

IEP Season Approaches – Don’t forget about the Bus Drivers!

By Vickie Fetsko (revised 9/2006)

Individualized Education Program (IEP) meetings will soon be upon us and now is the time parents should start jotting down notes, questions and requests to be prepared for their meeting. Although there may be many issues to consider, I have found that one particular group of support to our children have either been ill-informed or excluded altogether. These are the very important transporters of our children, the bus drivers and bus driver substitutes. It is **critical** that school transporters (bus and van drivers as well as substitute drivers) have the most relevant health and medical information concerning our children to ensure their safety.

I have spoken to many parents the past several years who have contacted PWSA of Ohio upset over various situations that have occurred involving either other students or a well-meaning transporter. When I ask, “Have you seen to it that the driver is educated specifically about your child and how Prader-Willi syndrome affects him/her?” “Have you given the Transportation Director and your particular bus driver, a copy of the IEP, especially the Related Services information and any behavior plan that may be in effect?” “Have you provided and or requested a substitute’s folder concerning your child be organized and approved by you?” Most importantly, “Is the bus driver part of your IEP team?”

The answer is typically no, only because it just wasn’t thought of by either the parent or school personnel. There are many reasons why school transporters are not aware of a student with Prader-Willi syndrome or the varying complications:

School’s Reason & Suggestions

- 1) Did not relay any information to transporter because it wasn’t considered.
 - Consider and educate the school either personally or with the help of PWSA of Ohio.
- 2) Did not relay any information because they incorrectly feel they may violate confidentiality (due to Part B IDEIA or FERPA).
 - **IF** transportation is included in the IEP as a related service to a special education student, then transporters are related service providers and under such circumstances (IDEA 1999 Regs. Section 300.24 / effective 8/14/2006 Federal Register IDEIA 300.34) the school district must provide information to school transporters. In regards to the Family Education Rights and Privacy Act of 1974 (FERPA), the school can disclose information to the transporter under two situations: (1) when a parent consents to the disclosure; or (2) when “school officials” have a “legitimate educational interest,” even when the district has not obtained such prior consent. When FERPA was modified in 1996, the Model Notification clearly demonstrates Congressional intent as to who might reasonably be entitled to receive student information and it is clear that school transporters meet this standard when student health and medical information is necessary to enable the safe and efficient transport of a student.
- 3) Did not relay any information because no one considered the school transporter as part of the IEP team.
 - Make the transporter, substitute transporter and bussing part of IEP related services. Related service personnel – that – are required by law to have copies of the IEP and to be part of IEP meetings and in-services.

Parent’s Reason & Suggestions

- 1) Did not relay any information to transporter because it wasn’t considered.
 - Consider and educate the transporter either personally or with the help of PWSA of Ohio.
- 2) Thought it was school’s responsibility.
 - IF included in IEP as a related service, it is the school’s responsibility – but ultimately, you as the parent have the right to educate all who come into contact with your child.

3) Parent prefers only particular person's know of child's diagnosis and/or do not want other students to be aware.

- Notifying transporter does not jeopardize confidentiality. Information – by law – is not disclosed to other students (If such information is disclosed, than a formal complaint of this violation needs to be issued by that parent/guardian). Information concerning your child is strictly regulated by law who and how information is disclosed concerning your child as well as when and who is allowed to even review your child's school records. Parents may want to consider educating their own child and other students about Prader-Willi Syndrome.

Why should transport issues be part of the IEP?

- A child who has an IEP does not automatically receive transportation unless the IEP team writes this into the related services. If transportation is not included on the IEP, your child will be transported similarly to regular education students in your district.
- Bus drivers & substitute bus drivers are school personnel supporting our children as well as included in any disciplinary actions due to situations while your child is in their care. All related services personnel **must be** "trained," [both to transport persons with special needs as well as regarding the requirements of confidentiality] and the Official Commentary to Section 300.24 of the Regs specifically includes "bus drivers" among such personnel.
- Typically school buses can be loud. Many of our children have sensory issues that need to be address and understood by the transporter.
- The need for a heated/air conditioned bus can be included in the IEP as well as safety measures taken for any medical condition that may present due to body temperature complications. Another concern regarding the dysfunctioning hypothalamus and body temperature regulation for people diagnosed with PWS (medical complication) is that many parents allow their child to stay inside the house until the bus is at the stop due to outside extreme weather temperatures, but the bus continues by and the child misses the bus. To clarify this particular situation for parents, the **Ohio law requires children to be waiting at the bus stop (even if the stop is in front of the home), prior to its arrival.** Many districts also instruct their buses to **not stop** at locations where no student(s) is waiting. This is an issue to be addressed in the IEP to stop any confusion.
- Other students' actions are not as closely monitored and many of our children do not respond or react appropriately to social situations without supports. Behavior support plans may need to be written specifically for the time spent during the bus ride.
- If NOT included in IEP, the bus service can be denied for a variety of reasons (levy fails, school choosing to adhere stricter to the 2 mile from school transport rule, etc.). If the school assures you bussing will not be terminated for your child regardless of levy results, etc., transport should STILL be included as related services in the IEP as a safeguard.
- Holiday, take home, thank you treat (birthday, holiday, end of year) bags FROM the driver to your child and concerning those from students to the driver which are typically placed in a basket beside the driver's seat on the bus. These bags either given to the child or to the bus driver have resulted in many upset situations and meltdowns for families and child. Many well-meaning bus drivers give out special treats at various times. It can be addressed in the IEP that your child **is still included**, as they should be, but the bag is adapted with NON-FOOD items.
- Fundraising candy boxes coming home either given to your child or coming home from other students; this too should be addressed in IEP or a behavior plan. This is an issue for our children with higher food foraging and food focus concerns. Again, this can be addressed and discussed with the IEP team. For example, the parent can be notified in advance when these items are being distributed and preventative measures can be decided upon as a team as well as strategies to handle any behaviors that may present.

Bottom line, you as the parent have the ultimate disclosure right concerning your child.

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