

16 NCAC 06H .0106 NON-INSTRUCTIONAL SPECIAL EDUCATION SERVICES

(a) Transportation.

- (1) LEAs shall provide or pay for the costs of transportation for children with disabilities enrolled in the schools or programs in their local school systems and shall also provide or pay for the costs of transportation to any private residential or nonresidential program if the student has been placed in or assigned to that private program by the LEA. Transportation funds for this purpose may be provided through local boards of education annual budget transportation allotments that are administered by the School Support Division of the Department. These funds shall be incorporated in the general transportation plan of each local board. For preschool children with disabilities, payment of these transportation costs must be made from either federal or state preschool program funds.
- (2) If a child with disabilities is assigned to or enrolled in any residential or nonresidential program operated by or under the jurisdiction of the Departments of Health and Human Services or Correction, the department operating the program or having the program under its jurisdiction or control shall provide or pay the costs of transportation. This shall be applicable for programs for school age students with disabilities as well as programs for preschool children with disabilities. The only exception shall be when a child is enrolled in a LEA and is counted for funding purposes by the LEA, but attends a class or classes at a Department of Health and Human Services program. In this case, the LEA shall provide the transportation to the Department of Health and Human Services program and return to the LEA or home.
- (3) The costs of transportation for a child with disabilities placed in or assigned to a school or program outside the state shall be paid by the LEA placing or assigning the child.
- (4) Reimbursement for transportation costs paid for any one child may not exceed the Department of Transportation allowance per mile unless it is demonstrated by the child or his/her parents that this limitation will work a hardship or is unreasonable. The LEA and the appropriate state agency shall approve this justification.

(b) LEAs shall determine and arrange for the provision of all materials, supplies and equipment essential to the instructional programs for children with special needs.

*History Note: Authority G.S. 115C-141;
 Eff. July 1, 1986;
 Amended Eff. August 1, 2000; June 1, 1996;*