Proposed Change, Pages #: 208

TRANSPORTATION FOR ~~STUDENTS~~ **CHILDREN** WITH DISABILITIES AND SPECIAL HEALTH CARE NEEDS

The purpose of this section is to recommend standard policies, procedures and guidelines for persons entrusted with the responsibility of managing **the** transportation ~~for~~ **of** ~~students~~ **children** with disabilities. The term *special education* means, “specially designed instruction to meet the unique needs of a child with a disability.” When transportation is required to provide access to such instruction, it is considered a “related service.”

Proposed Change, Pages #: 208, 210

LAWS AFFECTING **THE** TRANSPORTATION **OF CHILDREN** ~~FOR STUDENTS~~ WITH DISABILITIES

- A. Characteristics/Conditions:
To be *disabled* under IDEA, a student must have certain characteristics or conditions that adversely affect educational performance, and, therefore, that require special education and related services. The disabilities are defined in the IDEA under Part B: Regulations. They appear in 34 Code of Federal Regulations (CFR), Part 300 Child with a Disability. The *terms* will be listed in this section as they appear in the CFR. The *definitions* can be found in APPENDIX E.

Disabilities are classified as follows:

1. Autism;
2. Deaf-Blindness;
3. Deafness;
4. Emotional Disturbance;
5. Hearing Impairment;
6. ~~Mental Retardation~~ **Intellectual Disability**;
7. Multiple Disabilities;
8. Orthopedic Impairment;
9. Other Health Impairment;
10. Specific Learning Disability;
11. Speech ~~and/or~~ Language ~~Disability~~ **Impairment**;

Proposed Change, Pages #: 210, 211

INDIVIDUALIZED EDUCATION PROGRAM (IEP)—INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP) PROCESS

A. Legal Considerations

The intent of the law is that the IEP team considers a number of stated issues related to the student’s educational program. “A continuum of alternative placements [must be] available to meet the needs of children with disabilities for special education and related services.” **The provisions of** ~~When transportation is considered~~ as a related service **must include**, consideration **of** ~~needs to be given to the~~ range of transportation services **available**, including the use of supplementary aids and modifications available to students with disabilities to address questions about the appropriate mode of transportation for the student. The requirement that students with disabilities be transported “to the maximum extent appropriate” with students without disabilities (the “least restrictive environment,” or LRE) includes the focus on provision for safe transportation for each student.

C. The individual Family service plan (IFSP)

For those children with disabilities under 3 years of age, the IFSP is the written treatment plan that maps out how the Early Intervention services will be delivered. The IFSP is a family-based approach and requires the parents’/guardians’/ participation since it is written as a support for both family and child. States have the ability to regulate the implementation of Early Intervention services, and while required under federal law, the timelines for implementation may vary in different part of the country.

Proposed Change, Pages #: 212

GUIDELINES

The following guidelines are intended to assist in establishing a training program for administrative and school-based personnel enabling them to respond to the concerns presented by students with disabilities, as required by IDEA. The goal of such a training program is to teach the skills needed to respond to routine and emergency circumstances concerning transportation.

A. School/Education Administration

School administrators and education staff who help make program decisions for students with disabilities, including the requirement for transportation as a related service, are frequently unfamiliar with transportation capabilities and limits.

Those persons should have training in areas that include, but are not limited to, the following:

1. Situations under which transportation staff would be consulted, or included in the IEP Team process;
2. State and local transportation policies and procedures, including communications, reporting procedures, establishment of walk distances and pick-up and drop-off locations; as well as experience and/or background in determining loading zone design and bus stop selection for students with disabilities;
3. Transportation regulations and guidelines that could assist in determining if transportation would be appropriate as a related service;
4. Alternative transportation options;
5. The role/responsibilities of IEP team members in the development of individual Transportation Plan;
- ~~5~~ 6. Current legislative, legal and administrative decisions;
- ~~6~~ 7. The application of least restrictive environment regulations to transportation placements;
- ~~7~~ 8. The extent of training and skill levels available within the transportation staff and any additional training necessary to meet standards for qualified staff, as defined by local, state and federal standards;

Proposed Change, Pages #: 212, 214

- 8 **9.** The types of vehicles available for transporting students with disabilities;
- 9 **10.** The types of equipment and occupant securement systems available; **and *note:**
Pre-School Students should be secured in a CSRS and IEP team members should assist in the selection, fit and use of the CSRS.
- ~~10~~ **11.** Do Not Resuscitate (DNR) policies for local school districts, as well as current legislative and administrative decisions concerning this topic.
- B. Transportation Administration
- With increased responsibility being imposed on transportation providers through actions taken by legislative, legal and administrative authorities, persons in leadership roles must involve themselves to a greater degree.
- The duties and responsibilities of transportation leadership likely will differ between various transportation providers; however, listed below are some areas of knowledge that are necessary to satisfactorily perform the leadership responsibilities.
- 14. The special needs of preschool passengers including the need to be secured in a CSRS;**
- 15. Knowledge of the evacuation procedures for students with special needs.**
- C. Drivers and Attendants
- As direct service providers to students with disabilities, drivers and attendants have a hands-on responsibility to provide safe and appropriate transportation to students with disabilities, including operation of special equipment, management of student behavior and basic first aid, as necessary. Additionally, they must be knowledgeable in **how to evacuate all students**, passenger-positioning, securing adaptive and assistive devices and child safety restraint systems (CSRSs) and must be familiar with the nature, needs and characteristics of the types of students they transport.

Proposed Change, Pages #: 214, 215

D. Training components

To perform the responsibilities assigned in a safe and effective manner requires a substantial degree of specific training. Some training components that transportation staff must have are the following:

1. Introduction to special education, including characteristics of disabling conditions **and their potential impact to transportation**, the student referral, assessment, IEP process and confidentiality of student information;
2. Legal issues, including federal and state laws, administrative rules and local policy;
3. Operational policies and procedures, including:
 - a. Pre-trip and post-trip inspection procedures for all assistive equipment and devices, CSRSs, securement systems and safety equipment;
 - b. Loading/unloading; **- no student should be carried onto the bus.**

Note: Except in the case of loading and unloading children in wheelchairs, ~~D~~ during loading and unloading, the driver should remain in the driver's seat to observe traffic flow and the overall safety of the school bus relative to highway and surrounding activity. When loading and unloading children with mobility aides (walkers, wheelchairs) and those students using other adaptive devices including Child Safety Restraint Systems (Car seats, CSRS), the driver and attendant (if present) should work as a team to ensure all children and mobility devices are safely and properly secured. unless it is necessary for the driver to leave this position to assist with the loading or unloading of students. The driver must secure the bus before leaving the driver's seat. [See item (3) below.]

Proposed Change, Pages #: 215, 216

- d. Pick-up/drop-off location; transportation staff input in IEP development when considering the amount of adult support (supervision and assistance) necessary at destinations;
- e. Evacuation procedures, including the use of emergency equipment, such as webbing cutter(s), fire blanket(s), evacuation aids etc.;
- f. Lifting/positioning procedures/body mechanics; including training in removing a student from their wheelchair for evacuation in a true time sensitive emergency or to administer emergency medical assistance;
- g. Student accountability and observation, including recognizing signs of neglect or abuse;
- h. Post-trip vehicle interior inspections for students or articles left in the bus prior to parking;
- i. Reporting and record-keeping;
- j. Lines of responsibility relative to individuals' roles as educational team members;
- k. Lines of communication, including parents and educational staff;
- l. Route hazard analysis and route management, including medical emergencies, no adult at home, inclement weather, field trips, etc.;
- m. Behavior management:
 - l Techniques for behavior modification and the development of appropriate behavior as well as Behavioral Intervention Plans(BIP) (See Appendix);

Proposed Change, Pages #: 218, 219

10. All portable equipment and special accessory items, including the equipment listed in the SPECIALLY EQUIPPED BUS SPECIFICATIONS Section shall be secured at the mounting location to withstand a pulling force of five times the weight of the item or shall be retained in an enclosed, latched compartment. The compartment shall be capable of withstanding forces applied to its interior equal to five times the weight of its contents without failure of the box's integrity and securement to the bus.
Note: ~~If these specifications provide specific requirements for securement of a particular type of equipment (e.g., wheelchairs), the specific specification shall prevail.~~
11. All lap boards **and/or** trays and ambulation equipment that attach to wheelchairs shall be removed and secured during the time the child is transported in the school bus. The IEP/**IFSP** team should address case-by-case where this is not advisable.

F. Selecting Securement Points on Wheelchairs

Decision-making should be a TEAM effort, not an individual's responsibility. Information on wheelchairs, to include WC19-compliant chairs, shall be made available to transportation personnel. Always consult school staff or a qualified professional.

1. Wheelchairs should be transported in a forward-facing orientation.
2. Securement systems for wheelchairs should be used in accordance with the manufacturer's specifications and recommendations and should include an occupant restraint of a minimum of a lap/shoulder belt and a 4- point wheelchair tie down (Refer to the SPECIALLY EQUIPPED SCHOOL BUS SPECIFICATIONS section.)
3. Wheelchairs designed for transportation safety have securement points called "transit options," which will be labeled appropriately. The manufacturer's designated securement point **shall must** be used. (Refer to APPENDIX E for guidelines on WC19 from the Ride Safe information provided by ANSI/RESNA, University of Michigan transportation Research Institute [UMTRI].)

Proposed Change, Pages #: 219, 220

5. Rear tiedown straps should be anchored directly behind the securement points on the wheelchair between the rear wheels, with the front straps outside the front wheels ~~angled slightly outward~~ to increase stability. Straps should not be twisted. Retractor hooks should face in (towards the chair) in the front and face out in the rear anchorage position.

6. The lap portion of the occupant restraint system should be threaded through the space between the armrest and the seating frame (or the seat bite depending on the type of chair used); the goal should always be to place the lap belt close to the occupant. Proper placement of the lap belt is ~~to achieve proper placement~~ low over the ~~hip bones~~ hipbones of the occupant. The lap belt should never be placed over the armrest or with the belt assembly twisted. When optimally placed, the belt's webbing's bottom edge should be touching the occupant's thighs. When looking at the lap belt's path to the floor from the side of the chair, the belt should be angled between 45 and 75 degrees to the horizontal. When using an integrated system (in which the occupant restraint is attached to the rear tiedowns of the wheelchair securement system), the rear wheel chair securement site must be selected with this in mind. Whether using an integrated or a parallel system (in which occupant restraint belts are separate of tiedown belts), at no time should the occupant ever carry the load of the wheelchair or its tiedown system. The occupant must be secured separate of the wheelchair and its tiedowns.

8. On a tilt-in-space wheelchair, the four sites must be either on the base of the wheel chair or on the seat/frame portion of the chair. For example, it is not effective to have the front hooks on the base of the chair and the rear hooks on the seat/frame portion of the chair since that combination would create a "teeter-totter" effect. (This warning does not apply to wheelchairs that meet WC19 specifications.)
Note: With advances in wheelchair manufacturing design and specifications, verify manufacturer's instructions and/or recommendations for maximum attachment strength.
a. Wheelchairs with a motion adjustment (e.g., to allow for a child to rock, etc.) should be locked (non-moving) during transport.

Proposed Change, Pages #: 220, 221, 223

G. Medical/Health Issues:

Legal mandates make it necessary to transport most students who have severe medical/health conditions, and transportation staff may find it necessary to obtain or provide emergency health care to students during the transportation process. Staff may be exposed to contagious and/or communicable diseases; therefore, training regarding medical health issues, including universal precautions, intervention and management, should be given to all personnel. In all cases, transportation providers should have both a comprehensive equipment plan in place as well as a back up plan should any equipment fail or be out of service. Protocols should be in place for items such as climate control necessary to meet student specific needs, seating storage and securement.

- d. Types and extent of additional training or skills necessary for the driver and/or attendant;

Note: Training may include the securement, inspection, operation and use and care of the student's special adaptive/assistive equipment, including items such as oxygen containment systems, suctioning equipment, apnea monitors, ventilation equipment, etc.

DEVELOPMENT

A. Local policies and procedures should address the following issues:

8. A plan to address occasions when no adult is home to receive a student who requires assistance and/or supervision, which plan may include an alternative, supervised drop-off location this should include emergency routing and/or re-routing protocols/procedures when students with specific health care needs and on board during an afternoon/evening delay (e.g., in need of medication);
9. A plan to remove from service those pieces of specially designed equipment that are damaged or that present a safety hazard that includes a back up for that equipment that is often in place to meet a student specific need;

Proposed Change, Pages #: 224

EMERGENCY EVACUATION OF STUDENTS WITH DISABILITIES

Each bus route should have a written emergency evacuation plan. **(See appendix for sample plan) Driver and attendant teams should have training in the writing of t**his plan **that** should reflect each student's ability to evacuate or help others. Students with disabilities should participate in required evacuation drills and should only be excluded if their participation would present a health risk. Parents should be notified in advance of such barriers to their child's participation. Every effort should be made to ensure that ALL students have a reasonable understanding of the concept of an emergency and how they will exit the bus.

Rationale for Change: Editorial update

Fiscal Impact if Any: None Noted

END