

**Oregon Department of Education  
Early Intervention  
Early Childhood Special Education  
Special Education Transportation**

**Program Operation Guideline**

**Area:** Related Services

**Date:** Effective January 1, 2008

**Citation:** ORS 343.533; 34 CFR 300.34(16)

**Guideline:** Transportation; Responsibility of School Districts for Transporting Children Other Than to and from the Child's Home

Local school districts are responsible for transportation services for children birth to kindergarten age if it is determined to be a service (early intervention) or a related service (early childhood special education) on the child's Individualized Family Service Plan (ORS 343.533). The district may include those costs in its claims for transportation costs reimbursement by the state.

The Individualized Family Service Plan (IFSP) team determines whether transportation is a service necessary for a child to benefit from (or access) their early intervention (EI) or early childhood special education (ECSE) services. If the IFSP team decides that transportation is necessary, then the school district must provide the transportation services. The EI/ECSE program should invite a representative from the school district to the IFSP meeting if transportation is likely to be considered.

Transportation that is a required service (EI) or a related service (ECSE) on a child's IFSP cannot be arbitrarily limited by the geographic boundaries of a school district so long as it is required for the special circumstances of the child.

When considering whether transportation is a necessary service to and/or from child-care settings or non EI/ECSE preschools outside of district boundaries, the IFSP team, including the school district representative may consider factors including the following:

1. Availability of child care for the child;
2. Any difficulty the family has had in obtaining child-care for their child with disabilities;
3. The work hours of the parent and hours child-care providers are open; and
4. The distance the child-care is outside the school boundaries. For example, is the child-care 1 or 2 miles, or 15-20 miles outside the boundary?

If the school district did not participate in the IFSP meeting and disagrees with the IFSP team's decision regarding transportation the district may request another IFSP meeting. At this point the IFSP team may consider:

- Exploring if the district where the child-care is located would provide the transportation under an agreement with the child's resident school district;
- Exploring other alternative transportation possibilities;
- Exploring if the child's parents would change child-care so that it is within the school district boundary. This includes considering how the child will be affected, and the availability, accessibility and affordability of child-care within district boundaries; and
- Exploring if EI or ECSE services can be provided at the child-care setting or another setting that is close to the child-care setting.

All of the considerations listed above are discussion points for the IFSP team in determining whether the child needs transportation in order to benefit from or access EI or ESCE services. Ultimately, the decision must be based on the child's needs and not on cost or administrative convenience.