

# POLICY

## TRANSPORT FOR STUDENTS WITH SPECIAL NEEDS

Responsibility of:	School Support Services	FILE2014/531
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Target Audience:	Staff/Parents/Community/ Department of Transport/Transport Service Providers	

This document should be read in conjunction with [Transport for Students with Special Needs guidelines](#).

### 1. POLICY

Under the [Education Act](#), parents and carers have a responsibility to ensure that their children receive an education. The Act also makes provision of the Minister to 'provide or arrange for the transport of children to and from school and may pay the whole or any portion of the cost of transport for any children to and from school' in such a manner and to the extent that the Minister sees fit.

The transport arrangements for students with special needs are administered by the Department of Transport (DoT) and the Department of Education (DoE). The aim is to support eligible students who are unable to access travel independently, and who may not otherwise be able to access education without the provision of special needs transport to school.

Not all students with a disability require transport assistance; therefore not all students with a disability will be eligible for assistance under this policy. Eligibility is assessed using three sets of criteria based on; student needs, distance and travel time. These criteria are outlined in the Transport for Students with Special Needs Guidelines.

The level of support provided is tailored to meet the assessed individual travel support needs of students and may include:

- full or part time transport assistance
- additional supervision
- support and assistance in meeting health care or behavioural needs whilst travelling
- assistance for students to develop skills leading towards independent travel.

### 2. BUSINESS NEED

The transport arrangements for students with special needs are administered by the Department of Transport (DoT) and the Department of Education (DoE). This policy and its associated guidelines outline the process for transporting students with special needs and the roles and responsibilities of the various stakeholders.

### 3. SCOPE

The policy supports eligible students who have a need for transport assistance in order to attend school from Transition to Year 12.

This policy does not allow transport services to be created for the sole purposes of transporting students to and/or from respite care services, work placements, VET programs or other similar activities

### 4. DEFINITIONS

**Daily care and control of a child (in regards to the definition of parent)** refers to a person who is entitled to exercise all the powers and rights, and has all the responsibilities, in relation to the day-to-day care and control of the child.

**Disability**, in relation to a person, means:

- (a) total or partial loss of the person's bodily or mental functions; or
- (b) total or partial loss of a part of the body; or
- (c) the presence in the body of organisms causing disease or illness; or
- (d) the presence in the body of organisms capable of causing disease or illness; or
- (e) the malfunction, malformation or disfigurement of a part of the person's body; or
- (f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- (g) a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour;

and includes a disability that:

- (h) presently exists; or
- (i) previously existed but no longer exists; or
- (j) may exist in the future; or
- (k) is imputed to a person.

(Extract from section 4(1) of the [Disability Discrimination Act](#))

**Parent** signifies the child's father, mother or any other person who has parental responsibility for the child, including a person who is regarded as a parent of the child under Aboriginal customary law or Aboriginal tradition.

**Parental responsibility (in regards to the definition of parent)** refers to a person who has:

- (a) daily care and control of the child, or
- (b) is entitled to exercise all the powers and rights, and has all the responsibilities, in relation to the long-term care and development of the child, or
- (c) has daily care and control of the child and the entitlement and responsibilities at (b)

and includes a person who has been given the above responsibilities under another state or territory law.

## 5. ROLES AND RESPONSIBILITIES (if applicable)

### Parents will:

- provide accurate and up to date information regarding the student at all times and notify the school of any change in circumstances likely to affect the students' transport arrangements
- provide all additional equipment as required by law and to support the safe travel of the student, including but not limited to car seats, booster seats, harnesses and wheelchairs where appropriate
- inform the transport provider at the earliest opportunity if the student will not be travelling due to short term illness or other reasons. For extended periods of leave both the school and transport provider need to be notified and a break in attendance for more than 5 days without notification will result in cancellation of the service for the student.
- ensure the student is suitably organised for school and on time for service pick-up
- immediately advise the school of any safety concerns regarding the transport vehicle or conduct of operators.

### Principals or school delegates will:

- provide relevant information to staff, parents/cares and other interested parties on the Transport of Students with Special Needs policy and guidelines and service delivery
- assess student eligibility of students
- inform parents/carers of decisions regarding the status of student transport requests once eligibility has been assessed by all relevant departments
- work in cooperation with the Department of Transport to ensure that the services provided meet the needs of eligible students
- provide suitable areas for buses to drop off and pick up students, ensuring these areas are free of obstruction.

### Department of Education - Student Support will:

- liaise with the Department of Transport to ensure the smooth running of services
- ensure that the travel support needs of students are appropriately assessed in accordance with the eligibility criteria
- work with the Department of Transport to manage a 'waitlist' of students who have been determined eligible
- facilitate biannual meetings with appropriate representatives from the Department of Transport, school principals/delegates, transport service providers and support staff.

### Department of Transport will:

- assess the distance and time eligibility of students
- inform the Department of Education of eligible students' transport outcomes
- liaise with transport service providers to arrange appropriate transport for the student
- contract and supervise the transport services
- liaise with transport service providers and the Department of Education to ensure and effective service

**Transport Service Provider will:**

- determine if there is available space, and the most appropriate mode and route of travel when applications are received
- advise the Department of Transport of the outcome, including the pick-up and drop-off details
- deliver the service in accordance with the route and schedule
- ensure that management and staff are familiar with the policy and guidelines and the conditions of contract for the services and carry out all tasks in accordance to these.

**Drivers and transit carers will:**

- be fully aware of the requirements of their roles as determined by the employer and carry out duties accordingly
- maintain an open communication flow with parents/carers and the school by sharing appropriate information in relation to students
- ensure all safety regulations and procedures are adhered to.

Refer to Appendix A for more detail of roles and responsibilities.

## **6. RELATED POLICY, LEGISLATION AND DOCUMENTS**

### **Policy, Procedures and Guidelines**

- [Students with Disabilities policy and guidelines](#)

### **Legislation**

- [Education Act](#)
- [Disability Standards for Education](#)
- [Disability Discrimination Act](#)
- [Anti-Discrimination Act \(NT\)](#)

### **Related documents/links**

- [www.worksafe.nt.gov.au](http://www.worksafe.nt.gov.au)