

Know Your Rights – Transportation Special Education Services (Buses, Monitors, & Related Services): What Does The Recent Letter Of Finding Mean For Your Family?



The Department of Elementary and Secondary Education (DESE) Problem Resolution System’s (PRS) issued a Letter of Finding on February 24th, 2023, and **found system-wide transportation failures for Boston Public Schools’ (BPS) students with disabilities** violating the rights of students and families. BPS must do more to provide your student with their required transportation services.

If you have a student with an **Individualized Education Program (IEP) or 504 plan** that requires transportation services (door-to-door, bus monitor (1:1, general, or seizure trained) then **you have rights**:

- To possible compensatory education services if your student missed hours or days of their special education services or if they had repeated issues with their bus services (See #2)
- To get reimbursed if had to transport your student to school (See #3)
- To timely notification from BPS in writing when your student’s transportation service will be disrupted or inadequate
- To a bus monitor or other bus personnel that know your student’s individual needs and are adequately trained

1. Was your student with an IEP or 504 Plan impacted by disrupted or inadequate BPS transportation services between October 17, 2021 and today?

EXAMPLES

- Your student requires a monitor (general or 1:1) and the bus had no monitor or had a “backup” monitor everyday
- Your student requires a 1:1 monitor and the bus only had a shared monitor
- The monitor did not know your student’s individual needs and/or were not trained

2. Did your student arrive to school late or miss entire school day(s) due to transportation issues (e.g. late bus, no bus, no monitor, no harness, etc.)?

EXAMPLES

- Your bus was repeatedly late to pick up your student or drop them off at school
- Your bus was available but your student was unable to get on the bus because there was not a monitor, harness, or other issue

If yes to 1 or 2, BPS must work with you to fix your student’s transportation issues.

BPS cannot repeatedly cause your student to miss hours or days of education and BPS may need to provide your student with “make up” services. **What should you do?**

- Write down a list of issues and the date(s) of any transportation issue(s)
- If possible, email your list to your student's Principal and Coordinator of Special Education (COSE); communicating in writing is always best
- Request an IEP Team meeting to discuss transportation issues in the past or ongoing issues by contacting your student's Principal or COSE (see #4 for ongoing issues)
- Use the IEP Team meeting to:
 - Discuss short-term and long-term solutions to any ongoing transportation issues. Ask the school to provide you with these temporary solutions in writing
 - Discuss compensatory education services ("make up" services), your student may need to make up services they lost due to transportation issues (for example, if your student missed speech or counseling services ask for those services to be made up)

3. Did you provide transportation for your student due to BPS' transportation issues (examples in 1 or 2 above) between October 17, 2021 and today?

EXAMPLES

- You drove your student to school because of no bus, no monitor, or a late bus
- You had to get your student to school by ride share (Uber, Lyft) or taxi

If yes, BPS is required to reimburse you for any cost. What should you do?

- Seek reimbursement: You can be reimbursed for mileage (at the state rate) and/or the cost of arranged alternative transportation services/rideshare (such as Uber or Lyft) dating back to October 17, 2021. **Families without a social security number or a tax identification number must also be reimbursed**
- Further directions and forms can be found on the BPS Reimbursement webpage. You can also contact the BPS Helpline at 617-635-8873 or via email at helpline@bostonpublicschools.org

4. Do you have prior or ongoing transportation service disruption? If you answered yes to any of the above questions or need further assistance:

- Submit a ticket through the BPS Transportation portal website, by calling 617-635-9520, or schoolbus@bostonpublicschools.org
- Contact your student's Principal or COSE by email to report your concerns or to request an IEP Team meeting
- Contact MAC's Helpline for further guidance: (617) 357-8431
- You can also file a complaint with the Massachusetts' Department of Elementary and Secondary Education. To learn more about this process, contact MAC's Helpline or contact DESE directly 781-338-3700.

