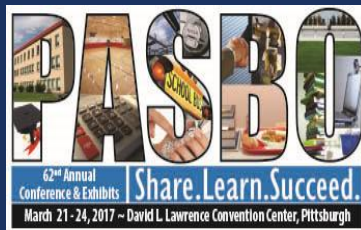




INCLUSION ON THE SCHOOL BUS

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INTRODUCTION

- Teacher
- Special Education Administrator
- North Penn School District

- Who are you?

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AGENDA

- Special Education Law
- Disabilities
- Inclusion
- Case Review
- Exclusion
- Impact on Transportation
- Questions <http://goo.gl/slides/phmme2>



WHAT DOES ALL OF THIS MEAN!?!

SPECIAL EDUCATION LAW <http://goo.gl/slides/phmme2>

Federal

- Individuals with Disabilities Education Act (IDEA)
- Americans with Disabilities Act (ADA)
- Every Student Succeeds Act (ESSA)**

State

- Chapter 14
- Chapter 15
- Gaskin Settlement

FEDERAL LAW <http://goo.gl/slides/phmme2>

- IDEA – Individuals with Disabilities Education Act
 - Enacted in 1975, previously Education for All Handicapped Children Act
 - Provides equal access to a free public education regardless of disability
 - Ensured due process rights for students with disabilities
 - Requires children to be educated in the Least Restrictive Environment (LRE)
 - Set forth the provision of a Free Appropriate Public Education (FAPE)
 - Outlines requirements of an Individualized Education Program (IEP)
 - Related Services*

FEDERAL LAW

<http://goo.gl/slides/phmme2>

- ADA – Americans with Disabilities Act
 - Section 504 – applicable to entities receiving federal funds
 - Prevents discrimination in activities and programs on the basis of disability
 - Provides for accommodations/modifications and related services*

- ESSA – Every Student Succeeds Act (formerly No Child Left Behind)
 - Increased accountability for student with disabilities
 - Required teachers to be highly qualified in content areas

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STATE LAW

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- Chapter 14 –
 - Pennsylvania’s interpretation of IDEA
- Chapter 15 –
 - Pennsylvania’s interpretation of Section 504
- Gaskin Settlement
 - Class action law suit
 - Lydia Gaskin; down syndrome
 - Furthered regulations beyond IDEA’s LRE requirements
 - 65% state target

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DEFINITIONS

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- Least Restrictive Environment – LRE
 - Educating students with disabilities to the maximum extent possible with non-disabled peers; removing a child from the regular education environment should only result when the severity of the disability is such that educating the child despite services cannot be achieved satisfactorily
- Free Appropriate Public Education – FAPE
 - Special education and related services that are provided at public expense to provide meaningful educational benefit
- Related Services –
 - Services to be provided through the IEP (or 504) to facilitate the provision of FAPE
 - Speech Language Therapy, Occupational Therapy, Physical Therapy, etc.
 - Transportation

SO WHAT IS INCLUSION?

INCLUSION IS...

<http://goo.gl/slides/phmme2>

an educational philosophy which provides access and belonging to ALL students within their school community. Based on individual needs, students receive accommodations and modifications in the general education classroom to enable them to reach their full potential while maintaining the integrity of the curriculum.

Our goal should be to bring the services to the student in the general education classroom, not remove the child from the environment.

Special Education is a service not a place...

DISABILITIES UNDER IDEA

<http://goo.gl/slides/phmme2>

- Autism**
- Emotional Disturbance**
- Blind or Visually Impaired
- Multiple Disabilities**
- Specific Learning Disabilities
- Hearing Impairment
- Other Health Impairment**
- Physical Disabilities**
- Intellectual Disabilities**
- Speech and language impairment
- Deaf-blindness
- Traumatic Brain Injury
- Deafness

IMPAIRMENT DEFINED IN SECTION 504

- Have a physical or mental impairment that substantially limits one or more life functions, OR
- Have a record of such impairment, OR
- Be regarded as having an impairment

- An “impairment” is...
 - <https://www2.ed.gov/about/offices/list/ocr/504faq.html>

 - Major life activities include... caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, **learning**, and working.

HEARING OFFICER DECISION (N.PENN)

- LRE applies to home school and classroom for “instruction” in a “classroom”
- Facts of case
 - 7th grader; seizure disorder; 1:1 nurse during day and bus rides
- Issue
 - Must District allow student to ride regular transportation instead of District offered specialized transportation?
- Decision
 - NPSD prevailed
 - Special transportation is least restrictive environment for student
 - LRE also applies to transportation

IMPACT OF DISABILITIES

<http://goo.gl/slides/phmme2>

- Autism
 - Sensory issues
 - Language disorder
 - Self-Stimulatory behavior
 - Problem behavior
- Emotional disturbance
 - Externalizing behavior
 - Aggressive
 - Non-compliance
- Intellectual Disabilities
 - Delayed cognitive development
 - May have problem behaviors
- Other Health Impairment
 - Seizure Disorder
- Multiple Disabilities/Physical disabilities
 - Wheelchair access

EXCLUSION

<http://goo.gl/slides/phmme2>

- Processes in place through IDEA to protect students with disabilities
- Cannot be “excluded” from school (i.e. more than 10 consecutive days OR 15 cumulative days)
- Exclusion from the bus can be exclusion from school
- May require alternate transportation during “suspension” from the bus

IMPLICATIONS ON TRANSPORTATION

- More students with disabilities being educated in their home schools.
- Do we have to?
 - Most of the time, the answer is yes. Every circumstance is different.
- How do we support students on regular transportation?
 - Provision of assistant or nurse on the bus to accompany the child
 - **Train** bus drivers and assistants
 - Disabilities awareness
 - Behavior plans
 - What to report

IMPLICATIONS ON TRANSPORTATION

- Cost
 - In North Penn, approximate cost to provide special transportation to one student per year \$16,000
 - In North Penn, approximate cost to provide an assistant to the same student on regular transportation \$8,000

WHY?

- Yes, it is the law...
 - But telling someone it's the law is like telling someone to stop speeding...
- It's the right thing to do for kids...



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QUESTIONS?

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