

2015 Regular Session

HOUSE RESOLUTION NO. 198

BY REPRESENTATIVE HARRISON

SCHOOLS/TRANSPORTATION: Requests local education agencies, including local public school boards, to provide students with exceptionalities with transportation services consistent with federal requirements for the least restrictive environment

1 A RESOLUTION

2 To urge and request local education agencies, including city, parish, and other local public
3 school boards, to provide students with exceptionalities with transportation services
4 consistent with the least restrictive environment requirements of federal law.

5 WHEREAS, the federal Individuals with Disabilities Education Act mandates that
6 students with disabilities be educated with students without disabilities to the maximum
7 extent appropriate and that students with disabilities be removed to separate classes or
8 schools only when the nature or severity of their disabilities is such that they cannot receive
9 an appropriate education in a general education classroom with supplementary aids and
10 services; and

11 WHEREAS, this federal law further provides that to ensure that each student with
12 disabilities is provided with the least restrictive environment appropriate for his needs,
13 school districts must provide a continuum of placement and service alternatives; and

14 WHEREAS, according to federal law, transportation is a related service provided to
15 students with exceptionalities and includes travel to and from school and between schools,
16 travel in and around school buildings, and specialized equipment such as special or adapted
17 buses, lifts and ramps, and monitors or aides, if required; and

18 WHEREAS, transportation decisions generally require collaboration and consensus
19 among parents, the student, educators, and transportation personnel; and

1 WHEREAS, transportation services are identified and resolved through the
2 Individualized Education Program process and are specified in the student's Individualized
3 Education Program; and

4 WHEREAS, current law, R.S. 17:1941, states that "It is and shall be the duty of state
5 and local educational agencies of the state of Louisiana to provide a free appropriate public
6 education in the least restrictive environment to every student with an exceptionality, ages
7 three through twenty-one, who is a resident therein."; and

8 WHEREAS, current law, R.S. 17:1944(A), requires that in providing for the
9 education of students with exceptionalities within their jurisdictions, local education
10 agencies shall have in effect policies, procedures, and programs that are consistent with state
11 policies and procedures; and

12 WHEREAS, current law, R.S. 17:1944(E), requires that local education agencies
13 shall provide whatever transportation is necessary to implement an Individualized Education
14 Program for a student with an exceptionality and that transportation shall be provided in
15 cooperative programs according to the method established in the contract between the
16 cooperating agencies or districts and shall also be in accordance with the student's
17 Individualized Education Program; and

18 WHEREAS, federal law does not require local education agencies, including city,
19 parish, and other local public school boards, to transport students with disabilities in separate
20 vehicles, isolated from their peers, and specifically provides that such students can receive
21 the same transportation provided to non-disabled children, consistent with the least
22 restrictive environment requirements; and

23 WHEREAS, transportation services are a fundamental component of providing a free
24 appropriate public education that allows students with exceptionalities more independence
25 and is consistent with the least restrictive environment requirements of federal law.

26 THEREFORE, BE IT RESOLVED that the House of Representatives of the
27 Legislature of Louisiana does hereby urge and request local education agencies, including
28 city, parish, and other local public school boards, to provide students with exceptionalities
29 with transportation services consistent with the least restrictive environment requirements
30 of federal law.

1 BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted
2 to the state superintendent of education who shall be responsible for disseminating a copy
3 to each local education agency as defined in R.S. 17:1942(D).

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HR 198 Original

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Harrison

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