



Early Childhood Special Education Transportation

A school district must provide the necessary transportation to and from the home of a child with a disability not yet enrolled in kindergarten for the provision of special instruction and services that are provided in a location other than the child's home. Minn. Stat. § 123B.99, subd. 1 and Minn. Stat. § 123B.92, subd. 1(b)(4). Keep in mind that "home" has been interpreted rather broadly to include caretakers home, child care, etc. Minn. Stat. § 123B.92, subd. 1(b)(1) (v).

This transportation is for all eligible Minnesota children with a disability not yet enrolled in kindergarten. It is an entitlement based on the child's age and eligibility for special education and related services. It is not an Individualized Education Program (IEP) team determination.

Transportation, as a related service, is an IEP team decision based on the unique transportation needs of the child. Typically, this child would continue to need transportation as a related service when they enter kindergarten because the need is not based on the child's age. Rather, the need results from the child's disability.

Transportation routing at unique times due to the location and timing of classes for all preschool-aged children is not transportation as a related service. However, if an IEP team determines a specific child needs a shortened school day resulting in an individual transportation route, this is a red flag indicating that the child needs transportation as a related service.

Because of the young age of children receiving Early Childhood Special Education (ECSE) services, districts may choose to have a second adult on the bus. If the second adult is on the bus due to the individual needs of a specific child, transportation for that particular child is a related service. The presence of the second adult does not make transportation for other children on this bus a related service.

As more preschool-aged children are being identified after initially participating in a general education preschool experience, such as voluntary prekindergarten (VPK) or school readiness plus (SRP), we can refer to any previous preschool busing experience. If the child was able to ride the general education bus as a preschool student, and then become identified as an ECSE student, transportation is probably not a related service.

It is important that the IEP for a preschool-aged child clearly indicates when transportation is based on a child's age or when the IEP team has determined that transportation is a related service, as this will impact your transportation obligations when children transition to kindergarten, attend child care outside of district borders, or open enroll into your district. A simple statement in the IEP, such as "transportation is provided due to the child's age not due to the child's disability," indicates the child is receiving transportation as an entitlement and

not a related service. If transportation is a related service, it should be clearly defined as a related service in the child's IEP.

Providing ECSE transportation for children who are residents of your district to and from a “home” within your district

When the IEP team determines a district preschool is the child's least restrictive environment (LRE), the district provides transportation to and from the location of their preschool program on all days that the child generates membership.

When the IEP team determines a community preschool is the child's LRE and places the child in that setting, the district provides transportation to and from the location of the preschool program on all days that the child generates membership. This could include a community preschool setting the child was enrolled in prior to being determined eligible for special education and related services.

When the IEP team determines that services will be provided in a community preschool the parent has already enrolled the child in, the parent or program continues to transportation the child to and from the location of the preschool.

If transportation is impeding the child's ability to receive services, the district will need to decide to either provide transportation to that setting or change the location of the services and provide transportation. For example, if a child is receiving ECSE services in a Head Start program that was providing transportation but is no longer able to do so, and the child is no longer able to receive the planned services because they are unable to attend without transportation, the IEP team will need to address this barrier to the provision of services.

Providing ECSE transportation for children who are residents of your district to and from a location outside of your district

The district is obligated to provide transportation as described in the district's transportation policy and consistent with the child's IEP whether the child is receiving transportation as an entitlement due to age or as a related service due to disability. The district may go outside their district boundaries to provide transportation for ECSE students, but are not required to do so.

Providing ECSE transportation for children who are open enrolled in your district

A receiving district must provide comparable services until a new IEP is developed. The IEP team must determine whether transportation is included in the IEP as a related service or an entitlement. When transportation is an entitlement, the IEP should clearly indicate transportation is provided due to the child's age—not due to the child's disability—and will end when the child enters kindergarten. Transportation as a related service due to the child's disability should be clearly identified as a related service in the child's IEP.

If an IEP includes transportation as a related service and, upon review, you determine that it was documented incorrectly, you can remove the transportation related services with parent consent through a prior written notice (PWN). As noted above, the district may go outside their district boundaries to provide transportation for ECSE students, but are not required to do so.

Providing ECSE transportation for children who are experiencing homelessness

Early Childhood Special Education students experiencing homelessness are eligible for state special education aid for transportation if they have a school of origin, which means they were enrolled at a school when they became homeless. ECSE students are also considered to have a school of origin if they have a sibling in the same school. Determinations of enrollment eligibility based on school of origin will be made by your district homeless liaison. Transportation for this group of children must be in compliance with the McKinney Vento Act and Minnesota Statutes, section 123B.92(4)(viii).

If you need assistance with MARSS coding for transportation, please see [Procedure 06-EC](#).

If you have questions on reporting requirements for transportation, contact pupiltransportation.mde@state.mn.us or 651-582-8524.