

THE PUBLIC ADVOCATE FOR THE CITY OF NEW YORK Bill de Blasio – PUBLIC ADVOCATE

TESTIMONY OF PUBLIC ADVOCATE BILL DE BLASIO BEFORE THE CITY COUNCIL REGARDING SCHOOL BUS SERVICE

October 10, 2012

Thank you Councilmember Jackson and the Education Committee for holding this important hearing. My name is Edie Sharp and I will be delivering testimony on behalf of Public Advocate Bill de Blasio, who was unable to attend today's hearing.

With the start of every new school year, my office is inundated with calls from parents regarding problems with their children's bus service. This has been true for every year that I have held this office. Sadly, despite multiple letters to the Department of Education, a comprehensive report on the subject, and countless individual cases seeking resolution, the beginning of the 2012-2013 school year seems to be no aberration from the poor service delivery of the past.

School transportation complaints are some of the most common education-related constituent issues that the Public Advocate's Office receives. Time and again, I have heard from parents across the city that the challenges they face with school transportation extend far beyond the school bus, with ramifications for their child's learning, their families' schedules, and their sense of stability and safety for their children.

Presently, there is a deficiency of communication and an absence of clear lines of accountability within the Department of Education. When it comes to pupil transportation, the problems that families must face are myriad; yet when they attempt to address these issues with the Office of Pupil Transportation, they must navigate a complex, byzantine system that more often than not fails to correct simple problems quickly and effectively.

My office published a report last October that addressed the many problems with bus services for our city's children and the disproportionate impact these issues have on children with special needs. I made a number of recommendations to improve this essential service, yet the Office of Pupil Transportation has not yet taken the many necessary steps which would ensure substantive improvements in busing services.

I believe the following steps would greatly improve pupil transportation for New York City children and their families. These are:

- 1. Reduce the maximum time limit students with disabilities are allowed to spend on the bus:
 - Within borough: reduce from 90 minutes to 60 minutes;
 - Out-of-borough: reduce from 115 minutes to 90 minutes.

2. Take preventative and proactive steps to reduce bus schedule confusion:

• Perform a dry run before the first day of school and on any restructured bus route to prevent disruptions at the beginning of the first school year.

- Ensure that the majority of children who need bus service are incorporated into the Department's system *before* the beginning of the school year. The DOE should conduct transportation outreach with all families in the summer to ensure the least amount of route adjustment.
- The DOE should clearly outline which documents parents need to bring to IEP meetings that relate to transportation services, and make this information accessible. This will help ensure that every student is appropriately serviced beginning with the first day of school.
- 3. The Department of Education should clarify lines of communication so that parents have one not several points of contact when they have a question or a complaint.
 - The Department of Education should notify parents of delays exceeding 15 minutes. Bus attendants can do this safely and simply through text-message alerts
 - OPT must establish clear protocol and an easy-to-use guide for parents experiencing difficulties with their bus service.
 - Parents should have **one** point of contact when experiencing issues with their bus service: the Office of Pupil Transportation.
 - When a complaint is made, OPT **must** contact the parents and follow up with a clear explanation of the steps taken to resolve the problem.

I believe that these changes can greatly improve the effectiveness, transparency, and accessibility of this important service. I urge you to act swiftly to correct these issues, and look forward to working with my colleagues in government to find resolution to these persistent concerns.

Thank you.



I'd like to begin by thanking Council member Jackson for having convened this hearing and Council members Garodnick, Jackson, Lappin and Van Bramer for having been so responsive through their constituent services divisions to my complaints.

I am the mother of a three year old child with special needs – he is autistic and has limited speech. Although we live in Long Island City, the most suitable school for my son is located in Harlem. My husband and I each work full-time, and we are dependent on school busing. This year, in an effort to cut costs, the DOE switched busing companies, awarding the contract for my son's school to Consolidated Bus, switching providers from Selby which had previously worked with the school for a decade without incident.

Before busing even began, it was apparent that Consolidated was unprepared to deal with the logistics associated with the number of new contracts or the routes associated with these contracts. We read in horror the tales of children lost or stuck on buses for hours on end. We (and other parents at my son's school) exchanged details of calls received from the busing company — my favorite (or least favorite) was when, before school began, I received a call which began with, "We have your son and we need to know where to pick him up ..." which was both frightening (as I believed my son to be at home with his nanny) and nonsensical (if they had my son, presumably, they would know the address at which they had picked him up). The company didn't know the start date for school or busing (which was to begin a week after school began to permit for phasing in these children who are extremely sensitive to change, disruption or confusion of any sort). Many others never received calls.

I was delighted that Consolidated's contracts were terminated. However, our saga did not end there. The contract was then awarded to the next lowest bidder, Alina. Alina did not contact the vast majority of parents on the routes (including our family). Those who were contacted did not receive driver or matron names or phone numbers. Without notice, Alina switched subcontractors for two of three routes so that families were left without even the recourse of company contact information. The routes were incomplete (leaving off many students in the school) and horrifyingly unrealistic – containing assumptions such as covering thirty blocks in Manhattan in three minutes or making it from near JFK to near LaGuardia to LIC in 15 minutes – before they added in a stop in Forest Hills enroute (while maintaining the 15 minute time period). It will come as no surprise that the buses were unable to complete these routes remotely on time. The first PM bus run had one child on the bus for three and a half hours including three hours of drive time. The mother received no updates from the bus company, relying instead on a trailing car of parents who texted her at each stop. Each morning, our children arrived to school between 45 minutes and an hour late. These routes not only violated the mandated legal maximums for both intra-borough and inter-borough busing, they also infringed on my son's ability to receive the educational services he so desperately needs.

After intense lobbying by parents at my son's school, we were fortunate that OPT leadership in the form of Eric Goldstein and Alex Robinson took a personal interest in our school's situation, and the contract was again switched (after a week and a half of busing) to Selby, the provider that had historically provided service to my son's school. Selby probably does cost more – they are providing five routes rather than the three that Alina did. They are getting our children to school on time and safely. My

point is this – school buses for preschoolers with disabilities are not a fungible product. There is a difference in providers, and cost should not be the sole basis for decisions regarding these contracts. As I said in exasperation to more than one person during this process, I could probably underbid every potential provider simply by cramming every student onto one route ... mind you – that route wouldn't finish dropping off the last child before it was time to pick up the children for the next morning, but we'd definitely save money, right? That, of course, is a "modest proposal" that Jonathan Swift would have appreciated, but, unfortunately, it seems the DOE might have taken seriously.

I could stand before the committee and discuss the fact that the legal maximums for busing special needs three and four year old preschoolers are themselves unacceptable — with children traveling intraborough subject to a 1 hour 15 minute maximum and children traveling inter-borough subject to a mind-boggling 1 hour and 45 minutes, but that's a topic for another day. Today, I ask you to focus your attention on one topic only — should cost be the sole determinant in awarding busing contracts for any children, let alone the most youngest and most vulnerable children in the DOE system? My answer—and I hope yours—is no.

Rebecca Hornstein Doede 917-494-6201 Rebecca_Doede@yahoo.com



Advocates for Children of New York

Protecting every child's right to learn

Testimony to be delivered to New York City Council Education Committee

RE: Special education transportation

October 10, 2012

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Deputy Director Matthew Lenaghan Good afternoon, and thank you for the opportunity to talk with you today about some of our observations and concerns regarding transportation of students with disabilities here in NYC this school-year.

My name is Maggie Moroff and I am the Coordinator for Special Education Policy at Advocates for Children of New York. At AFC, we work to protect every child's right to an education. For more than 40 years, our staff have successfully helped hundreds of thousands of families by providing free legal and advocacy services, educating families about what they need to know to stand up for their children's educational rights, and working to change education policy to ensure that the public school system serves all children of New York City effectively.

This fall, like every fall, we have heard from a number of families of students with disabilities with transportation concerns. While I wish I could be here today to testify that things are better this year, transportation services remain a significant source of frustration for parents of students with disabilities — particularly for those with students receiving preschool special education services, but certainly not limited to those students alone. We have spoken to multiple families who reported delays, confusion, busses arriving hours late, busses not arriving at all, busses arriving but not accessible to students who use wheelchairs, or busses presenting other safety concerns.

We spoke with one family whose child got to school by bus, but was then left there at the end of the day when the bus failed to show.

A few preschools reached out to us when over half their students missed days of school at the start of the school year because their bussing was not yet lined up and students had no way to get to their new school programs.



A typical story goes like this: A mother called our office two weeks into the school year to ask for help arranging bus services for her son in a preschool special education program. At that point the child still had not been to his school because of confusion and miscommunication around the bus services. The child uses a wheelchair and therefore needs a wheelchair accessible bus. Bus services were arranged for the start of the year, but when the bus came to pick him up on the first day of school the driver had been unaware of the need for an accessible bus and was unable to take the student. Weeks of the parent calling both the bus company and OPT daily failed to solve the problem and the student remained out of school. It was not until outreach was done by our office that an appropriate bus was identified.

Families, as well as our own advocates and attorneys at AFC, have logged multiple calls and spent hours on hold with the Office of Pupil Transportation (OPT) in order to arrange bus services for individual children. Parents have missed work because they had to provide transportation that should have been provided by OPT, or because they had to stay home with children that never got a bus. Parents and advocates alike hear again and again from OPT that they have little control over private bus companies. Furthermore, when we reach out to other offices at the DOE in order to hold OPT accountable, we are often told that OPT operates on its own, and central DOE has no control over OPT.

Let me be clear: this is a matter of grave importance and signifies something much more than inconvenience to these children and families. When a child is kept from school for part of the day as a result of endless bus rides, or for all of the day, sometimes for weeks at a time, this is nothing short of a denial of that child's legal right to receive a free and appropriate public education. Something must be done immediately to establish and enforce a system where the private bus companies are accountable to OPT, and where OPT itself is accountable to the DOE and to the many parents of students with disabilities reliant on them to get their children to school every day. Our children with disabilities, already fighting for access to quality schools and programs, should not then be left stranded because the bus fails to come for them.

Thank you for the opportunity to speak with you today. I would be happy to answer any questions you may have today or any time in the future.

Citywide Council on Special Education

October 10, 2012

Testimony for NY City Council Hearing on School Bus Service in NYC Public Schools

Busing leaves many parents, as well as members of the CCSE, wondering if the recurring issues and problems with busing for students with special needs will ever improve or be resolved. This school year began with new contracts and some new providers. It also began with widespread reports of problems from parents. The issues and complaints were covered extensively by various NYC news media. Several elected officials and community leaders also took up the cause with frustrated and unhappy constituents pleading for assistance. The issues continue to be the same as those in preceding years. Drivers and matrons are not trained or adequately equipped to deal with the students. Buses are late or leave early causing children to miss instruction time. Time on the bus is exceedingly long. A number of students with serious medical issues were on buses for as long as three hours when returning from school. While there are no mandates requiring the Department to limit route time, the law does clarify it should be reasonable and most districts throughout the state try to make the longest of route only one hour. Navigation devices have also been recommended to improve routing. Cameras have also been recommended as reports of bullying on the bus are constant and to ensure general quality assurance.

In many ways parents were reminded of the chaos and concern when consolidation plans recommended by Alvarez and Marsal were implemented in 2006. In those instances, children were left unattended at bus stops; were instructed to be ready for the bus at 6:30 AM; were denied services and offered metro cards when the student was 5 years old or when the student had ambulation issues or when the student needed porter services (assistance down flights of stairs or over obstacles).

In an effort to correct serious problems with Consolidated, one of the contracted bus companies, the Dept. of Education revoked the company's contract. While well intended and applauded by parents and advocates, ending the contract created a spill back and mad scramble to add students to existing bus routes.

Tangentially, we have heard, but as yet do not have corroboration, that two hundred (200) bus routes have been cut from the system. We have to presume that these cuts were the results of the new contracts and the DOE efforts to reduce costs. We believed that costs would naturally shrink as more students attended their zoned schools. In truth, we had expected reduced costs in transportation not because of budget cuts but because more students in articulating grades of kindergarten, sixth and ninth grades, would be attending their zoned schools and receiving either no transportation, transportation based on distance or metro cards. Additionally, specialized transportation is billable to SSHSP when parents provide consent to the DOE. While not all parents are

Citywide Council on Special Education

comfortable with providing their child's Medicaid to the department, the DOE should process claims those who have consented in an effort to stabilize infrastructure in a time of fiscal constraint.

Under NY State law all students "in like circumstances", in this case in need of transportation, must be offered busing to and from schools. We had envisioned a plateauing of costs, unless there was a countervailing growth in school bus services provided to private, parochial or charter school students.

Recommendations:

- -File claims for eligible students who have authorized the DOE to bill SSHSP (Medicaid in Education) services
- -Revise and up date Chancellors Regulations 801 which describes busing eligibility requirements
- -Revise and up-date Bus Driver training manuals
- -Revise and up-date Bus Matron training manuals
- -Schedule training 4 times per school year for both Bus Drivers and Matrons
- -Review and implement recommendations contained in the CCSE Busing Report of 2005



The New York City Charter School Center David Golovner, VP for Policy and Advocacy Testimony Presented to the City Council Education Committee Oversight Hearing on

Oversight - School bus service in New York City, is DOE meeting the need?

Wednesday, October 10, 2012

Good afternoon Chairman Jackson and members of the New York City Council Committee on Education. My name is David Golovner and I am the Vice President of Policy and Advocacy for the New York City Charter School Center. I am speaking here today on behalf of our Chief Executive Officer James Merriman and we would like to thank you for the opportunity to present testimony at this oversight hearing.

The New York City Charter School Center is an independent not-for-profit organization established in 2004 to help new charter schools get started, support existing schools, build community support, and train new leaders so that highly effective public charter schools can flourish. In practice we work to achieve this, in part, by providing emerging charter schools with guidance and support as they navigate the development process and the subsequent start-up phase. We have also launched a parent and school community engagement project called the Charter Parent Action Network (CPAN) whose guiding mission is to help schools in New York be responsive to their community's needs and become active community partners by developing relationships

¹ Pursuant to the by-laws of the NYC Charter School Center, the Chancellor of the New York City Department of Education, Dennis Walcott, sits on the Center's board as does another staff member of the Department. The board consists of nine seats and, as a result, the Department does not have formal or effective control.



between schools, parents, and local community organizations, businesses, and government offices.

The charter school sector in New York City seeks partnerships with our elected representatives and the community at large in order to achieve the goal of providing great public schools for every child. Charter schools are free, independently run public schools that are able to innovate in their class-room structures, curriculum, and teaching methods. In return they are held to higher standards of accountability.

Currently, there are 159 charter schools in New York City that serve approximately 56,600 students. Last year, 60% charter school students were African-American, 33% were Latino, and 77% were eligible for free or reduced-price lunch.

While the 56,600 students enrolled in charters are a fraction of the 1.1 million students in the NYC school system, charters are projected to enroll 10% of new students entering the public school system in the next few years. In Harlem, one out of three kindergarten students already attend charter schools.

By state law, charter schools receive transportation services through the local school district, in this case the New York City Department of Education. We appreciate the efforts of NYC DOE leadership, staff, and contractors, including the many bus drivers who provide safe and reliable transportation each school day.

Unfortunately, like many other public schools, charter schools have seen room for improvement in the Office of Pupil Transport (OPT). When parents are trying to get their kids to school, any problem is, by definition, urgent, and what we hear from schools and parents convey



that an insufficient sense of urgency exists at OPT. We do not doubt OPT's commitment but the Charter Center has received multiple reports of calls and emails going unanswered for weeks; the time and locations of pick-ups being changed without parents being informed; drop-off times varying as much as 30-45 minutes; pick up locations being changed without notice; and families eligible for free busing being denied service or not being able to get in touch with anyone at OPT to assist them.

While similar problems are experienced by many public schools, another challenge is specific to charter schools. One of the key innovative approaches that charter schools have is simply to spend more time teaching and learning in the classroom. A majority of NYC charter schools operate with a longer school day and longer school year, with many students starting classes three weeks earlier than their district peers and with school days that run as late as 5:00pm. These innovations are in keeping with the whatever-it-takes philosophy about preparing all students for college, careers, and citizenship.

In a system of schools that prizes commitment to achievement, autonomy, and innovation, extended learning time should be something that is fully supported by school support systems including transportation. Unfortunately, that (admittedly challenging) logistical problem has never been fully addressed, and charter schools that choose to work outside of the NYC DOE calendar are largely left to make their own arrangements.

New York City is a national leader in education reform but until the bureaucracy has embraced the paradigm of serving every individual student over one size fits all, the systems our parents and scholars rely

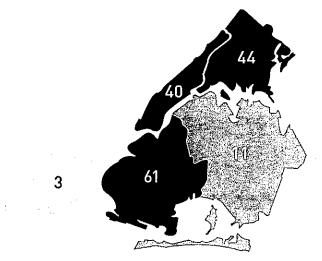


on will continue to lag behind the culture of change that forwardthinking district and charter schools have embraced. We can and must continue to push the culture forward.

We are cognizant of the enormity of the task of transporting students at non-traditional times throughout New York City's neighborhoods. For this reason, we feel it important to recognize the effort Chancellor Walcott and his staff have shown to begin addressing these challenges and we commend the City Council Education Committee for your willingness to engage in this important conversation on behalf of scholars throughout the city.

Charter School Facts 2012-13

159 Number of charter schools in NYC



61 Brooklyn | 44 Bronx | 40 Manhattan | 11 Queens | 3 Staten Island

24 Number of schools that are opening for the first time in fall 2012

9 Brooklyn | 9 Bronx | 5 Manhattan | 1 Queens

Charter schools by grades served:

87 Elementary Schools

24 Middle Schools

15 High Schools

9 K-12 Schools

15 K-8 Schools

9 Secondary Schools (6-12)

Charter renewals since 2001*:

43 schools have received five-year renewals.

15 schools have received a short term renewal.

8 schools have been closed.

*As of July 2012, 101 charter schools are still in their initial charter period.

56,600 Students enrolled in NYC charter schools

In 2012, there were an estimated...

67,500 Applicants to NYC charter schools

14,600 Available seats in NYC charter schools

52, 900 Students waitlisted for NYC charter schools

Charter enrollment by demographics:

60% African American

33% Latino

77% Free or Reduced-Price Lunch

6% English Language Learners

10% Special Education

Charter schools by network:

- 69 affiliated with non-profit Charter Management Organizations (CM0s)
- affiliated with for-profit Educational Management Organizations (EM0s)
- 84 independent charter schools



2011-12 achievement data:

Charter Schools District Schools

Math **72%** 60%

ELA 51% 47%

Percent of students at NYC schools at or above standards (NYS exams, Grades 3-8)

Collective bargaining agreements:

15 NYC charter schools (9%) have contracts or are negotiating contracts with the United Federation of Teachers union.

\$13,527 Per pupil funding from NYC DOE

[excludes federal, grant, in-kind, categrorical & privately donated resources]

Facilities:

- 96 charter schools are in buildings owned by the NYC DOE.
- 58 charter schools are in non-DOE space.
- 5 charter schools have some students in NYC DOE space and some in private space.

Charter school programs:

- 6 schools have dual language programs.
- 5 schools serve high school students at risk of dropping out.

About the New York City Charter School Center:

The New York City Charter School Center is an independent non-profit committed to fostering an environment in which public charters can open and flourish, and, through their innovative approaches, provide models for improving all public schools. The Charter Center helps new charter schools get started, supports existing schools, and engages the charter school community around key issues.

About NYC's charter schools:

Charter schools are free, independently run public schools that are able to innovate in their class-room structures, curriculum, and teaching methods. In return, they're held to higher standards of accountability.

Contacts:

David Golovner Vice President of Policy and Advocacy dgolovner@nyccharterschools.org cell: [917] 327-2631 Petra Tuomi Director of Marketing and Communications ptuomi@nyccharterschools.org cell: (551) 358-7672



Parents to Improve School Transportation asks this Committee to support a School Bus Bill of Rights, attached*. We have spoken with parents, educators and bus workers across the city for the last 3 years, and have confirmed that:

- New York State law defines transportation as part of special education (see part ww in http://www.p12.nysed.gov/specialed/lawsregs/sect2001.htm).
 Obstructing it amounts to violating civil rights.
- 2. Routes are cut at the start of each school year. OPT packs the remaining routes, typically with three schools with different session times. For example, most days my child boards the bus at elementary school at 2:25, sits outside a middle school until 3:00, and sits outside a high school until 3:39. When I call, OPT says his session time shows as 8:05 to 3:40 every day! The driver's route and the letter from OPT have the correct times but their computer has false and impossible data. My son gets home with a headache and nausea, due to OPT wanting two routes for the cost of one. Meanwhile there is an empty bus and a trained crew somewhere that could have been employed. We need more buses on the streets from day one.
- 3. The criteria for contracts do not reflect parent concerns: **high standards for training, bus maintenance, labor practices, and safety**. We disagree with simply finding the lowest bidder! We want Employee Protection Provisions for people whose working conditions are our children's riding conditions. If there is ever a bus strike, parents will blame the City.
- 4. Most school staff, IEP teams, and parents are not correctly told the steps to getting bus variances for general education students, or accommodations for special education students. A busing guide that was prepared years ago by DOE and parent representatives was never published or distributed. This contributes to a false undercount of the number and type of routes needed.
- 5. To obtain paperwork after we learn that it is required, parents must coordinate with the doctor or shelter, the school and the Network, and then wait two weeks for a resolution from OPT. Meanwhile how do the children travel? Each family is on its own to find time and money to make four trips a day. We need a grace period with free transportation.
- 6. Even when we do know and follow regulations, the routes are made too long! It seems like OPT is not only padding its time limits with the 15-minute grace period, but trying to change them de facto by making us all adapt to rides that are two hours or longer. **Does OPT exist to provide busing, or to undermine it?**

We are sick and tired of bus rides that make our children sick and tired. We hope you will help us protect them, but either way we will keep organizing for a School Bus Bill of Rights.

Thank you.

Johnnie Stevens, district 4 ASD Nest parent since 2006, on behalf of P.I.S.T.

*NYC Children with and without disabilities need a School Bus Bill of Rights

We call on Mayor Bloomberg, Chancellor Walcott, and the Office of Pupil Transportation (OPT) under Deputy Chancellor Grimm to:

1. Plan ahead, prevent chaos—stop late summer layoffs!

Any vehicles that are underutilized on the first day of school will fill up soon enough, so get them ready and rolling with a full complement of workers.

2. Respect educational mandates for adequate supervision

On special education vehicles, student-to-adult ratios and the range of grades/disabilities grouped together should align with the limits that apply during the school day.

- 3. Stop creating route schedules that make disabled children consistently miss lessons in the morning and/or afternoon including Extended Day and breakfast programs. OPT must cross-reference screens, and double-check session times with each school, when creating routes.
- 4. Respect physical and neurological needs of the children
- a) Enforce regulations on limited time travel and air conditioning.
- b) Minimize unsolicited changes in routine that trigger anxiety symptoms.
- 5. Simplify bus itineraries—limit the number of schools or dismissal times on each route.
- 6. Safety above all!
- a) Ensure that students in wheelchairs on buses have secure chest harnesses and head rests.
- b) Restore general education busing up to 8th grade in SI and Queens districts where mass transit is scarce, as promised.
- c) Enforce mandate for schools to work with drivers and escorts to provide bus evacuation drills.
- d) Inspect for safety matters, not for excuses to fine and harass bus workers.
- e) Study the feasibility of snow chains and other bad-weather needs.
- 7. Proactively inform parents—in their home language—and school staff on all steps required to secure transportation rights within or without an Individualized Education Program. Allow services for a grace period while parents complete any steps that were not explained in advance.
- 8. Improve communication about emergency and long-term changes.
- 9. Empower a panel of representatives from organizations of disabled self-advocates, parents, bus workers and educators to either approve or renegotiate OPT plans for achieving the above.
- 10. Maintain an experienced, skilled and dedicated transportation workforce: Support the EPP (Mollen Agreement) bill in Albany and include Employee Protection Provision in all bids.

To endorse this effort, contact Parents to Improve School Transportation: 347-504-3310

For the Record

From: Mary Rainwater [mailto:rainwatermary@msn.com]

Sent: Wednesday, October 10, 2012 10:41 AM

Subject: Written testimony for consideration in the Education Committee hearing 10/10/12 on

school bus service in New York City public schools

To whom it may concern,

My son Joseph "Andy" Pichirallo, ID #231710963 attends The Summit School Union Turnpike location. He is assigned to Safe Couch Inc. Bus Route #P749. I am writing to express my concern and follow up on the complaints I have registered with OPT about the bus route (complaint # 1999045) and am requesting that this correspondence be included as written testimony in the hearing being conducted today by the Education Committee on the bus service.

Here are the problems with the bus route that I have reported since the beginning of this school year:

- 1. The bus has been taking upwards of 1 3/4 to 2 hours each way daily since the first day of school. Initially, the reason may have been that there were 17 Summit students on this bus. On 9/24, we were assigned to a new bus (his current bus). It is my understanding that the new bus has approximately 12 students, and yet the average bus ride remains nearly 2 hours each way daily. The bus continues to arrive late to school nearly every morning (as far as I have been able to track, it appears to have arrived on time no more than 2 or 3 times), meaning my son is either late to or missing his first homeroom period. This is particularly stressful to him as he is a new student at Summit and just learning his routine. Further, now that homework has begun to be assigned, coupled with an existing, genetic medical condition that is associated with poor stamina, I am concerned that he will be unduly fatigued because of the excessive time on the bus and be unable to complete his homework assignments in a timely manner jeopardizing his academic performance.
- 2. The bus route includes children from both the upper Summit school and the lower Summit school. This was not disclosed to the parents by either Summit or OPT (my son informed me of this). Why does the bus have to cover both the upper and lower schools, adding additional time and distance to the route? In addition, I am concerned that there be adequate supervision over the behavior of youth on the bus, given the wide age range that exist between these youth. Is the matron assigned to the bus appropriately trained, able and qualified to provide the level of oversight and supervision needed for such a large number of youth who are at very different stages of their development?
- 3. It is my understanding that the route itself is convoluted, sending the driver around in circles, back forth and adding unnecessary time to the route. If the route is ill construed, it should be changed.
- 4. It is my understanding that there is a legal, maximum time allowed for children to be in transit on OPT buses, and that currently the bus commute my son is experiencing is not in compliance with those time limits. My son is the second pick up and second to last off (although this is still in flux on almost a daily basis which is also disruptive to our schedule).

Recognizing that adequate financial resources are a continuous challenge, it seems that there may be other revenue neutral approaches that the Education Committee could recommend DOE and OPT explore as part of it's assessment on how to better meet the transportation needs of students. I strongly recommend that OPT be directed to research all reasonable options for a pick-up/drop off process that would result in more equity for children, so that the burden of long commutes is more evenly distributed and not born by the same child/children each day both ways. Options to explore might be reversing the order of pick up/drop off one direction. Another might be for OPT to consider group "drop off" points along a route for those families voluntarily willing to participate in such a program if it were to expedite the bus portion of the commute. Our family would be willing to participate in this or other pilot approaches that might eliminate the excessive commute times and the noncompliance of OPT with legal transport time requirements.

Thank you for your attention to this matter.

Mary Rainwater Pichirallo

In the lecon

From: Sarah Shapiro

Subject: FW: hearing on school bus issues Date: Tue, 9 Oct 2012 18:22:51 +0000

My name is Sarah Shapiro. I am a mother of a son with special needs. Theo is 11. He has tourettes syndrome, severe anxiety, add and learning disabilities. He started attending Summit School in Queens over 2 years ago at the age of 9. We live in Brooklyn so he takes the bus to and from Brooklyn to Queens every day to get to school. The average amount of time it takes Theo to get to school and home each way is 1 1/2 - 1 3/4 hours. That is 3-3 1/2 hours on the bus every day in addition to over 6 hours every day for school. By the time he gets home he's been up, travelling and working in school for over 9 hours, then he has to do his homework!

Every year has been fraught with problems. The first year the driver drove recklessly and Theo told me about at least 3 accidents (not serious Thank God) which were due to the driver's incompetence and inattention. I usually had to call the bus company because nobody ever called me to tell me about these "accidents". The bus matron yelled at the kids nonstop if they whispered to each other. Only silence was allowed on the bus. Nobody was allowed to drink water. Theo has asthma and has medical accommodations so he is supposed to be on an air conditioned bus. The a.c. didn't work properly and blew out hot air. The worst situation was when one of the boys was dropped off, not at his house but a block away on a road with traffic. This was a 5th grade boy who had to cross the street alone and was harassed by some teenagers before he made it home. I was horrified to learn that the bus matron did not lose her job. She's still working for Logan Bus Co.

Last year the driver and bus matron were much nicer but the bus matron was not equipped to deal with 10 special ed. kids because she hardly spoke English. Some of the boys on the bus were out of control, cursing, yelling out inappropriate sexual jokes and she was totally unaware because of her limited English. The kids on the bus suffered all year because a few boys took advantage of the situation and yelled, fought and disturbed everyone all year long. The bus matron was so unequipped she resorted to bribing the unruly boys. If they were quiet or stopped terrorizing the other kids she would give them \$1. I don't fault her. She was a nice woman. She was obviously not trained to deal with kids with issues. This bus company was Logan.

This year we are with Jofaz Bus Co. (route P-571). My son is 3rd to be picked up in the morning and 8th to be dropped off after school. He is picked up around 7:15am but rarely arrives at school by 8:45. He's usually there around 8:50, over 1 1/2 hours on the bus. When I drive him it takes 45 minutes. After school he arrives home around 4:35 (again over 1 1/2 hours to get home). Last year he was also 3rd to be picked up and 8th to be dropped off and he was on the bus with the same kids, however he was picked up closer to 7:30 and got home every day by 4:10. Why he's on the bus 40 more minutes this year is a mystery to me.

At the beginning of this year in September, we were told by the bus matron that our pick up time was 7:21am. We came downstairs and were waiting and waiting. I finally called one of the other parents and found out that the bus had already picked up their kids. I called Jofaz and they called the bus driver. He said he had come and we weren't there so he left. We were there at our appointed time. He had come early and just drove off. I demanded that they come back for my

son. They did after we had been waiting outside for 45 minutes! I complained to the bus company and they said the bus driver only has to wait 1-2 minutes and the bus matron does not have to call to let you know they are out front. Why do they have our phone #s if they don't call?

A week ago one of the boys on the bus called and said that the bus hadn't come for him. I called my son on the bus and he said that the bus just drove by the boy's house without stopping because there was a garbage truck behind them and they didn't want to block the garbage truck. I spoke to the mom of the boy who wasn't picked up. She said the bus matron told her that they had stopped and waited. My son assures me that she lied; they had never stopped. Of course that poor woman had to get her son to school that morning somehow and I'm sure she was late for work, too.

No child should be sitting on a bus for 3 - 3 1/2 hours each day! That is cruel and unusual punishment, especially for kids with attention/behavior/learning/psychiatric and neurological issues!

What we need:

No child should be on the bus for 1 1/2 hours each way. That is 3 hours on the bus every day!!! That is ridiculous! The OPT will only take a complaint if the ride is 1 hour and 45 minutes or longer.

The routing needs to be better. Children should not be sitting on the bus for over 1 hour each way! ESPECIALLY kids with special needs!

Bus matrons need to be trained to deal with kids with special needs.

More buses need to be used so kids are not driving around for 30 minutes to 1 hour picking up other kids in their neighborhood before they can even start driving to their schools.

Bus matrons should be given cell phones so they can call parents when they are approaching their houses so we don't have to wait outside in the cold rain/snow.

Bus drivers should be monitored/assessed on a regular basis to make sure they drive safely. Bus matrons should be proficient in English.

No child with medical accommodations (for asthma etc.) should be on a bus longer than 1 hour!

If the DOE can't get their act together they should provide other options and pay for parents to get their kids to school in a reasonable amount of time: car service, private bus for 5-7 kids, carpools etc.

I would appreciate it if you would consider my story and do everything in your power to improve the bussing situation for our children. I would also appreciate hearing back from you about the results of the hearing.

Respectfully,

Sarah Shapiro (teacher with the NYC Dept. of Education and mom to Theo, 11 years old)

TESTIMONY OF MICHAEL CORDIELLO, PRESIDENT OF LOCAL 1181-1061,

AMALGAMATED TRANSIT UNION

BEFORE

THE NEW YORK CITY COUNCIL

COMMITTEE ON EDUCATION

CHAIRS: Robert Jackson

Oversight- School Bus Service in New York City

GOOD AFTERNOON, Chairperson Jackson & Council-members, I thank you for this

opportunity to testify on the evaluation of the Department of Education's school bus

transportation services.

My name is Michael Cordiello and I am the President of Local 1181 of the Amalgamated

Transit Union. I am joined here today by many concerned parent advocates.

As many of you may know, ATU Local 1181 represents approximately 15,000 transit

workers in the tri-state area, including 9,000 school bus drivers, matrons, and

mechanics who daily provide safe, efficient transportation to about 160,000 New York

City school children. Local 1181 members have been transporting school-age children

for over 60 years. We have collective bargaining agreements with most of the private

bus companies that, in turn, have contracts with the Department of Education for

transportation of pupils throughout New York City.

We are not here to attack the Department of Education, but to work together with the Department of Education, the parents, the bus companies and the schools to reach solutions that best ensure quality of service and the safety of the students we transport.

It is important to take a minute to understand how the system has worked in the past to successfully achieve these goals. The cornerstone of this system is the Employee Protection Provision (EPP), which has been enshrined in bus company contracts with the city for over three decades and which keeps experienced drivers, matrons, and mechanics in the industry, so they can continue to safely deliver our children to and from school.

Under the EPP, private bus company employees (whether they are members of Local 1181, another union or no union at all), who are laid off due to a termination of a contract between their employer and the Department of Education, are, on the basis of their seniority in the industry, given priority in hiring by replacement contractors who are retained by Department of Education to do that work.

They bring with them the wages and benefits they earned with the prior employer which can vary depending upon the employer, whether or not there was a collective bargaining agreement with that employer, and so forth. With this job security in place, the Department of Education is able to retain the most experienced, skilled drivers to best serve our children. These are the drivers who know the roads and are adept at maneuvering buses while navigating the congested streets of New York. Our matrons are the most experienced in assisting students, especially those with special needs or physical disabilities. Clearly, any attempt to eliminate the EPP to save money presents

a clear threat to the delivery of safe, reliable and professional transportation services to New York City children and their parents. This is an ill -conceived, counterproductive folly, that must be wholeheartedly rejected.

This is not just rhetoric, as recent experience only too graphically demonstrates. There was no EPP in the bid recently issued by the Department of Education for Pre-K work, the goal of which appeared to be the attainment of the cheapest possible labor costs; ironically in an industry involving the transportation of our needlest and most atrisk children. The result of this inconsiderate and callous race to the bottom was apparent to anyone watching TV or reading the papers.

In contrast to what happened in Pre-K, I want to provide the example of how our drivers performed professionally, efficiently and quickly in order to provide quality service to our children, at the very beginning of the school year. When Varsity Bus recently went out of business, the Department of Education approved the assignment of approximately 250 routes to three other bus companies. The approved assignment of this new deal occurred at 2:00 pm the day prior to school opening. The Department of Education asked the union to have those drivers ready to work at 5:30 am the next morning.

With almost no warning or notice, Local 1181 sprang into action and by 2:30 pm began calling our 250 members to come to the bus garage at 4 pm to pick new companies and new routes as provided by the EPP. Well, all 250 of our experienced drivers showed up and Local 1181's executive board and the bus companies' owners stayed until 10 pm that evening, until all the routes were picked. Those drivers reported

to work the next morning at 5:30 am to pick up their buses and perform their routes and without a hitch those experienced drivers picked up their children.

The transition overnight was seamless, and that is because of the EPP, the experienced drivers, the dedication of Local 1181's Executive Board, and those bus owners all working together.

Local 1181 stands with thousands of parents whose children depend on school bus transportation and who have either been stranded or stuck on a bus for hours because of overcrowded, condensed routes which causes a layoff of bus drivers and matrons at the beginning of every school year. These problems are caused by a combination of reasons ranging from late registration of children to poor routing and scheduling. They affect not only the performance of workers, and the satisfaction and safety concerns of parents, but also create unnecessary stress on students, which present additional barriers to creating a successful learning environment.

Again, our goal is to not turn against the Department of Education and cause a negative stir. We want to be a part of the solution in ensuring safety for the transportation of the most precious cargo in the city of New York to and from school along with ensuring job protection for 1181 members. After all, who would be better prepared than Local 1181's drivers, matrons and mechanics, the most experienced in the industry, to help improve the system from the ground floor up?

That is kind of help we offer, after all no one knows the problems of any industry better than those who actually do the job.

Finally, I want to emphasize strongly that I stand here in solidarity with parent advocates. Our interests and goals are the same: to ensure their children's right to the best possible transportation to get to school safely and on time, in order to help create the conditions for the best possible education at a school best suited to their children's needs. Thank you very much for affording me this time and for your attention.

TESTIMONY

New York City Council Hearing

Committee on Education

Presented on Wednesday, October 10, 2012



The Council of School Supervisors and Administrators Ernest Logan, President Mark Cannizzaro, Executive Vice President Randi Herman, Ed.D., 1st Vice President

40 Rector Street, 12th Floor New York, NY 10006 (212) 823-2020 www.csa-nyc.org authoritative figure on the bus is the driver who remains occupied. In some instances, bus drivers have had to pull over and dial 911 in order to break-up fights between students and address other safety concerns. Moreover, because the bus commute is considered an extension of the school day, any incidents that occur are reported as though they took place on campus, and thus negatively affect a schools rating despite the lack of student supervision afforded by the DOE. Ensuring that attendants are on all school buses would allow for student supervision, as well as provide an alternative point of contact for parents and school leaders trying to locate and make contact with the buses.

Lastly, it would be remiss not to discuss the legislation passed earlier this year which reinstates service to 7th and 8th graders in areas of the city where variances would have been granted during the 2009-2010 school year. The DOE has interpreted the law in such a way that only "old" and not "new" schools are entitled to school buses, which we see as an outrageous disservice to the communities who rely on bus service. In fact, in a letter dated September 5, 2012 the State Education Department (SED) expressed to the Office of the Mayor that the intent of the legislation was to restore service to all schools "within the intended service areas" as opposed to "old" versus "new" schools. In some instances, certain schools have been granted variances due to hazardous conditions, and are not merely tied to the distance students must travel. Tragically, on the last day of school a 13 year old girl was killed while trying to catch an MTA bus home from Staten Island—a commute she made daily because of the cuts to service. To date, the DOE has yet to restore service to these areas on Staten Island and we hope that restoration will occur before another tragedy occurs.

It is undeniable that many of the negative experiences students encounter while riding on the bus to and from school, have an impact on the child both in school and in the neighborhood. This can and should be dramatically reduced if we are serious about the premise and promise that "children come first." This should be reason enough to make these necessary changes and enable New York City to better meet the needs of students who rely on bus service. As always, we hope that you will call on CSA to join you in developing policy that positively impacts the lives of our students.

Sincerely,

Randi Herman, Ed.D. 1st Vice President

CSA is Local 1 of the American Federation of School Administrators (AFSA), AFL-CIO, located in Washington, DC. CSA is also affiliated with the NYS Federation of School Administrators (NYSFSA), which is, in turn, a member of the NYS School Administrators Consortium (NYSSAC). CSA represents Principals, Assistant Principals, Supervisors and Education Administrators who work in the NYC public schools, Early Childhood Education Directors and Assistant Directors who work in city-subsidized Day Care Centers.



151 East 67th Street New York, New York 10021 212-988-9500

Testimony for the New York City Council
The City Council's Education Committee, chaired by Council Member Robert Jackson,
Hearing title: "Oversight - School bus service in New York City"
Wednesday October 10, 2012

My name is Jeanne Alter and I am the Executive Director of the Kennedy Child Study Center. We have program sites in Manhattan and the Bronx and provide services to over 300 preschoolers with special needs on a daily basis. I am here to testify of the inexcusable disruption of mandated early childhood special education services caused by the NYCDOE in an effort to restructure special education transportation services for children receiving early intervention and preschool services in the city of New York.

The start of a new school year is always hectic. Having worked in city preschools for over 25 years, bussing issues at the start of the school year are to be expected. However, the level of chaos created with the new transportation system, overseen by NYCDOE and OPT, was unacceptable and barely adequate. Children and their families, five weeks after the start of the new school year, are still experiencing service disruptions which continue to compromise their ability to benefit from the services which are *legally* mandated.

As providers, we champion change which brings about efficiency and exercises fiscal responsibility. It is also our duty and obligation to raise concerns that not only endanger children and traumatize their families but also deny them of their educational rights.

- Service disruptions created hardships on families and forced parents to choose between their jobs and the special needs child's mandated program services.
- Flagrant disregard and at risk behavior on the part of some transportation providers was witnessed in regard to child endangerment. This includes 2 and 3 year old children without car seats, 2-3 hour rides to and from school, and the inability to talk to anyone at the bus company to determine the whereabouts of a specific child. Rosters changed from morning to afternoon, without notice to staff. Schools are accountable to take bus attendance which became impossible as we did not know which children to expect on which bus (or the correct bus to put the child on for transportation home).
- Families were forced to travel by any means including public transportation with children who have physical limitations or have serious behavioral issues. Many could not afford the round trip subway fare and were not able to bring their child to school.

I am urging the City Council on behalf of this City's special needs early childhood children to intervene immediately and restore these services to a level that is required for safe and appropriate transportation in the City of New York.



Testimony of Resources for Children with Special Needs

City Council's Education Committee October 10, 2012

I would like to thank the Chairperson of the City Council's Education Committee, Council Member Robert Jackson, and the rest of the members of this committee for holding this important oversight hearing on the topic of student busing in New York City.

My name is Lori Podvesker. I am here on behalf of Resources for Children with Special Needs (RCSN) a parent-founded, parent-led non-profit organization working on behalf of children and youth in all boroughs in New York City, where I have worked for the past two years. I am also the parent of a 9-year-old boy with special needs who attends a District 75 program in Brooklyn.

At the beginning of every school year, there is a spike in the number of calls RCSN receives from parents and caregivers regarding problems with their child's busing services, and this year has been no exception. We continue to see the same troubling patterns in calls received at RCSN that we have seen for years, and a few new ones that are caused both by the reduction of bus routes this year and the citywide roll-out of special education reform.

This year, I have become part of the pattern. My son Jack's bus route this year transports seventeen students to three different schools. We live 5.1 miles away from his school and he is the second student picked up in the morning and the second to last student dropped off in the afternoon. He is picked up at 6:20am for an 8:00 starting time and does not return home until 5:00 pm every day, 2 hours and ten minutes after his 2:50 dismissal time. His time on the bus far exceeds the ninety minute regulation.

I wish my Jack were the exception. Ongoing common problems include:

- Children are commuting to and from school longer than the current mandates allow, and
 far too often, these same students miss instructional time and therapy, directly interfering
 with their educational progress. We believe this is related to increased travel times caused
 by more students assigned to fewer bus routes.
- Parents report feeling exhausted and powerless when navigating and trying to resolve busing issues within their schools and when communicating with the Office of Pupil Transportation. Parents often spend significant time on the phone reporting and documenting complaints to OPT and miss time from work to transport their child to and from school or pay for other traveling arrangements. This exacerbates the lack of trust many parents already feel about the extent to which the DOE is meeting their child's educational needs.

 Parents express concerns that the health and safety of their child is compromised by long bus rides. This includes students regressing with their toileting skills, starting off the school day being anxious due to missed instruction, and feeling agitated by the amount of time they were forced to sit in one place.

The Chancellor's Regulation on Pupil Transportation A-801, does not limit the age range of students riding on a single bus or limit to the number of schools on each route. The current standard for professional development of one training annually is insufficient for bus matrons and drivers to respond to the unique disability-related needs of their students, especially in light of the diversity of their students and the length of their trips.

Excessive transportation time leads to reduced instructional time, diminished capacity for learning, and limits access to after school therapeutic and social activities. We ask you to hold the Department of Education accountable to the students, parents, and citizens of New York City, by ensuring that the DOE does the following:

- Adhere to its own "in borough" transportation time limits as stated within the regulations;
- Improve communication with parents when they are attempting to resolve their students' busing issues. This includes; timelines, processes, and publicly accessible contact information. Parents must have access to the people within the DOE and OPT with authority to change bus route assignments and address other transportation problems;
- Amend and update the busing regulation A-801 so the age range of children riding each bus is more homogeneous;
- Improve competency of bus drivers and matrons by increasing annual special education professional development requirements.

I have watched my son Jack's bus drive away morning after morning, before he is seated or his seatbelt is secured. I have seen him fall. Jack has cerebral palsy and is non-verbal, and should not have to worry about falling on his face while struggling to coordinate his body.

I am a working mother and a professional advocate. I have spent countless hours on the phone with the school and bus driver, rescheduling therapists and sitters, making and changing plans. Despite my efforts, Jack has missed at least 6 hours of therapy so far this school year. It has taken me 5 weeks to have Jack assigned to a new bus, starting today. This is not acceptable.

Thank you for your consideration of these remarks and please do not hesitate to follow-up with us at any time.

" For The Record"

From: Missy Adriazola

Sent: Tuesday, October 09, 2012 8:01 PM

Subject: Hearing on School Busses

Hello,

I am the parent of an almost 3 year old little blind girl, who is just learning to speak in a few words at a time, but not always understandable. She started pre-school for her first year at the Lighthouse (59th/Lex) and we live in the Bronx. She is on a route that is to pick her up at 7:15am (the first of 11 stops) and arrive at the school at 8:45/9am. Aside from all of the bus problems, having a blind child strapped in a car seat with 11 other children and one matron on a bus for almost 2 hours is absolutely ridiculous. On top of that, we know that at times it's been taking over 2 hours. The bus company does not even allow toys or snacks to keep kids occupied. (I don't think any adult could be strapped into a seat for at least 2 hours with nothing to occupy their time.) She is then the last of 11 stops on her way home. I have spoken to many teachers at the school and they said that it is unusual to have so many kids on the bus and in the past with so many kids, and so many problems, that they've split up the routes with fewer kids so they aren't sitting for so long. I've called the bus company numerous times to complain and the General Manager has not returned my calls. I filed a complaint with OPT and am awaiting their response. Kids with disabilities are delicate enough and shouldn't be forced with such a difficult situation. My daughter gets motion sickness and agitated when sitting for so long as it is, even on a car ride with me sitting next to her playing with her. I really hope some accomodations can be made, especially for kids with extra needs such as my daughter. I look forward to hearing what I hope will be positive results out of this hearing. Please pass along my notes to those decision makers. Thank you for your time.

Regards,

Missy Adriazola

" For The Record"

From: Paula Beer Levine

Sent: Tuesday, October 09, 2012 2:34 PM

Subject: Bus Hearing

Hi

I wanted to write to you ahead of the hearing tomorrow. My 11 year old son Jake has been on special ed bussing since he was 4 years old. He as ADHD and a language based learning disability. I have to say that his first two years on the bus were just fine, nice drivers, nice matrons (who seemed trained) and routes that made sense. The last 5 years have been another story. He has been on routes that take over two hours, make him late for school, make him sit 2-3 kids per seat, matrons that will not allow the children to talk, drivers who get in repeated

There has to be something that could make bussing system wide better. More training, better and more thought out routes. Please help Jake and the thousands of kids like him who ride the bus each day - not because they want to, but because they have no other choice.

accidents or who speak no English (which makes it very difficult for a child to communicate).

Thanks

Paula Beer Levine

Park Slope Brooklyn

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Name: MICHAE	
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Name: Corly		
Address: 97-/	Maxhead avenue	·
I represent:	RAN BUS	
Address:	<i>y</i>	
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Address: 435 E.7		
I represent: Joseph	Ceon20	
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(PLEASE PRINT)
Name: EDITH ANNE SHARP
Address: 1 CONTRE St. NEW YORK NY
I represent: PUBLIC ADVOCATE BILL DE BLASIO
Address: Same as above
Please complete this card and return to the Sergeant-at-Arms
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