

**TESTIMONY OF NYC PUBLIC SCHOOLS ON SCHOOL BUS TRANSPORTATION
SERVICES BEFORE THE NYC COUNCIL COMMITTEES ON EDUCATION &
CONTRACTS**

September 30, 2024

Testimony of Glenn Risbrook, Senior Executive Director for Student Transportation

Good morning, Chair Joseph, Chair Won, and all the members of the Committees on Education and Contracts here today. My name is Glenn Risbrook, and I am the Senior Executive Director for Student Transportation for New York City Public Schools. I am happy to be joined by John Benson, Deputy Senior Executive Director for Student Transportation, John Hammer, Chief of the Division of Inclusion and Accessible Learning, Dr. Cheryl Lawrence, Office of School Health Medical Director, Flavia Puello Perdomo, Chief of Schools for Community Supports and Wellness, and Tamara Mair, Senior Director, Program Implementation. I'd like to thank Chair Joseph and the Council for their longstanding partnership to ensure our students have safe and reliable bus transportation.

Getting students to school safely and on-time is essential for success in the classroom. My team works tirelessly every day on two fronts: making our existing operations function as seamlessly as possible for students and families, while also focusing on modernizing and reimagining transportation so that we can prevent some of the common problems families face.

While there is more work to be done, our team has made important progress. As part of our effort to update our systems and improve our communication with families, we launched the NYC School Bus App—powered by “Via”—which lets parents track their child’s bus in real time. To date, we’ve seen 57,000 parents download the app. 18,800 parents have successfully logged in to the app so far this academic year. We have also expanded our call center to help address issues more quickly. While years ago families waited for 35 minutes or more, we now see average wait times of 30 seconds or less. To provide better responsiveness to parents, we have also launched our online SupportHub, which lets parents report transportation issues and track resolution status online rather than waiting on the phone.

To respond to the ongoing driver shortage which causes certain routes to be out of service when drivers are absent, we have developed a pre-paid rideshare option for families.

We are excited to announce that we’ve worked with MTA to roll out student OMNY cards, which let eligible students use up to 4 taps each day—24 hours a day, 7 days a week, 365 days a

year. We have provided over 500,000 student OMNY passes, and our students have taken 2.59 million public transit trips thus far this year, a 36% increase over the same timeframe last year.

Thanks to the Council's help and advocacy, we have also worked with EDC to help secure discounted ferry codes for high school students across the city.

As I said, we have more work to do. I would like to talk about yellow bus service across New York City schools and some of the steps that we would like to take to make it better for our students and families.

It is important to emphasize that our school bus operation is massive and complex. New York City Public Schools contracts one of the largest bus fleets in the world. Every day, 52 school bus vendors transport over 145,000 district school, charter school and non-public school students to over 3,000 schools using over 9,000 routes, which each run twice a day. In addition to crisscrossing almost every street in the five boroughs, some of those bus routes extend to Long Island, Westchester and Rockland Counties, New Jersey, and Connecticut.

The number of students we bus changes every day, as do our routes. We must respond as new students enter our system, students move and need to be dropped off at new addresses, and as students' IEPs and the transportation services they need change. In addition, as NYCPS has welcomed new asylum-seeking families into our schools, the number of students in temporary housing receiving busing has grown by 98 percent over the past three years. For the first two weeks of this school year, our team saw over 1,000 new requests for bus service every single day.

Despite the constant shifts of students, the overall total number of students we bus has not changed dramatically over the years. However, the number of bus routes that we run has increased significantly. The reasons for this are complicated—bused students travel farther to school than they used to, we bus to significantly more sites, and we see more students with Limited Travel Time on their IEPs, among other factors.

With more routes needed, we run up against another issue: a national bus driver shortage. Though New York City has not been hit as hard as other school districts across the country, we nevertheless do not have enough bus drivers to cover the total number of routes we would like to run. We are currently short about 300 bus drivers, which means we do not have enough backup drivers to cover when drivers call out sick or when we need to add new routes.

As I mentioned, NYCPS uses 52 contracted vendors to provide bus service. We have some bus contracts that have been in place and extended for 45 years, without being rebid.

A lot has changed in 45 years. We now offer Summer Rising programs that end at 6 p.m., creating a greater need for air-conditioned buses. In addition, we also serve students participating in after-school programs during the school year. Recently, New York State has passed a law requiring us to electrify our bus fleet. We now have GPS tracking on our buses. Furthermore, we would like to give new vendors—including MWBE companies—the opportunity to bid and compete for this work.

As we look to the future, our 45-year-old contracts unfortunately make adapting to these changes very difficult.

New York City Public Schools has chosen to extend our contracts for so long because of a set of terms in these contracts called Employee Protection Provisions, or EPPs. EPPs help ensure that if a bus company loses business, its drivers and attendants are prioritized for work by other bus companies. We do not want to remove this protection—especially during a driver shortage—and the last time the city put out bids without EPPs, our bus drivers went on a strike to try to keep this protection in place.

However, unfortunately, the New York State Supreme Court has ruled that, under current state law, new bus contracts cannot contain EPPs. This means that NYCPS is stuck between a rock and a hard place. We can keep EPPs by continuing to extend our existing contracts—as we have done for 45 years—or we can take this protection away from our bus drivers and risk interruptions in service as our drivers fight to keep the protection in place.

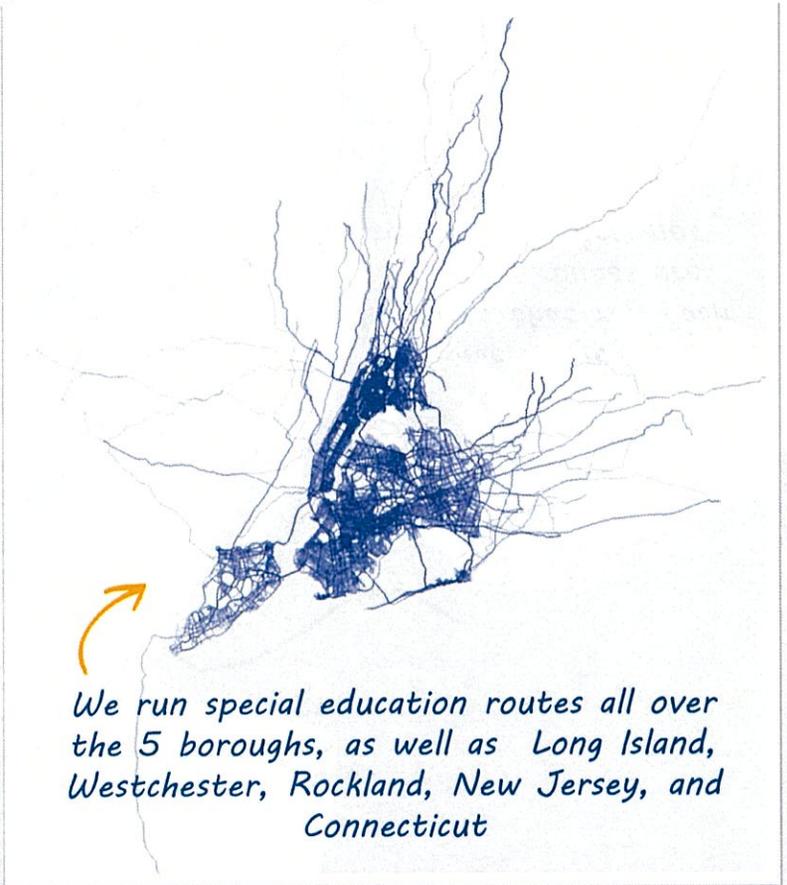
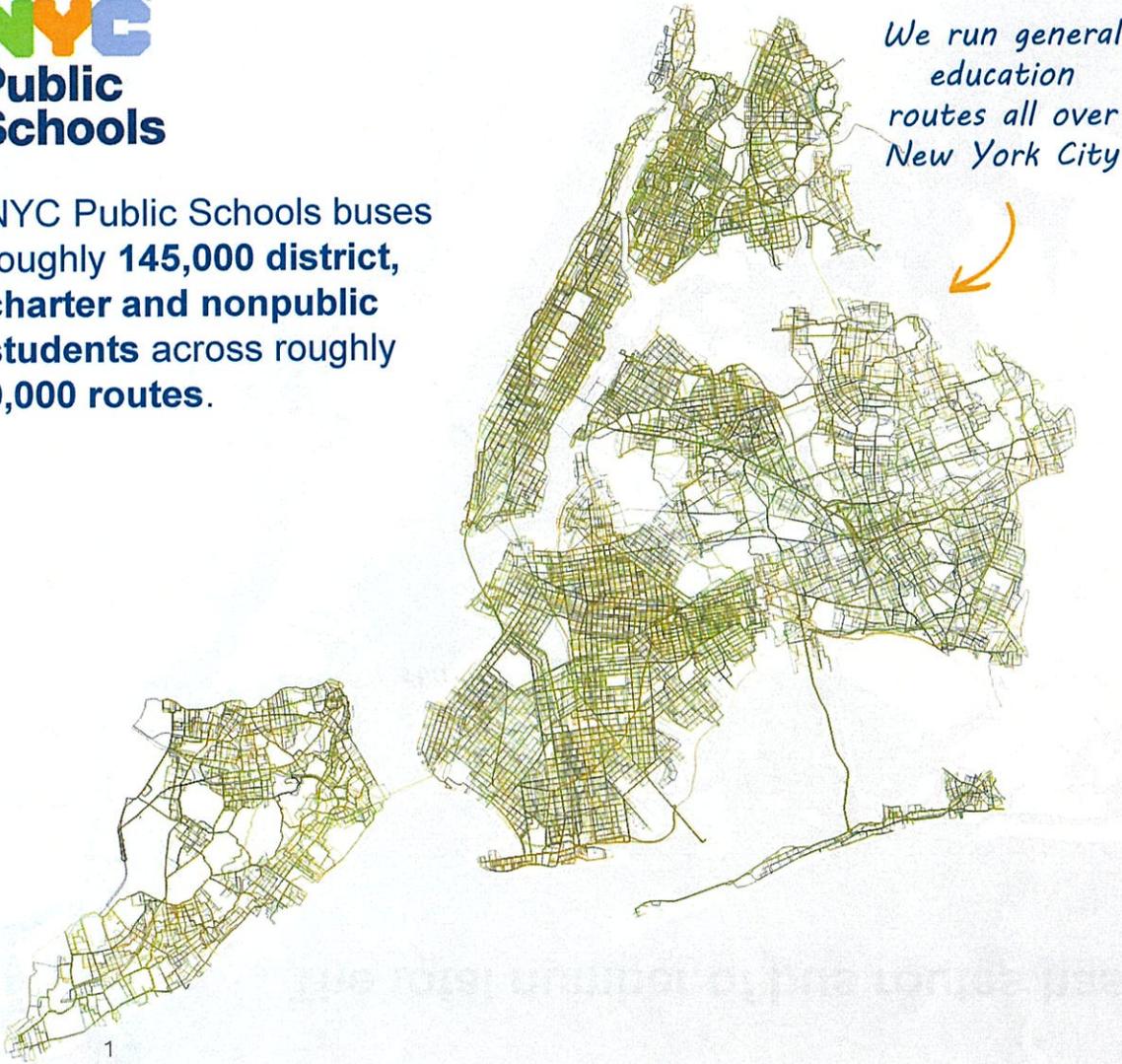
The state can help: New York State can change state law to authorize New York City to include EPPs in its bus contracts. The city has worked with the state legislature as recently as last year to pursue legislation that makes this possible, and we intend to continue working with the state—as well as the unions that represent our drivers and attendants—to get this legislation passed.

NYC Public Schools wants to rebid as quickly as we can, but we want the ability to include EPPs in these contracts when we do. We've reached out to our current bus companies to discuss a short extension while we pursue state legislative change on EPPs again this year.

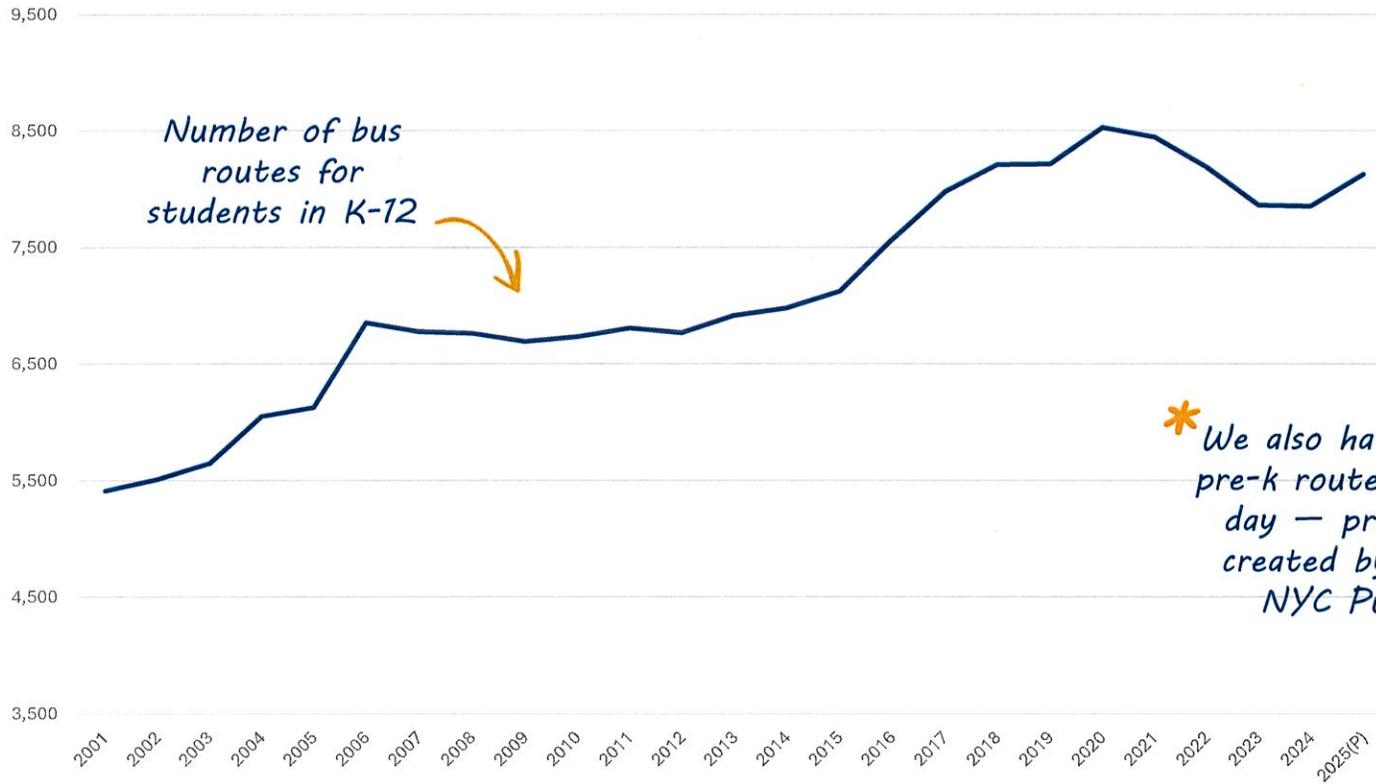
I would like to thank you all again for your time and advocacy on behalf of the students and families of New York City, and my colleagues and I welcome any questions.

NYC Public Schools

NYC Public Schools buses roughly **145,000 district, charter and nonpublic students** across roughly **9,000 routes**.



The total number of bus routes has increased over time





PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

Jumaane D. Williams

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEES ON EDUCATION AND
CONTRACTS
SEPTEMBER 30, 2024**

Good morning,

My name is Jumaane D. Williams, and I am the Public Advocate for the City of New York. I would like to thank Chairs Joseph and Won and the members of the Committees on Education and Contracts for holding this important hearing.

About 150,000 children in New York City are eligible to ride the bus to school each day.¹ Students in foster care, students in temporary housing, many students with disabilities, and most students in kindergarten through sixth grade, depending on where they live, qualify for busing services to and from school. These students rely on transportation services in order to attend their schools, and if a bus is a no-show, it's likely that students will be late to school or unable to attend at all. Despite how important these services are, delays and no-show buses are persistent and pervasive. What was a previously existing problem has been exacerbated by the pandemic and bus driver shortages, and issues with busing is not limited to driver no-shows—parents report that their children are sometimes on buses with no air conditioning, not enough staff, unsafe conditions, or may be delayed for hours with no communication to the school or parents, leaving caregivers with no knowledge of their kids' location.²

In August of last year, Advocates for Children found that only 31.1 percent of NYC schools are fully accessible for people with disabilities.³ The Americans with Disabilities Act requires that governments ensure people with disabilities have equal access to public programs and services, including public education. However, many students with disabilities are barred from attending their neighborhood schools because of inaccessible infrastructure, or because they need services that are not offered at their neighborhood schools. This not only means that these students are unable to fully access their communities, but that they must travel to an accessible school. Many students must travel to schools in other boroughs, which can equate to hours on a bus every day, cutting into their learning time. In 2023, seventeen families of disabled students filed a federal civil rights complaint, arguing that the city's failure to provide reliable busing and necessary accommodations amounts to depriving students of access to appropriate educational programs on

¹ <https://www.chalkbeat.org/newyork/2024/08/09/nyc-school-bus-transit-reimbursement-delays-rideshare/>

² <https://www.chalkbeat.org/newyork/2024/01/19/school-bus-tracking-app-ready-four-years-later/>

³ <https://storymaps.arcgis.com/stories/0cd31f41c8224f68a91b913b733bf46d>

the basis of disability.⁴ These bus delays drive chronic absenteeism among students with disabilities, a population already vulnerable to poor academic outcomes.⁵ One parent recounted to Chalkbeat a day when her son, who is Deaf, sat on his bus for six hours without food or water or access to a bathroom, arriving at school at 1:40 pm with no communication to the school or the parent.⁶

About 7,500 New York City students spend time in foster care each year.⁷ Under the Every Student Succeeds Act, students in foster care have a right to stay in their current school, and receive transportation to and from school. However, the DOE currently does not guarantee bus service or a comparable mode of door-to-door transportation to students in foster care, and those who do receive bus service experience significant delays.⁸ This results in students being forced to change schools or even foster homes, further destabilizing an already turbulent time in a child's life.

During the 2022-2023 school year, one in nine students in New York City experienced homelessness.⁹ Students living in temporary housing are significantly more likely to be chronically absent from school, compared to their securely housed peers.¹⁰ Now, with the arrival of migrant students, even more NYC students are living in shelters, and with the Adams administration's new limits on families with children living in city shelters, these students are more likely to have to relocate to new homes far from their schools. Recent data reveals that about a third of the evicted migrant families who remained in the shelter system after reapplying for shelter were relocated to other boroughs.¹¹ Many students living in temporary housing are eligible for busing to and from school, and the stability and continuity of staying in the same school while experiencing housing instability is incredibly important for children. Students experiencing homelessness who transfer schools midyear due to housing instability have worse

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<https://nylag.org/wp-content/uploads/2023/10/OCR-Complaint-Busing-for-Students-with-Disabilities-in-NY-C.pdf>

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<https://www.chalkbeat.org/newyork/2023/3/15/23630378/nyc-schools-students-with-disabilities-bus-delays-chronic-absenteeism/>

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<https://www.chalkbeat.org/newyork/2023/3/15/23630378/nyc-schools-students-with-disabilities-bus-delays-chronic-absenteeism/>

⁷ https://www.advocatesforchildren.org/sites/default/files/library/building_on_potential.pdf?pt=1

⁸ https://www.advocatesforchildren.org/sites/default/files/library/building_on_potential.pdf?pt=1

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https://advocatesforchildren.org/students_experiencing_homelessness_22-23#:~:text=to%20take%20action.-,New%20Data%20Show%201%20in%209%20New%20York%20City%20Students.the%202022%E2%80%939323%20school%20year.

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<https://www.nydailynews.com/2022/04/28/advocates-push-nyc-education-dept-to-hire-more-shelter-based-staff-to-help-homeless-students-get-to-school/>

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<https://gothamist.com/news/more-nyc-migrant-families-relocated-to-shelters-in-other-boroughs-new-data-shows>

academic performance.¹² It is unrealistic to expect parents and caregivers to have to coordinate and facilitate alternative transportation for their children when buses are delayed or do not show up at all, and especially so for the lowest-income parents.

Every year when school starts, students who require transportation and their parents report delays in being granted bus services, leaving many families without busing on the first day. Some students with disabilities require paraprofessionals to accompany them on the bus, which can delay services even further. Though families can be eligible for reimbursement for taxis or other transportation costs when their child's bus does not show up, it can take years for parents and caregivers to see that money.¹³ Having to pay for alternative transportation can be a big financial burden for low-income families, which is compounded when they have to take time off work to accompany their children to school—lost income they are not entitled to have reimbursed. Aside from eliminating reimbursement delays, the city must also make the reimbursement process clear and simple, as many parents report that they are unsure how to use rideshare vouchers or apply for reimbursement.

The city's school transportation system is plagued with understaffing, leading to delays and unsafe trips for our students. To increase staffing, it is imperative that contracts adequately and equitably pay bus drivers and attendants, and guarantee job safety and security. I want to echo Local 1181's—the union that represents school bus drivers, attendants, and mechanics—request that Employee Protection Provisions (EPP) be mandated for inclusion in all school bus contracts if the contracts are rebid, even if this requires a change in state law. The EPP would guarantee that if, for any reason, these employees were laid off—like if, during the pandemic, schools switched entirely to remote learning—they would be prioritized for rehire, as well as preservation of pensions, wages, 401K, and benefits. If school bus contracts are rebid, especially without the EPP, the city will lose qualified and experienced school bus drivers and staff.

Thank you.

¹²

<https://www.nyc.gov/assets/cidi/downloads/pdfs/CIDI-Report-Homeless-Prevention-At-Risk-Students-in-NYC-Schools.pdf>

¹³ <https://www.chalkbeat.org/newyork/2024/08/09/nyc-school-bus-transit-reimbursement-delays-rideshare/>



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ANTONIO REYNOSO

Brooklyn Borough President

City Council Committees on Education & Contracts

Oversight: Upgrading School Transportation Services & Rebidding Contracts

9.30.24

Thank you to Chair Joseph and Chair Won for holding this important hearing today. Brooklyn Borough President Antonio Reynoso commends this Council's leadership on the issue of accessing quality pupil transportation for our most vulnerable New Yorkers. While we recognize New York City Public School's system, the largest in the nation, transports approximately 146,777 students citywide, there is no excuse for inadequate service. When we fail to provide reliable transportation for our students, we also fail to meet our federal mandate to ensure that all students have access to education regardless of circumstance, and we fail parents/guardians, employers, and others who expect and rely on a stable system.

This Council needs no reminder of how critical this issue is for families; however, Borough President Reynoso would like to highlight a few key related points:

Vulnerable Populations. Students across this city who face challenges such as living with a disability or living in unstable, temporary housing deserve more. When our schools fail to provide suitable, consistent transportation, we disrupt a student's start to the school day and often lose valuable instructional time. We also must consider the social and emotional implications for students whose IEPs outline specific accommodations, including the need for a predictable routine.

Parents report to our office regularly that their children's routes are changed daily. We are told that parents often learn of changes to their child's route, or even service outages, minutes before scheduled pick-up. To add insult to injury, when parents go through the proper channels to report an issue to the Office of Pupil Transportation (OPT), they are met with unresponsiveness, whether that be poor customer service, longer-than-normal wait times, inaccessible links on the website and through their apps, etc. Many parents are forced to take their children to school themselves, and risk being late to work and missing valuable time. For some students with disabilities, at-home instruction becomes the only option, which violates a child's right to equal access to education. Parents also report issues with the new app, Via, often stating the driver is off-network or unable to be tracked. DOE reporting on the number of downloads and successful logins does not capture the quality of the app itself and should be reviewed further.

Additionally, due to outdated contracts, many of our students who require transportation are also unable to take advantage of valuable extra-curricular opportunities in the same way their peers can. After-school opportunities, which have been shown to improve both academic and social-emotional learning outcomes, are off the table for students who take yellow buses. We must acknowledge that this population is the exact set of students who would benefit from this experience.

As the Council has highlighted regularly, Summer Rising is an important experience for many of our students, with academic learning in the morning and enrichment activities in the afternoon, including field trips, project-based learning, SEL activities, and more. Yet students with IEPs and students living in temporary housing are unable to attend the full day of program, often missing the most fun and engaging parts of day when their bus comes before 6:00 PM. Time cut short from working with their peers and time cut from new and enriching experiences is exact opposite of what we want for our young New Yorkers.

Contracts. New York City Public Schools has testified that most of their bus contracts with vendors are over 45 years old. This is unfathomable for a rapidly changing city. The inability to serve our most vulnerable students because a contract doesn't have the proper provisions is unacceptable. There is no reason why in 2024 families must go through an arduous and fraught IEP process just to get mandated climate control on their buses. All fleets should have such simple accommodations regardless of IEP.

This is the symptom of a greater problem and challenge. I commend New York City Public Schools for its call for the State legislature to authorize offering new contracts with the inclusion of Employee Protection Provisions (EPPs). New York State must ensure that while we modernize services and hold our vendors accountable, we do so while ensuring stability in the industry and labor practices that incentivize employment. This market must expand tremendously to meet New York City's demand, including offering more contracts to different vendors who have historically been shut out of the industry, like M/WBEs.

We need the ability to hold vendors accountable when they fail to provide quality service and reward vendors who do great work. We recently had the opportunity to visit NYCBUS and see firsthand the partnership with District 75 Brooklyn schools to build out pathways for students to work at their depot, supporting in a number of roles. While we hope to expand this initiative, it is symbolic of the innovation our new vendors have in supporting our New York City Public Schools.

Borough President Reynoso looks forward to the passage of State legislation and the subsequent update to bus contracts that build in greater accountability structures; place new benchmarks on vendors to reach complete fleet transition to green energy; include metrics tied to arrival and drop-off times; and include climate control and extended hours for summer, evenings, and Saturdays.

Legislation. Lastly, Borough President Reynoso supports Intro 0515, requiring the Department of Education to report on Employee School Bus Transportation services. We cannot move the needle

if information is not publicly available to all stakeholders. With reports of shortages nationwide, it is imperative that Council and the public are able to dig deep into the data and identify new, innovative opportunities to expand services and address gaps.

Thank you again for the opportunity to testify today. We look forward to working with the Council to ensure reliable and accommodating transportation options for all our students.

**Testimony of Tomas Fret, President of Local 1181-1061,
Amalgamated Transit Union (ATU) AFL-CIO**

**To the New York City Council Committee on Education, Jointly
With the Committee on Contracts
September 30, 2024**

Good morning. My name is Tomas Fret, and I am the President of Local 1181 of the Amalgamated Transit Union (ATU).

Thank you, Chair Joseph, and Chair Won, and to the members of both the City Council Committees on Education and Contracts for the opportunity to speak before you this morning.

As you know, Local 1181 represents approximately 8,000 school bus drivers, attendants and mechanics, who transport and care for New York City's children each day. These invaluable, tireless men and women take a great deal of pride and ownership in transporting our city's children to and from school, and it is on their behalf that I speak to you this morning. We fought for the contract our members need and deserve to support themselves and their families, and so that there are enough skilled school bus workers to provide safe and reliable service to New York City families. Our members are trained professionals. They are passionate and dedicated. Above all, they safely transport and attend to the most precious cargo in New York City - the children.

We have said many times in past City Council hearings, and it bears repeating this morning, it is absolutely vital that the EPP, that is the Employee Protection Provisions, be mandated for inclusion in all school bus contracts if the contracts are rebid.

For those who may be unaware, the EPP ensures that when a bus company providing school bus service pursuant to a contract with the Department of Education stops performing its work or some of its work for any reason, resulting in school bus workers (including dispatchers and mechanics) being laid off, the laid off employees receive priority in hiring with the other or new school bus companies providing such service, as well as preservation of their wages, pension, 401K and benefits.

Local 1181 recognizes that there continues to be an intense shortage of school bus drivers, but that issue will not be improved on the backs of school bus workers with rebidding, especially rebidding without the EPP. The city will lose qualified and experienced school bus workers again, but this time will lose them in the middle of an existing and growing driver shortage. The city cannot reverse the problem of recruiting and retaining enough qualified school bus workers without guaranteeing them fair wages and benefits. We need to focus on making school bus work a career again!

We know this because we were here 12 years ago. At that time the Bloomberg Administration decided to eliminate the EPP from school bus contracts. This decision led to a monthlong, city-wide school bus strike. As we testified at the time, and what most certainly materialized, was

that the removal of the EPP from contracts covering almost half of school bus left the industry in the devastated state that you still see today.

This industry is hurting and rebidding without the EPP will hurt this industry even more. We should be taking steps to reform and fix OPT (Office of Pupil Transportation), along with the other departments that support its work – indeed there is a major backlog at OPT, OPI, OSI, PETS as well as SCI. We should take steps to fix what’s broken and work on improving the current Chancellor’s Regulations within C-100 and C-105. Fixing the long-time and ongoing matters at these departments would go a long way to improving busing and transportation issues.

We urge this Committee and this Council not to allow the same mistake that was made 12 years ago and try to fix school busing and transportation by depriving professional workers basic employment rights.

Additionally, Local 1181 is strongly opposed to parents or guardians having the personal contact information of our members as is called for in Int 0515. Parents and guardians should contact either the bus company and/or OPT should any issues arise with the transportation for their children.

Local 1181 however supports Res 0250 calling for a stop-arm on each side of a bus and preventing buses from operating without them. This is a critically important safety measure that our members endorse and offer their wholehearted support.

Thank you again, Chair Joseph and Chair Won for allowing me this opportunity to speak with you today.

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Tomas Fret
President/Business Agent
ATU Local 1181-1061 AFL-CIO
9/30/24



**The New York City Council
Committee on Education & Committee on Contracts
Oversight Hearing: Upgrading School Transportation Services
& Rebidding Contracts
September 30 , 2024**

Written Testimony Submission from Legal Services NYC

Introduction

Good morning. My name is Tara Foster. I am a Senior Staff Attorney in the Education Advocacy Project at Queens Legal Services, part of Legal Services NYC. Thank you for the opportunity to testify at this oversight hearing regarding upgrading school transportation services, rebidding contracts, proposed Local Law [Int 0515-2024](#), and proposed resolution [Res 0250-2024](#). Local Law Int 0515-2024 calls for annual reporting by the Department of Education (DOE) on the number of employees from each school bus vendor trained to handle specific requirements for transportation of students with disabilities, and proposed resolution [Res 0250-2024](#) calls on New York State to require all school buses in the state to have functioning stop arm devices on each side of the vehicle. School transportation services directly impact educational access and the safety and wellbeing of New York City school children and students across the state of New York. Unfortunately, existing school bus transportation service problems and issues have a disproportionately adverse impact on vulnerable populations, especially students with disabilities. We appreciate the Council's willingness to entertain commentary from the public regarding school transportation issues.

Demand Justice.

Legal Services NYC: Who We are and What We Do

Legal Services NYC (LSNYC) is dedicated to fighting poverty and seeking racial, social, and economic justice for low-income New Yorkers. For more than fifty years, LSNYC has challenged systemic injustice and helped clients meet their basic needs for housing, access to high-quality education, health care, family stability, and income and economic security. Through litigation, advocacy, education, and outreach, we work to protect the rights of immigrants, veterans, the LGBTIQ+ community, people with disabilities, and other vulnerable constituents. We are the largest provider of free civil legal services in the nation and our neighborhood-based offices and outreach sites across all five boroughs assist more than 100,000 New Yorkers annually.

The Education Rights practice at LSNYC assists hundreds of New York City school children and their families each year to ensure access to education. We support New York City families, including English Language Learners (ELLs), limited English proficient (LEP) students and their parents, and other vulnerable student populations and their families with a host of education issues including school enrollment, school transportation, language access, special education, disciplinary proceedings, disability accommodations, and academic intervention services. Over 80% of our student clients are children of color and/or immigrants, mostly ranging in age from 5 to 21. Our clients experience a range of behavioral, emotional, and developmental disabilities including autism, attention deficit hyperactivity disorder (ADHD), oppositional defiant disorder (ODD), the disabling impacts of trauma/adverse childhood experiences (ACEs), and depression.

Our goal is to assist these and other vulnerable student populations to improve educational outcomes and to target and fight systemic inequities. We train, assist, and collaborate

with community-based organizations, pro bono attorneys, and elected officials to broaden our impact. In 2021, LSNYC founded the Healing-Centered Schools Task Force, a coalition of parents, students, educators, advocates, and mental health providers working to bring trauma-informed, healing-centered practices to NYC schools. We also coordinate a Citywide Educational Law Task Force for educational advocates and participate in a number of other coalitions to increase our understanding of the needs of low-income students and to more broadly and collaboratively address individual and systemic issues facing the student populations that we serve.

Historical Context and Breadth of the School Transportation Problem

The New York City Department of Education (DOE) is the largest school district in the nation with close to a million students.¹ Based on reports from 2022, approximately 150,000 New York City students rely on school buses and a substantial number of these students are students with disabilities.² Serious issues have plagued the DOE's provision of transportation services to students with disabilities for more than a decade. As far back as 2011, transportation advocates decried the DOE's decision to consolidate bus routes, leading to longer times in transit, and to require additional documentation for many accommodations, making it more difficult for parents of students with disabilities to access transportation accommodations and services their children need.³ Since that time, school transportation problems in New York City have increased, compounding the problems and delays students with disabilities experience.

¹ New York City Department of Education (DOE), "DOE Data at a Glance," <https://www.schools.nyc.gov/about-us/reports/doe-data-at-a-glance>. Note that the New York State Education Department reports the DOE's enrollment as slightly lower, at 957,438 students. <https://data.nysed.gov/profile.php?instid=7889678368>

² Alex Zimmerman, "NYC school bus delays reach highest level in five years, City Council analysis shows," <https://ny.chalkbeat.org/2022/11/21/23472253/nyc-school-bus-delay>.

³ Mellen O'Keefe, *InsideSchools*, "DOE answers parents' busing questions" (Aug. 10, 2011), <https://insideschools.org/news-&-views/doe-answers-parents-busing-questions>: "Students from multiple schools

On a routine and systemic basis, families of disabled students who already need and have mandates to receive transportation services through their IEPs and need these services to get access to educational programs are deprived of services and accommodations. Among our clients, we've found that parents of students with disabilities who reach out to the Office of Pupil Transportation (OPT) or other DOE staff seeking implementation of these services or accommodations for their children are often unlawfully rebuffed, fed misinformation or ignored. The overall conduct, lack of training, limited interpretation of what services and accommodations are available, and general lack of understanding of the rights of students with disabilities and the approach toward securing school bus transportation for students with disabilities may be inconsistent with civil rights laws including Section 504 and the ADA.

Parent Concerns and Client Stories

This year, as in many prior years, NYC parents continue to describe failures and significant barriers to transportation services and accommodations. Our clients report that their children remain on buses for far too long, sometimes between 1 3/4 to 3 or more hours each way. This occurs even when schools are not particularly far from home and when students have limited travel time (LTT) requirements on their IEP or have otherwise sought these or other accommodations based on the recommendation of their doctors and their identified disabilities.

For example, one of my clients, Student Z (Z) is diagnosed with autism spectrum disorder (ASD), asthma, and a seizure disorder. He also has a history of attention-deficit/hyperactivity disorder (ADHD), speech delays, other communication issues, social issues, mobility issues, and maladaptive behaviors. Z has a history of possible elopement, biting, head banging, low muscle

now share the same bus, bus routes were consolidated and lengthened, students with special needs were required to provide medical documentation to qualify for a seat in a "mini-wagon" and bus service was stopped altogether for 7th and 8th-graders who previously got it in the outer reaches of Staten Island and the Rockaways."

tone and sensory issues. His disability impacts major life activities including his ability to speak and communicate, learn, and travel independently. When confined on a bus for too long, Z can get anxious, bite himself, and engage in other maladaptive behaviors.

Despite transportation accommodations requests from his parent and providers, as well as mandates on his IEP for specialized transportation with limited travel time and multiple assurances that his bus route would accommodate his disability, Z would frequently endure long bus rides to and from school. At times Z was left stranded without a bus and his parent had to either front scarce resources to get Z to school or keep him at home. This resulted in absences, late arrivals, and other disruptions and learning loss for the student.

On one of Z's prior bus routes, last year, individuals staffing the transportation vehicle subjected Z to harsh, harmful and inappropriate conduct in violation of Z's disability rights and program mandates. Staff members with no apparent training in dealing with students with special needs berated, threatened, pulled, grabbed, and inappropriately restrained Z and, on at least one occasion, even handed the minor child over to emergency medical services staff and police instead of dropping him at his home. This mistreatment of Z occurred despite the complete lack of medical necessity, and without the permission of his parent. The situation occurred after the student had suffered through a particularly long ride in contravention of his IEP and service/accommodation needs. Though officials apologized and eventually changed the student's bus route, the current system, lack of monitoring and regulation of bus employees charged with transporting students with disabilities, and the ongoing failure to implement systems and policies to address and fix these problems, allows for inappropriate, harmful, and discriminatory conduct and practices against students with disabilities. While my office succeeded in getting the student's transportation and other services resolved, and bus services seem to be operating

smoothly this school year, no students or their parents should be subjected to these problems and barriers.

In other cases, LSNYC has worked with parents who have experienced long waits to get assigned bus routes to and from school, sometimes going days, weeks, or months without any bus assignments. Other parents have described disturbing instances where they finally obtained special school bus transportation services and accommodations for their children with special needs, such as school bus paraprofessional support, only to discover that whenever the paraprofessional failed to show up, the bus driver would refuse to transport the student (usually with no advance notice of any kind) and would fail to make alternative arrangements for the student to get them to or from school. In some cases we are aware of, frustrated parents have ultimately asked to have bus paraprofessional support, to which their children are entitled, removed because the constant interruptions to school bus service whenever a paraprofessional is unavailable becomes untenable for them. While this isn't a sustainable long-term solution to the problem, it certainly highlights one of the systemic problems that people are facing with respect to DOE's implementation of transportation services and exemplifies the tradeoffs parents and children are compelled to make in the absence of meaningful, comprehensive solutions and compliance by the DOE.

Imagine the distress and discomfort of a student who wets or soils themselves on the bus, or that of a student who becomes ill or dysregulated due to a medical diagnosis or a developmental, physical, or other disability triggered on the bus because they are in transit for so long. Imagine the distress and trauma of parents and students who trust that bus employees will professionally transport their children to and from school, only to learn that some employees entrusted with the wellbeing of these students are engaging in verbal or physical conduct which

physically, mentally and/or emotionally harms these children or otherwise adversely triggers them. Finally, imagine the impact on the students who frequently arrive to school late, or even if on time feel exhausted, frustrated, dysregulated, and sometimes wet or soiled when they arrive at school. Imagine the impact on that student's ability to access their education and have a successful day, and imagine the collateral impact on the teachers, service providers, and other students in their classrooms.⁴

These are the stories we are hearing from our clients every day. Parents also describe the frustration of continuous calls to the Office of Pupil Transportation (OTP), school liaisons, CSE personnel, and other DOE staff, and the often erroneous, inconsistent, or ineffective responses they receive and demands placed on them. Parents often find themselves caught in a loop wherein they must correct and recorrect erroneous information somehow input into the system or unnecessarily submit and resubmit medical forms and other documentation already provided for their children. This adds to the unnecessary delays in implementation of needed bus services. Parents complain of missing work, being reprimanded and threatened with termination from employment, having to keep their children home from school, expending funds they can ill afford to get their children to and from school via alternate means, and the additional hurdles they face when they attempt to get reimbursed.

⁴ In addition to the aforementioned problems and barriers, our clients have also described problems with accessing DOE sponsored afterschool, enrichment, sports, and other programs because of the current transportation policies and practices currently in place which are inconsistent with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act and discriminate against students with disabilities. *See*, 29 U.S.C. §794; *See also*, 42 U.S.C. 12101.

Proposed Local Law 0515-2024 and Proposed Resolution 0250-2024

Many parents who reach out to my organization with concerns about school bus transportation raise questions about the training and credentials of bus personnel. They have reported instances where bus employees screamed at and berated disabled children on the bus, as happened to Student Z, inappropriately held students down, failed to adequately monitor or check in with students in distress or to otherwise interact in an appropriate, courteous, or welcoming manner, among other problems. The Council's proposal for a local law requiring the Department of Education to report on the number of employees from each school bus vendor trained to handle specific requirements for transportation of students with disabilities could be a good initial step that would provide parents and the public at large with some important information about the individuals riding with students to school every day. Enhanced oversight and monitoring of the adults charged with overseeing NYC students as they make their way to and from school and DOE-sponsored afterschool activities would likely benefit thousands of students with disabilities, including Z.

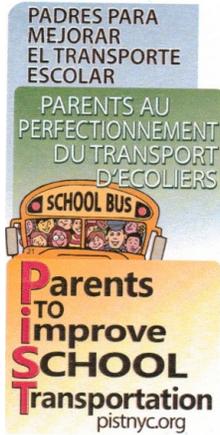
Similarly, a requirement for functioning arm stops on all New York State school buses would help ensure the safe transport of students traveling to and from school throughout the state of New York, many of whom are students with disabilities. However, as the stories presented at the hearing today make clear, what would benefit students with disabilities the most is school buses that get them to school on time and that provide the necessary accommodations and services, such as limited travel time, bus paraprofessional support, medical personnel, special seats and or harnesses they require. The current system is failing these students and their parents and adversely impacting our children's safe access to school and education.

Conclusion

Thank you again for holding this important hearing. We appreciate the Council's willingness to entertain commentary from the public and its interest in taking steps to improve and upgrade the school transportation system. However, perhaps more urgently, students and their families need and deserve oversight and monitoring to ensure that the transportation services and accommodations students are entitled to are swiftly and properly implemented and consistently provided, that prior reporting requirements and local laws previously introduced by this Council are implemented, and that data is made available to the public. Through these measures, parents, advocates, educators, service providers, elected officials, and other stakeholders will have the information and infrastructure needed to overcome existing barriers to access to meaningful school bus transportation services and accommodations. Thank you.

Respectfully submitted,

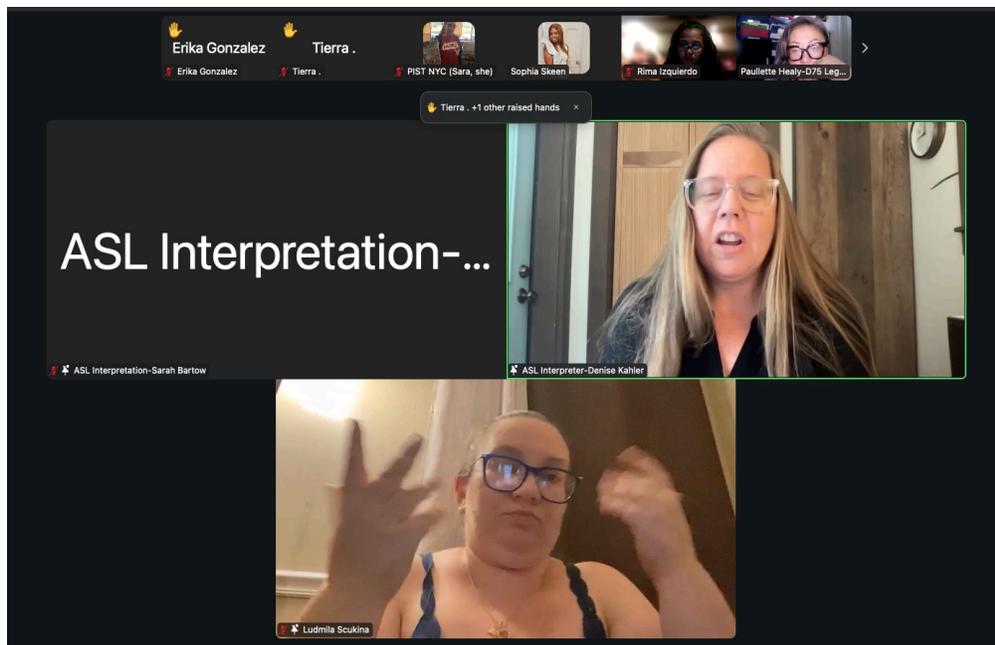
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Testimony for September 30, 2024 Oversight Hearing

Parents to Improve School Transportation defends the riders' rights to safe, shorter and sustainable school bus routes for educational access. We hope to put a **School Bus Bill of Rights** referendum on next year's ballot, to form a decision-making body over student transportation that will involve the most affected and interested parties: organized parents and bus workers, Disability activists and educators.

200 people attended a virtual town hall we co hosted recently, and most vented in the chat about the impact on school attendance of awful routes and shortages of bus drivers and bus paraprofessionals. We also learned that the communication needs of Deaf parents were not being met by OPT.



On rebidding the routes: While we would like it if vendors had to audition for their contracts instead of taking them for granted, it is not worth triggering a school bus strike. Plus, parents want the Employee Protection Provisions because again, most of our problems stem from staff

shortages – and one of the biggest spikes was when the routes went to low bidders without EPP which put 2000 experienced people out of work.

2017 parent petition for EPP

<https://www.change.org/p/new-york-city-department-of-education-keep-our-kids-safe>

2023 parent petition for the city to prevent a strike

<https://actionnetwork.org/petitions/demand-the-mayor-and-department-of-education-meet-their-responsibility-to-transport-our-nyc-students-to-school?>

We can tolerate one more year extension while those in charge take data from parents and workers and audits; work to get an **EPP + Training** bill signed in Albany; or use your army of lawyers to appeal the ridiculous suit the companies did to drive down wages and benefits starting with pre-K busing of all things. Some of those owners got their way and then sold off the business, showing that they have no loyalty to our children.

You don't reverse the driver shortage by making the work less lucrative, less secure and more demanding, while also refusing to recruit on a citywide scale the way other places are doing. We invite council members to host school transportation job fairs in your districts since OPT has said it's not their place to do so.

And what about the impact of harassment and deportation threats to the large percentage of school bus workers with Haitian roots? We urge everyone here to stand against that and defend TPS status.

We support the stop arm Res. 0250 ; we thank council member Riley for his attention to issues like long lines of hot school buses in his district.

<https://twitter.com/tomcsheppard/status/1685003448033390593> Comprehensive checking of buses to find and fix all the safety flaws could create work for NYers.

On Intro 0515, we want school bus families to have peace of mind but it should be based on reality and not just reports. We find value in the portion about descriptions of training, but are confused by the other portions.

– A list of employee names means very little if turnover and attrition continue at the current pace. Ask OPT why they don't publish their organization chart.

– It is easy for the owner to say training has happened, but we want some input and quality control on the training from our busing rights network.

For instance: When Covid precautions began on the school bus, some companies held a discussion, some created non verbal signage to show kids where to sit or not sit –



while others put all the workers in one room, handed out a page and read it to them, period, end of training.

@pistnyc this was supposed to be a video, they sent a print out. Department of Education NY. Drivers and matrons were clustered together in a small room to hear someone read it. DOE could have used twitch and or YouTube for the video. They're still scrambling, not prepared at all

... expectation of cleanliness. It is recommended that the vehicle be cleaned and sanitized each night. We have additionally used guidance from the Centers for Disease Control (CDC) and the Environmental Protection Agency (EPA) where helpful to support you and the information provided.

BASIC INFORMATION

- The floors on the buses should be cleaned first
- **Avoid** using brooms if proper face masks are not worn
- Always manually clean all touchable surfaces of the bus using a two-step process
 - 1) Cleaning the surface
 - 2) Disinfecting the surface
- Touchable surfaces include but are not limited to all seat surfaces, handrails, windows, window ledges and all surface area between the window and the floor

A screenshot of a Twitter thread. The top tweet is from 'School Bus Parents @pistnyc' and is a reply to '@pistnyc'. The text of the tweet reads: 'It's up to Schools to approve the mask exemption & inform OPT Exceptions director. If due to: -medical/health condition, get doctor's note stating the condition and its effect on wearing the mask. -developmental needs, the family or school may identify the need for an exemption.' Below this tweet is a reply from another user, also replying to '@pistnyc @AmyTsai14 and 8 others', which says: 'Someone asked a dispatcher yesterday they didn't know what to do.' The interface shows standard Twitter icons for replies, retweets, likes, and shares.

COVID-19 Physical Distancing on School Buses

- The NYC DOE requires appropriate face coverings for all students and staff on buses at all times
- Students who arrive at the bus stop without a mask or face covering should be provided one by the bus driver or attendant
- A student who refuses to wear a mask or face covering when boarding should not be allowed on the bus
- A student who removes their mask or face covering after boarding and refuses to replace it should be reported to the school on arrival and should not be permitted to board the bus for travel later in the day
- The DOE requires a minimum physical/social distance of six (6) feet between all passengers on the bus whenever possible
- Students from the same household or those with assigned nurses or paraprofessionals may sit together
- Masks or face coverings are still required for those seated together
- Bus companies should refer to the seating diagram attached (p. 3) to identify seats available for use
- Bus companies should duplicate copies of the signs attached (pp. 4-5) and attach these signs to the seats to indicate which seats may be used
- While physical/social distancing is required, students wearing masks or face coverings should not be left at the bus stop to avoid crowding; any student who arrives at the stop wearing a mask or face covering should be permitted to board the bus
- If possible, a bus aide should be assigned to ensure safety and social distancing as students board and exit the bus
- Students should be prevented from walking past each other when boarding and exiting by taking the following steps:
 - In the morning, seat students from the rear of the bus forward
 - Board afternoon runs based on the order in which students will be dropped off; students who get off first should board last and sit in the front
 - Assigned seating for students may assist in ensuring that these practices are followed consistently
- All school bus drivers and attendants are to be trained with regard to these procedures and the record of training compliance attached (p. 2) should be completed for each and retained on file by the bus company

And, during the 2013 strike, in the rush to get scab drivers “qualified” to serve as bus attendants, **which was approved by the Contracts Division at 65 Court Street**, the training that usually takes days was cut to half a day.

– On the exchange of phone numbers between parents and bus staff. The protocol in a bus crisis is that company dispatch and OPT are tasked with getting word to parents, usually through the school. If these multi-millionaire vendors would hire people to answer their phones, we wouldn’t need the workers’ number. Each year on our PIST NYC facebook group, we see numerous parents asking for some company’s correct phone number, because the one they have rings for 20 minutes with nobody picking up.

 September 10 at 3:20 PM · 🌐

My son's bus is from Little Lisa. I have been unable to reach anyone by phone. It will just ring and ring or they place me on hold then hang up on me. I have been able to get a pick up time. Yesterday and this morning we have waited a full hour outside and no bus. Yesterday after school (dismissal is at 2:50) it was 4:30 and the bus still had not shown up. This is beyond frustrating

[View insights](#) 116 post reach >

   You and 2 others 12 comments

 Angry  Comment  Send  Share

 September 4 at 1:27 PM · 🌐

Did anyone get a call from Little Lisa?. I have been calling all morning, and the phone just rings and rings.Thanks

[View insights](#) 66 post reach >

 You and 1 other 7 comments

 Like  Comment  Send  Share

 September 6, 2023 · 🌐

Anyone know how to reach Logan Bus Company and get someone on the phone? Been trying for 8 business days now several times a day. Would love to know when my kiddo is getting picked up tomorrow. The school says they only have the same number I do. Though you'd think they would have some other access, but that route isn't an option.

Other creative ideas?

Thanks!

 PIST NYC 4 comments

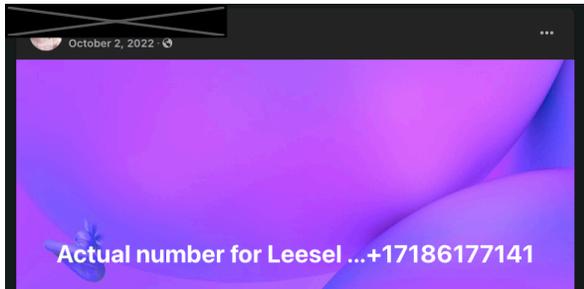
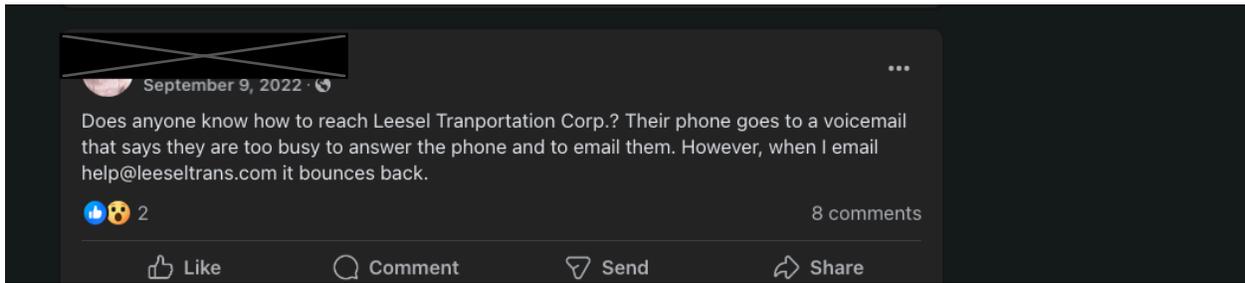
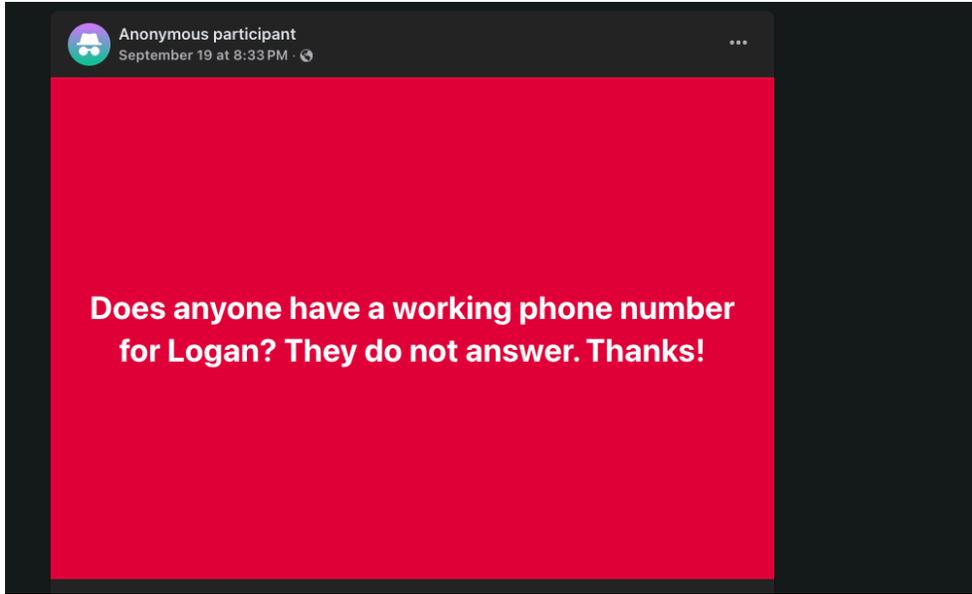
 Like  Comment  Send  Share

 September 6, 2022 · 🌐

I am having a problem contacting Logan Bus at (718) 738-7373. I looked for other numbers and found a few (Queens and Brooklyn) but, they all have the same issue.

  2 10 comments

 Like  Comment  Send  Share



schools.nyc.gov/school-life/transportation/bus-companies-for-school-age-children

Leesel Transportation Corp.

3900 Webster Avenue
Bronx, NY 10470
718-881-1010

lee@selbytrans.com
don@leeseltrans.com

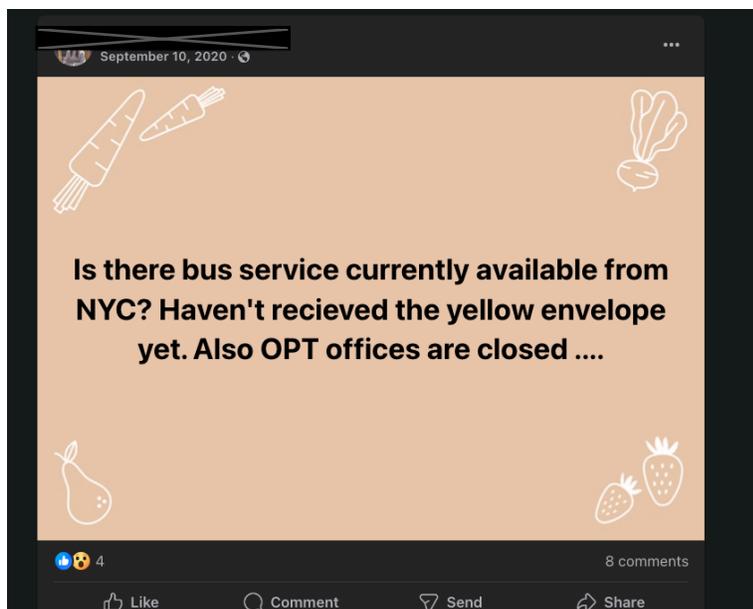
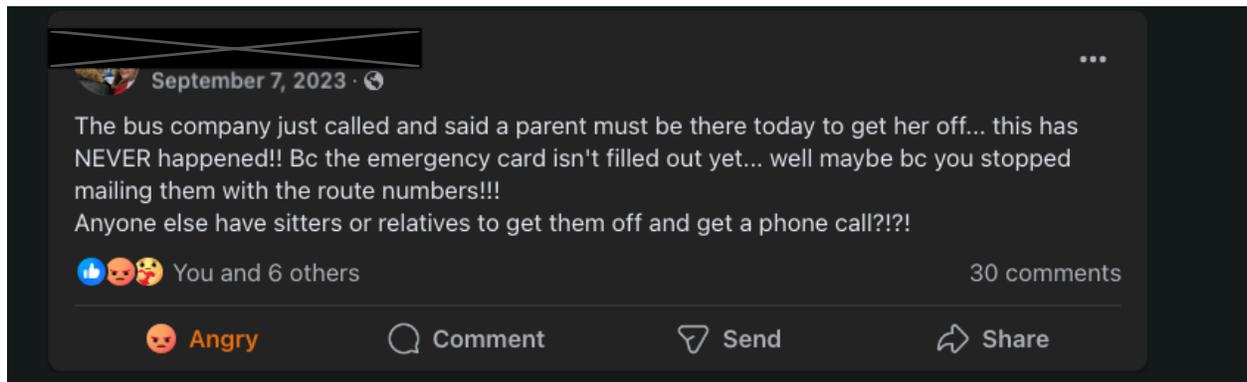
Owner: Stephen Selby

Customer service:
Phone: 718-881-1010
Email: lee@selbytrans.com

<-- from 10/3/24

There is exactly one company we know of which issues a work phone to each bus for direct communication. The buses still have radios to communicate with dispatch, or should, in every company. Ever since the child Fajr Williams in NJ choked because her attendant was distracted on the phone, <https://www.nytimes.com/2023/07/20/nyregion/new-jersey-school-bus-death.html> I would rather the team turn their personal phones off to drive and watch the students, but still listen out for messages from the parent or school through dispatch, and if the parent doesn't show up, use the bus emergency contact cards to call other trusted individuals.

By the way Where's the report on how much money OPT saved when it stopped mailing route information letters with those contact cards inside? Often, parents who are new to busing don't know about those and some vendors told us they were mystified when they stopped receiving them from parents.

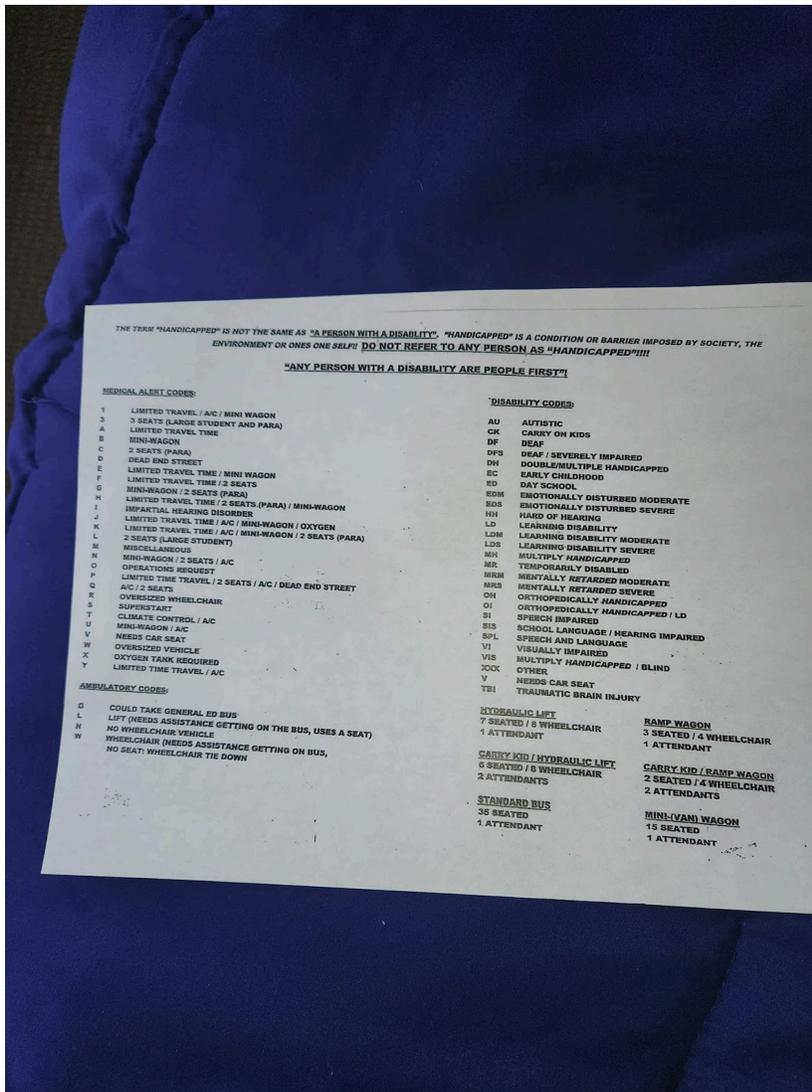


If we are trying to hold on to the best of this workforce, we need to show some respect. I wouldn't call a teacher in the middle of class; there's an office for that. Bus drivers and attendants are doing serious safety work and are not my child's personal staff. And if the routes weren't so long and convoluted, they could have time to wait longer for the parent, or to bring the child back to school.

Why is it left up to the volunteer parent grapevine to share: the bus emergency contact card, the best times to call, the bus delay page, the GPS app which is meant to give parents the bus ETA without needing to call anyone, the NYCSA account setup process, or how non public school families can request NYCSA so they can use this GPS?

If the city doesn't own or consolidate the fleets, and is not regulating these companies, you can't then penalize the workers for being ill informed. Please aim higher with your criticisms of busing, as we do. When **the one public school for Deaf students last week still had 25 children who lack a bus route – even when the sibling has one --** we know it was not the attendant's choice to turn away those children.

By the way, we thank the ATU leaders for lobbying the Chancellor's office to give a refresher course to the vendors but we also want to see that curriculum because in the last 2 years some vendors were still giving out code sheets with offensive labels for students' diagnoses.



We would also like a report on the sensitivity training for bus dispatchers, OPT liaisons, and receptionists at the OPT call center and we're curious how many of the latter live in NYC. Jobs could be created for adults with disabilities to answer the phones and more.

In summary, Yes on 0250, No on 0515 because we'd rather see bigger picture reporting on training and communication, and above all else **do not rebid the routes without EPP** or bus parents will rebel along with the bus workers. We are consulting with other advocates to see what further suggestions and data can be exchange with all relevant City Council committees and NYCPS in advance of any bidding, in order to ensure we get a better and not worse deal for the riders this time.

Thank you,
Sara Catalinotto
Co-founder, PIST NYC
pistnyc@gmail.com



Advocates for Children of New York

Protecting every child's right to learn

Testimony to be delivered to the New York City Council Committee on Education and Committee on Contracts

Re: Upgrading School Transportation Services & Rebidding Contracts

September 30, 2024

Thank you for the opportunity to speak with you. My name is Anna Brehm, and I am the Advocate and Manager of Capacity Building on the Robin Hood Project at Advocates for Children of New York (AFC). For more than 50 years, AFC has worked beside New York students and their families to ensure a high-quality education for students who face barriers to academic success, focusing on students from low-income backgrounds. We fight for students whose needs are often overlooked: students with disabilities, students from immigrant families and English Language Learners, students in temporary housing and foster care, students with mental health needs, and students with involvement in the juvenile or criminal legal systems.

For an organization focused on education, it is remarkable how much time my colleagues and I spend ensuring that students have safe, reliable, on-time transportation to school. There is so much advocacy work to be done to ensure students get needed support once the student is at school, but we, and so many NYC families, have to spend time fighting for students to get to school in the first place.

Year after year, we hear from hundreds of families having trouble getting appropriate bus service in place. As just one example, last spring, one of my clients fled domestic violence and entered a shelter in another borough. During a time of so much transition, it was important to this mother that her child continue attending the same school. However, the Office of Pupil Transportation (OPT) could not identify a bus route to transport the student between his shelter and his school for the remainder of the school year. This year, OPT identified a route for the first day of school, but for weeks, the student has been picked up so late that he arrives to school well after the start of the school day and misses valuable academic instruction.

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**Advocates for Children
of New York**

Protecting every child's right to learn

We need a system that provides students with bus service promptly when they need it and that gets students to school on time.

We hear complaints about students assigned to buses that do not meet their IEP-mandated accommodations and about bus staff who do not have the training needed to work with students with disabilities. We need a busing system that ensures the safety of all students. We need training for bus company staff and enough buses equipped to safely operate students' medical equipment.

We hear about students waiting for bus service to begin when they are placed in foster care, including students placed in a foster home just outside the City who need busing to continue attending their school. We need to ensure that bus service or comparable door-to-door transportation is available to students in care even when placed outside the City.

We hear from families whose students rely on the bus to get home, including students with disabilities and students in temporary housing and foster care, and cannot stay after school to play sports, join clubs, or even receive necessary academic support because bus service is not available. We need bus service that allows for after-school routes.

We hear from families who have been unable to reach bus companies in an emergency or to get route information. In some cases, when they call the bus company, the line just rings and rings. We also hear from families who cannot get busing issues fixed after contacting their school or OPT. We need NYCPS to provide – and to hold bus companies accountable for providing - the customer service that NYC students and families deserve.

We hear these complaints and others every year. NYC families need a safe, reliable, on-time school transportation system that provides equitable access to all students.

Many of the current contracts between NYCPS and bus companies have been in place since 1979, and it is time for change. We urge NYCPS to rebid the bus contracts and build in major improvements to create a transportation system that works for students and families. We are committed to working with city and state leaders to take the steps necessary to overhaul the transportation system.

In the meantime, we also urge NYCPS to improve the school transportation system today, such as taking steps to 1) improve customer service, including the experience of calling the OPT Customer Service Line, 2) improve access to interim transportation when bus service is not available, 3) improve coordination between the different divisions of NYCPS responsible for approving and providing accommodations to students with disabilities, and 4) take all steps possible to improve bus service in the short term while waiting for new bus contracts.

Thank you for the opportunity to testify. I would be happy to answer any questions you may have.



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TESTIMONY OF:

Alexandra Rapisarda
Senior Attorney, Education Practice

BROOKLYN DEFENDER SERVICES

Presented Before

**The New York City Council Committee on Education & The New York City Council
Committee on Oversight and Investigations**

**Oversight Hearing on Upgrading School Transportation Services & Rebidding
Contracts.**

September 30, 2024

My name is Alexandra Rapisarda, and I am a Senior Attorney in the Education Practice at Brooklyn Defender Services (BDS). BDS is a public defense office, representing approximately 22,000 people each year—people who are accused of a crime, facing the removal of their children, or at risk of deportation. We thank the Committee on Education and Chair Joseph and the Committee on Contracts and Chair Won for the opportunity to address the Council about school bus transportation services in New York City.

For over 25 years, BDS has worked, in and out of court, to protect and uphold the rights of individuals and to change laws and systems that perpetuate injustice and inequality. Our staff consists of specialized attorneys, social workers, investigators, paralegals, and administrative staff, all of whom are experts in their respective fields. BDS also provides a wide range of additional services for our clients, including civil legal advocacy, assistance with the educational needs of our clients or their children, housing and benefits advocacy, and immigration advice and representation.

BDS's Education Practice delivers legal representation and informal advocacy to our school-age clients and to parents of children in New York City schools. Many of the parents we serve are facing the removal of their children in family court. As an interdisciplinary legal and social work team, we work to ensure that our clients can remain active in their children's education, even when those children are removed from their care, and that their children receive the educational support to which they are entitled.

DEFEND • ADVOCATE • CHANGE

Brooklyn Defenders

While many of our clients and their children struggle to access transportation services from the Department of Education (DOE), I want to focus specifically on the transportation challenges for students in families separated by ACS. When children are removed from their families, school can be an important source of stability during a period of great upheaval. For many children, a change to a school far away from their home further isolates them from their parents and from the community they know, while also leaving their parents less able to be involved in their education. What is more, the majority of children in the foster system will spend a relatively short period of time in a placement—less than a school year, or a short portion of multiple school years.¹ Multiple changes in schools can make the transition back home more difficult for children, as well as create significant barriers towards academic progress.

Federal law guarantees children who are removed from their homes and placed in the foster system the right to school stability.² However, this right means little if students lack reliable and efficient transportation to their home schools. While many students in the foster system do currently receive busing, the DOE has refused to *guarantee* bus service or another comparable mode of transportation to these students. As a result, students who cannot travel to school on their own have been forced to transfer schools, or even transfer foster homes, if they cannot be added to an existing bus route. It is not uncommon for a parent who desires for their child to remain in the same school to nonetheless feel pressure to switch their child to a school close to the foster home because of transportation difficulties. Overall, nearly one in five children in the foster system ends up changing schools during the course of a school year – sometimes more than once.³

Furthermore, even when students in separated families do receive busing, delays in routing can be hugely destabilizing to students who are already in crisis. DOE takes five to seven days (an entire week of school) – at minimum – to route a student. But in our experience, it often takes significantly longer than a week for bus service to actually begin. Delays abound throughout the system – whether it’s the foster placement address not being quickly updated in DOE’s electronic records system, the Office of Pupil Transportation’s inability to find a route, or miscommunications between the various agencies involved in working with a child in the foster system. During this time, if the foster parent cannot bring the child to school, rarely is there another plan in place for the child to get to school. What we often see then is that the child will sit at home – sometimes for weeks – while getting no educational services, or the parent will be under increased pressure to agree to a change in the child’s school. A parent’s desire to see their child remain in their home school is then overruled by foster agency case planners who argue that it is in the child’s best interest to switch schools – both undermining a child’s right to school

¹ In 2015, the median length of time that children spent in a foster placement was 6.6 months. The New School, Center for New York City Affairs, “Watching the Numbers: A Six-year Statistical Survey Monitoring New York City’s Child Welfare System,” *available at* <http://www.centernyc.org/watching-the-numbers>.

² Schools must allow a child to remain in their school of origin when it is in their best interest, even when they move outside the school district, and provide transportation to school of origin. 20 U.S.C. § 6312(c)(5)(B).

³ Advocates for Children and The Legal Aid Society, “Building a Network of Support: The Case for a DOE Office for Students in Foster Care,” at 4 (May 2021), *available at* https://www.advocatesforchildren.org/sites/default/files/library/foster_care_office_report_52021.pdf?pt=1.

stability and overriding the will of the parents who still hold educational decision-making rights for their children.

The process to obtain school transportation is also complicated when it comes to separated families in which children are released to relatives and no foster agency is involved. Although it is often preferable for children to stay with relatives rather than entering the foster system, these children also suffer from transportation challenges that prevent them from getting to school. These students are supposed to be eligible for school transportation as students in temporary housing under the McKinney-Vento Act.⁴ However, we often find that ACS lacks a clear protocol for assisting with transportation for children released to relatives to ensure they can remain in their school of origin, and the DOE only guarantees bus service to students in temporary housing living in shelters. Relatives often do not know what they need to do to get busing for the children placed with them, receive little support in getting busing set up, or find that no bus routes are available for the students to be brought to school (receiving Metrocards instead). Without bus service, these family members ultimately feel that their only choice is to change a child's school.

Children in families separated by ACS are among the most at risk for suspension, chronic absenteeism, and school dropout of any group in the DOE system. At a bare minimum, busing must be guaranteed for these students. However, DOE and ACS must *also* work together to ensure that these students do not miss school before busing is put into place.

Here are just a few of the situations we have encountered in the last year where our clients have encountered issues with school transportation:

- A kindergarten student returned to her mother's care after being in the foster system. Though she was entitled to school bus service for the remainder of the school year once she returned home, it took the Department of Education well over a month to set up this bus service. Though her mother tried bringing her to school on public transportation, because of the long distance, the child was frequently late to school or had to miss school entirely.
- Two elementary school students entered the foster system and were put into a foster placement in a different borough than their parent. Though the students were entitled to foster care busing, delays in getting the bus route set up meant that the parent ultimately acquiesced to the children switching schools, uprooting them from the school community they were familiar with.

In light of these difficulties, we urge the city to work towards improving transportation services for students in separated families by making the following investments and policy changes:

⁴ The McKinney-Vento Act ensures that students living in temporary housing – which includes children temporarily placed with relatives or other adults – have the right to transportation to and from school. Students in grades K-6 who are living in shelters are supposed to be guaranteed school bus service, but other students lacking a “regular, fixed and adequate nighttime residence” are given school bus service only if a route is available. See NYC DOE, “Transportation Rights,” *available at* <https://www.schools.nyc.gov/school-life/transportation/transportation-rights>.



Guarantee bus service to all children in families separated by ACS. The DOE must ensure that every student who has been removed from their parent's care can get to school. The DOE must provide bus service or other chaperoned, door-to-door transportation to all students in separated families who need it to maintain school stability. The DOE cannot only provide busing to these students when a route already exists.

Ensure protocols are in place to arrange school transportation for students who are placed with relatives outside the foster system. Students placed directly with relatives outside of the foster system are theoretically eligible for busing as students in temporary housing. However, the relatives with whom the children are placed, and the schools the children attend, are often unaware that the students should be receiving busing, resulting in delays in getting busing set up. ACS and the DOE must work together to ensure that busing is expeditiously requested for students in these situations, and both agencies must commit themselves to minimizing delays in getting students onto school buses.

Ensure that students in families separated by ACS have chaperoned transportation to school while waiting for busing to begin. The DOE has mechanisms in place to reimburse carfare for foster agencies that transport children to school, but often agencies fail to bring students to school while a bus route is pending. ACS and the DOE must work together to ensure not only that car services are available for students who are awaiting a bus route, but also that chaperoned transportation is available for children whose foster parents or relatives are unable to bring them to school. Every child who has been removed from their home – whether in the foster system or placed directly with a relative – must be immediately offered chaperoned transportation upon removal to ensure that they can remain in their home school.

Improve access to information on bus schedules for all families. To find information about their child's bus route, a parent must log into their New York City Schools Account (NYCSA). Even parents who reach out to their child's school directly to find out their child's bus information are often instructed to refer to NYCSA. We have worked with many families without WiFi or other necessary technology to set up their NYCSA account. Parents of students who have been in the foster system have often never been given the account creation code to set up their NYCSA account. Lack of access to NYCSA has meant that many families have not quickly and easily been able to obtain information about their children's bus routes, sometimes missing bus pick-ups while they attempt to find out if their children have been routed. The DOE must ensure that information about children's bus routes is quickly and easily accessible to all families.

We thank you for the opportunity to submit testimony on this critically important topic. If you have any questions, please feel free to contact Anna Arkin-Gallaher, Associate Director of Civil Justice Practice, at aarkingallagher@bds.org or (646) 971-2719.



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Testimony in Support of Reporting on School Bus Transportation Employees

September 30, 2024

To the Committee on Education:

My name is Molly Senack, and I am testifying today on behalf of the Center for Independence of the Disabled, New York (CIDNY) as their Education and Employment Community Organizer. This testimony is supported by Sharon McLennon Wier, Ph.D., MEd., CRC, LMHC, Executive Director of CIDNY.

There are certain things we know about the school bus system in New York City: 43% of students who take these buses have at least one disability; unless otherwise noted on a student's Individualized Education Program, a student is legally allowed to spend up to 90 minutes on the bus in both directions if traveling within one borough, and up to 115 minutes if traveling between boroughs, which is not uncommon in a city where almost 69% of the schools are considered physically inaccessible; and according to data analyzed by NYC Council in 2022, we know these travel times are often exceeded, and school buses are delayed an average of 45 minutes for students with disabilities.

We know that students who depend on these buses that can show up late or not at all often end up missing class, if not entire school days, contributing to NYC's 36% rate of chronic absenteeism; we know that because buses don't run past 4pm, students who do not have access to alternative methods of transportation are often unable to participate in school programs or activities that exceed that time; and we know that staffing shortages mean that students are not guaranteed an adequately trained attendant, paraprofessional, or nurse, even if one is required.

The ARISE Coalition recently submitted a set of recommendations to address these issues. These recommendations include reconsidering contracts with transportation companies and requiring them to provide busing outside of "typical" school hours, expanding mandatory trainings and ongoing support and oversight for bus staff, mandating the training of in-school busing coordinators enabling them to update information and requests directly, building incentives to bring in staff in all shortage areas around transportation of students, and improving the communication channel for families who continue to be bounced from school to bus company to OPT's Customer Service line when they have questions and concerns. The data that will be collected under Int-0515 is integral to implementing these recommendations, since the clearer the picture we have of an issue, the more equipped we inevitably are to address it.

We thank the Council for your time and effort, and support the passage of this legislation. We also ask that you consider our other recommendations as you continue your work on improving the yellow school bus system in NYC, and as you work to ensure that students with disabilities have access to the professional care they need and are entitled to while on the bus.

Sincerely,

Molly Senack (She/Her)
Education and Employment Community Organizer: CIDNY
Email: mсенack@cidny.org Phone: [REDACTED]

New York City Council's Committees on Education and Contracts on School Bus
Transportation
September 30, 2024

We thank the New York City Council's Committees on Education and Contracts for jointly holding this critical school bus transportation services hearing. My name is Ruth DiRoma, and I am a Senior Family Educator at INCLUDEnyc. INCLUDEnyc is the leading source of training and information for young people ages 0-26 with known or suspected disabilities, their parents, and the professionals who support them. We have helped New York City families navigate the complex special education service and support systems for over 40 years.

This school year has begun with all of the familiar issues we have experienced with school transportation over the years -- routing issues, staffing turnover and shortages, restrictive schedules such as no busing after school or during the summer, and the many other systemic barriers related to busing.

Families contact our Help Line because they seek help resolving their child's busing issues due to the lack of timely and clearly outlined steps for escalation processes and procedures from both schools and NYCPS. As a result, it prevents thousands of students with disabilities each year, if not tens of thousands of students receiving special education services, from adequately receiving all their mandated related services and specialized instruction and from being able to fully and consistently attend their programs.

Students with disabilities should not continue paying high educational and social-emotional costs for faulty and insufficient busing while bus companies continue to have contracts extended without improving their service. Furthermore, the leading City school busing contract still in place today is nearly forty-five years old. Since 1979, when the first school bus strike occurred, year after year, busing contracts have been extended as opposed to the City putting out new bids for contracts. This should not be allowed to continue, and new contracts would create the environment for improved service and stronger accountability metrics. New contracts coupled with changes in admission policies could lead to students with disabilities being more integrated with general education students, just as the U.S. Supreme Court intended busing to be more than half a century ago in their 1971 decision when they ruled the federal courts could use busing as a desegregation tool.

Additionally, we fully support the Council's adoption of proposed local law 0515-2024, requiring the DOE to report on school bus services and employees. More transparency not only has the potential for bus companies to provide better quality services, but it also lends itself to building trust with families in an overdue area for repairs.

We also urge the City to allocate resources to enhance the parent-facing bus app and fund a public outreach campaign. Because far too many parents don't even know it exists. While it allows parents to see the location of their child's bus, it does not tell parents what time their child gets into their school in the mornings or actual boarding times at the end of the

day. We know there are far too many students sitting in idling buses for long periods both at the start and end of school days. Because there are students from multiple schools on the same routes yet with different school schedules, this is not okay.

Additionally, we recommend that New York City Public Schools and the City:

- Put pressure on the state legislature in the next legislative session to amend [Section 14 of Section 305 of NYS education law](#) stating busing contracts shall be awarded to the lowest responsible bidder, allowing the City to gain more control over the quality and delivery of services.
- Rebid City busing contracts by July 1, 2025.
- Update Chancellor Regulation A-801 on Pupil Transportation by the end of this school year. They were last updated 24 years ago.
- Mandate additional annual training for all NYC busing staff on young people with disabilities. Require these trainings to be conducted by professionals with expertise in this area, and not allow bus companies to deliver them.
- Mandate one campus per bus route.
- Split up students according to their chronological ages, so elementary-aged students can no longer be assigned to buses with students up to the age of 21.
- Develop an additional public-facing accountability tool that accurately captures the timeliness of curb-to-school routes from bus-centered to student-centered.
- Allocate adequate resources for a multi-year public awareness campaign about the Via busing app.

Thank you for taking the time to consider these important matters. We look forward to partnering with you to improve equity and access for all students with disabilities in New York City.

Respectfully submitted,

Ruth DiRoma
Senior Family Educator



www.arisecoalition.org

**Testimony of The ARISE Coalition for New York City Council
Committee on Education and Committee on Contracts
RE: Oversight – Upgrading School Transportation Services and Rebidding Contracts**

September 30, 2024

Good afternoon and thank you for holding this important hearing today.

I am Maggie Moroff and I coordinate the ARISE Coalition, a group of over 200 parents, advocates, educators and academics who have been working together for the past 16 years to push for systemic fixes to meet the needs of students with disabilities in New York City’s public schools. Our members collectively work with countless families around issues related to special education, including getting students with IEPs and 504 plans to and from school in a safe, timely, supported manner as per their specialized needs.

In a system where New York City Public Schools (NYCPS) places many students with IEPs in schools outside their neighborhoods, busing that works seamlessly is essential. Our members have identified several points in families’ experiences with busing ripe for improvement.

Routing – We hear from families with routing issues that have kept children from attending school for extended periods of time, forced families to transport their children directly despite IEP mandates, or resulted in students spending hours on buses and sometimes missing class time. We also hear about children unable to participate in after-school programs due to lack of bus service. To address concerns, we recommend the City rebid the bus contracts as soon as possible. New contracts must ensure bus companies can provide routes that get students to school on time and safely and require companies to transport students beyond “typical” school hours, enabling students who require busing to join after-school programs, enrichment activities, and Saturday Academies.

Staffing – A large number of cases we see involve staffing concerns on buses – shortages, inadequate training, or failure to arrange for paraprofessionals and nurses as mandated busing accommodations. Further, school transportation coordinators are frequently unable to provide support to families. To address these concerns, we recommend incentivizing employment in all

shortage areas around busing, as well as providing mandatory trainings and support for current bus staff and school coordinators.

Communication and resolution of families' concerns and students' needs – Lastly, the process for requesting specialized transportation remains confusing to families as does the question of where to turn and how to get help when things go wrong. We recommend that: NYCPS increase outreach about the Via app; clarify the communication channel for families who continue to be bounced from school to bus company to OPT's Customer Service line and provide families with contacts who can make changes and provide support; clarify timelines and procedures for requesting busing accommodations; and make certain that all families have access to busing information through their NYCSA accounts.

We have shared this with NYCPS and I do want to note that they have acted recently on some additional recommendations we made. Most specifically, NYCPS clarified certain policies around the use of prepaid rideshare as an interim measure when busing isn't yet set up or is unavailable because of missing staff, and they've made the information easier to find for families. There is still work to do to improve access to prepaid rideshare, but we appreciate the updated guidance.

We look forward to continuing to work with NYCPS on our recommendations and hope that the attention brought by today's hearing will add to the sense of urgency around making sure all students, including those with disabilities, can get to school safely and timely, and that when needed, parents can readily get the answers and support they require.

Testimony of Sacha Amry, Director of Camping and Recreation at AHRC NYC, for New York City Council Committee on Education and Committee on Contracts

RE: Oversight – Upgrading School Transportation Services and Rebidding Contracts

September 30, 2024

Good afternoon, Chairs Joseph and Won and members of the committee. Thank you for the opportunity to testify today.

My name is Sacha Amry. I am the Director of Camping and Recreation Services at AHRC New York City, overseeing over 40 recreation and socialization programs across New York City, which includes afterschool programs.

I am here today to speak about our agency’s challenges with the Office for Pupil Transportation (OPT) and for the families in District 75 schools, who were enrolled in afterschool programs with our agency and who no longer receive these very necessary services due to the inability of OPT to provide transport home for these special needs students at the end of the afterschool program. This issue also impacts 853 schools, including AHRC New York City’s elementary schools – Brooklyn Blue Feather Elementary, AHRC Middle/High School and the James P. Murphy Staten Island Preparatory School. These students in 853 schools have never had afterschool transportation provided through OPT, which has severely limited their ability to offer much-needed extending learning opportunities to their students.

Prior to the onset of the pandemic in March 2020, when OPT was providing transportation, AHRC New York City had (nine after schools) these programs located in District 75 schools:

<u>Name of School</u>	<u>City Council District</u>	<u>approx. of students</u>
Tito Puente School – Harlem	#8 – Diana Ayala	15
M751 – Manhattan	#2 – Carlina Rivera	25
PS 373 – Brooklyn	#36 – Chi Osse	35
Brooklyn OTC	#47 – Justin Brannan	10
PS37 – SI	#51 – Joseph C. Borelli	10
Hungerford School – SI	#50 – David Carr	15
PS 176@178 – Bronx	#12 – Kevin C. Riley	35
PS 255 – Queens	#22 – Tiffany Caban	12
PS 811K – Brooklyn	#48 – Inna Vernikov	15

All but three of these programs are now closed, impacting over 180 special needs students. In the few programs that remain open, attendance is limited to those who can travel home on their own or who live close enough to the school for a caregiver to pick them up. M751 is a good example of this issue – the program remained open last school year but there

were only 4 students enrolled as compared to 25 students enrolled when OPT was providing bussing.

These programs offered a safe and familiar environment for students with autism spectrum disorder (ASD) and other intellectual disabilities who are not able to take the alternative transportation that OPT has provided. These students benefited from a structured routine and thrived on predictability. Having an afterschool program right in their school made all the difference in the quality of their extended learning time. They had the opportunity to get enhanced support from well-trained school staff, with extra time spent on trying new activities, building life skills, exploring creative arts, engaging in physical activity and making new friends. These programs helped to boost children's confidence and skills.

And just as importantly, with their children safely in an afterschool program, their parents and caregivers were provided with respite from the enormous responsibility of caring for a child with special needs. It made it possible for working parents to finish their workday or maybe take care of a few errands on their way home from work, knowing that their child was safe and enjoying their after-school time.

We respectfully ask the City Council to address this inequity which has significantly impacted all families, but especially these children in District 75 and 853 schools who need extra support and who cannot safely travel on public transportation or take other alternate ways home from afterschool programs. Thank you.

Contact: Sacha.Amry@arhcny.org
MaryAnne.Killeen@ahrcny.org

**Testimony of Caitlyn Passaretti
Policy and Advocacy Associate
Citizens' Committee for Children of New York**

**Committee on Education and Committee on Contracts
Oversight Hearing School Transportation
September 30th, 2024**

Since 1944, Citizens' Committee for Children of New York has served as an independent, multi-issue child advocacy organization dedicated to ensuring every New York child is healthy, housed, educated, and safe. CCC does not accept or receive public resources, provide direct services, or represent a sector or workforce; our priority is improving outcomes for children and families through civic engagement, research, and advocacy. We document the facts, engage and mobilize New Yorkers, and advocate for solutions to ensure the wellbeing of New York's children, families, and communities.

We would like to thank Chair Joseph and the rest of the Committee on Education and Chair Won and the rest of the Committee on Contracts for holding this important oversight hearing on Upgrading School Transportation Services & Rebidding Contracts.

While both federal and state law require the City to provide transportation to students in foster care so they can remain in their original schools, the DOE currently does not guarantee any form of transportation to these students. This is causing deeply harmful disruptions for students in foster care, including by forcing them to transfer schools or foster homes in order to access an education. Being in foster care is disruptive enough for a young person; the DOE must do everything in its power to ensure that students in foster care are supported and, at the bare minimum, can get to school.

During the 2019-20 school year, one in five NYC students had to change schools upon their initial placement in foster care. As of 2020, 25% of youth in foster care graduate within four years, compared to 77% of youth not in care.¹ This disruption of students' lives and education is unacceptable, unjust and avoidable.

In the summer of 2024, CCC conducted listening sessions with young people in a variety of different programs, including the Fair Futures Advisory Board, which is composed of young people with lived experience in foster care. Accessing a high-quality education was a pressing issue that arose throughout the sessions. Youth in foster care especially highlighted how challenging it was to finish high school when placed all over the city with no reliable transportation. Youth in foster care named how being able to remain at schools of their choice is nearly impossible when moving between different foster homes throughout the city. All students deserve the ability to remain connected to their school community to help support learning, stability, and community. According to the DOE website, students in foster care in grades Pre-K-6 are eligible for school bus service OR a student MetroCard; if a bus is not available in 10 business days, alternative transportation *may* be available. **We ask the City to invest \$5 million for the DOE to provide bus service or other door-to-door transportation to the relatively small number of students in foster care who need it to maintain school stability.**

When busing is not provided, other options include rideshares and reimbursements. Prepaid rideshare could be a solution to this problem, but it is often difficult for foster youth to get access to prepaid rideshare accounts. These challenges include youth not having a credit card or bank account, a

requirement to set up an account, and they may be too young to ride in a rideshare alone. Typically, for a young child, the foster parent or a paid chaperone must ride with the child in a rideshare. However, this does not always align with the schedule of the foster parent, especially if the school is far away.

Finally, foster youth often have difficulty getting reimbursed for transportation costs. This is because they often do not have the documentation needed to prove that they incurred the costs. This can make it difficult for youth to afford transportation, which can further limit their opportunities.

We therefore join partners across the city in urging city leaders to invest \$5 million for the DOE to provide bus service or other door-to-door transportation to students in foster care who need it to maintain school stability.

Thank you for the opportunity to provide testimony on this issue, and we look forward to collaborating to ensure youth in foster care receive the support needed to thrive.

ⁱ NYC Center for Innovation Through Data Intelligence and the NYC Mayor's Office (2022). Education Outcomes for NYC Youth in Foster Care. Accessed: https://www.nyc.gov/assets/cidi/downloads/pdfs/Education_Outcomes_May19_2022.pdf

TESTIMONY of NEW YORK APPLESEED
THE NEW YORK CITY COUNCIL
COMMITTEE ON EDUCATION
Jointly with the Committee on Contracts
Upgrading School Transportation Services & Rebidding Contracts
September 30, 2024

My name is Nyah Berg, and I serve as the Executive Director of New York Appleseed, a nonprofit organization advocating for integrated schools and communities across New York City and State. I am writing to you today to echo the voices of numerous nonprofit organizations, advocates, and parents who have come before you—today, last year, and in years prior—urgently calling for much-needed reforms to New York City's yellow bus service.

In 2022, New York Appleseed [published a report](#) focused on yellow bus service, initially to support diversity planning in community school districts. However, the briefing quickly expanded into a broader effort to demand greater clarity, transparency, and accountability of the student transportation system, which serves many NYC students, particularly students of color and students with disabilities.¹

Our report exposed severe dysfunction within the system, both before and after the pandemic, and we are incredibly dismayed that this dysfunction is allowed to continue year after year. Like many of our fellow educational justice organizations, we too hear from students and their families unable to get proper transportation for weeks or having buses arrive at the same time the school day is supposed to begin. The responsibility of getting children to school safely and on time is continuing to be jeopardized by the fragmented system we identified in our report. Moreover, it is New York City's most vulnerable groups—historically marginalized students—bearing the brunt of these failures.

Yellow bus service is a resource and a necessity for many students to get to school. Despite some technological advancements, student transportation has quite literally not been brought into the 21st Century. Many contracts for these services have not been updated **since 1979**. It is unreasonable to expect 21st-century service under contracts that were designed for the needs of students 45 years ago.

To take meaningful action toward improvement, we urge city leadership to consider the unmet recommendations from our 2022 report, along with the growing demand for NYCPS to rebid the bus contracts as soon as possible. Specifically, we encourage the following:

1. The New York City Department of Education must provide easily accessible public data on yellow bus ridership. It remains incredibly difficult to find public demographic data

¹ Please note: all evidence outlined in this testimony can be found in the following report, *Yellow Bus Service Research Briefing*, New York Appleseed, (Apr. 2022), available at <https://bit.ly/YellowBusBrief>.

on ridership. Ridership data should be provided on all aspects pertaining to student transport, including but not limited to ridership data broken down by borough, district, race, students in temporary housing, students with disabilities, students in special programs, and English Language Learners. This data provides insights into who needs, has access to, and utilizes this resource—all data points crucial to further understanding student transit patterns.

2. City leadership must require research on ways to better centralize responsibility for equitable dissemination and implementation of yellow bus service in New York City. Fragmented systems are often fueled by piecemeal policies that only serve a limited few. To break down the silos of operation between the many departments that oversee and facilitate student transportation, City leadership must engage in research to inform a better way to centralize yellow bus service responsibilities.
3. Continue to improve on facilitating comprehensive community engagement on the needs of students and families, particularly those from historically marginalized groups.
4. We strongly encourage city officials to engage with advocates and the necessary state actors to create an effective pathway to rebid on bus contracts.

Thank you for listening and we welcome any follow-up councilmembers may have regarding our report. We can be contacted at nberg@nyappleseed.org



**Testimony of Alia Soomro, Deputy Director for New York City Policy
New York League of Conservation Voters
City Council Committee on Education
Oversight Hearing on Upgrading School Transportation Services & Rebidding Contracts
September 30, 2024**

My name is Alia Soomro and I am the Deputy Director for New York City Policy at the New York League of Conservation Voters (NYLCV). NYLCV is a statewide environmental advocacy organization representing over 30,000 members in New York City. Thank you, Chair Joseph and members of the Committee on Education for the opportunity to comment.

While we recognize that this oversight hearing is focused on upgrading school transportation services and rebidding contracts, we think school bus electrification is integral to this topic. Electric school buses have zero tailpipe emissions, meaning they offer clean and healthy rides as well as quieter streets. Moving away from fossil fuel-based school buses to electrified buses is important not only to reduce our greenhouse gas (GHG) emission to fight climate change, but to combat toxic air pollution, a longstanding environmental justice (EJ) issue since [a majority of school bus depots in New York City are located in EJ areas](#). On top of legacy cumulative impacts and environmental harms that EJ communities already face, exhaust from diesel school buses harms schoolchildren—many of whom are children with disabilities—and can lead to serious health implications like asthma, which is one of the top reasons for school [absenteeism](#) in elementary and middle schools, and the most common reason that children are hospitalized.

Since 2020, NYLCV has convened the [New York City Clean School Bus Coalition](#) in order to push the NYC Department of Education (DOE) to electrify its externally contracted school bus fleet. With our partners and leaders in the City Council, we advocated for the successful passage of [Local Law 120 of 2021](#), requiring the City to ensure that all school buses in use by September 1, 2035, shall be all-electric zero emission school buses. **Given the City's first progress report on this law was published in June 2024 (see attached), the NYC Clean School Bus Coalition urges the City Council to hold a joint Education and Environmental Protection Committee oversight hearing on the City's progress implementing the zero emission school bus law.**

As required by Local Law 120 of 2021, DOE published its first progress report in June 2024 (see attached). This report offered a high-level outline of the current inventory of electric school buses (ESBs), challenges to implementation, and status of federal and state ESB grant applications. While the City has made great progress when it comes to being awarded electric school bus grants at the federal and state levels from the Bipartisan Infrastructure Law of 2021 and Environmental Bond Act of 2022, respectively, very few ESBs are on the road. Additionally,

this initial report leaves out many details expanding upon issues such as barriers to getting more ESBs on the road, electric vehicle charging infrastructure, safety and reliability, workforce training, and costs. Since NYC's school bus fleet is operated by more than 50 different vendors, holding an oversight hearing on the City's implementation of Local Law 120 will not only be a timely topic, especially as DOE renegotiates its contracts with school bus fleet vendors in 2025, but help improve transparency and understanding on how DOE and the Mayor's Office of Climate and Environmental Justice (MOCEJ) are working with school bus vendors and utilities to electrify, maintain and operate ESBs, develop workforce training programs, and "repower" existing diesel buses by replacing the diesel engine with an electric drive system and battery. This hearing will also offer advocates, parents, bus vendors, and the public an opportunity to weigh in on the importance of equitably and timely implementing Local Law 120.

Lastly, holding a joint Education and Environmental Protection Committee oversight hearing will offer insight on how the City is meeting its own sustainability goals. This includes goals outlined in the Adams Administration's [PlaNYC: Getting Sustainability Done](#), which included electrifying school buses by 2035 as a goal ("The City will leverage State and Federal funding for electric buses, launch a training program for electric school bus operators, and incorporate electrification milestones into the 2025 contract renegotiations with school bus vendors") and [PowerUP NYC](#), the City's first ever Long-Term Energy Plan, which includes goals related to ESBs, such as incorporating electrification requirements in 2025 DOE contract renegotiation with school bus fleet vendors and launching a training program for ESB operations and maintenance.

New York City has over 10,000 school buses that support roughly 9,000 routes servicing schools across the five boroughs. Electrifying our City's school bus fleet is vital if we are to make progress on our City's GHG reduction goals and further environmental justice and equity. We look forward to working with the City Council and our partners to hold an oversight hearing on Local Law 120 to ensure it is implemented in a timely and equitable manner.

Thank you for the opportunity to comment.

New York City Department of Education

Office of Pupil Transportation

Local Law 120 Report

June 30, 2024

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LEGISLATIVE MANDATE

LOCAL LAW NO. 120 FOR THE YEAR 2021

Subdivision f of section 24-163.9 of the administrative code of the city of New York, as amended by local law number 120 for the year 2021 provides:

f. Reporting requirements. (2) Before the end of the fiscal year commencing on July 1, 2023 (...) the department of education shall submit a report to the mayor and the speaker of the council on:

- i. actions taken to achieve the requirement provided by subdivision e to replace school buses with all-electric zero emission school buses by September 1, 2035
- ii. barriers, if any, to achieving such replacement by such date
- iii. plans to address the barriers described in subparagraph ii
- iv. a date by which such replacement will be complete
- v. the safety and reliability of the all-electric zero emission school buses in use pursuant to a school bus contract
- vi. the percentage of routes served by all-electric zero emission school buses where the origin or destination is located in an environmental justice area as defined in section 3-1001
- vii. a description of each model of all-electric zero emission school bus that is in use pursuant to a school bus contract, including but not limited to the name of the manufacturer and the number of buses of each such model in use
- viii. applications that have been submitted by the department for federal, state, private or other funding for the purpose of achieving such replacement
- ix. progress that vendors have made in developing charging infrastructure, including the proportion of such charging infrastructure that has been installed in an environmental justice area as defined in section 3-1001

(3) The first report required pursuant to paragraph 2 of this subdivision shall include whether there are, or the status of achieving by the date of the next report, 75 all-electric zero emission school buses.

SECTION ONE – SUMMARY

New York City Public Schools (“NYCPS”, aka the New York City Department of Education) provides pupil transportation through a 100% externally contracted fleet. Within NYCPS, the Office of Pupil Transportation (“OPT”), under the guidance of the Chief Operating Officer (“COO”), manages student transportation across the five boroughs of New York City. OPT transports more than 150,000 students across approximately 9,000 daily routes operated by more than 50 individual bus vendors.

In coordination with the Mayor’s Office of Climate and Environmental Justice (“MOCEJ”), the EPA, NYSERDA and Con-Ed, NYCPS has actively engaged with our vendors to provide knowledge and raise awareness of opportunities for assistance with respect to the electrification of the school bus fleet. This included a comprehensive workshop and materials created to educate our vendors around electrification. NYCPS is committed to continuing this engagement with our vendors, as well as providing them with letters of support and other documentation they need to qualify for grant funding.

Considering the number of electric school buses currently operated by city contractors as well as the influx of federally awarded dollars from the EPA Clean School Bus Grant, we anticipate that there will be more than 400 electric school buses in operation in New York City prior to the next required report, which is due in June 2029. This number could be higher, depending on future grant awards and investments made by vendors. It is important to note that most current yellow bus transportation contracts expire in June of 2025 and that some of our current vendors may not be the same going forward. That said, all awarded electric vehicles are required to operate within the school district for a minimum of five years, and as such we anticipate ownership transfer would occur if new vendors began serving NYCPS. NYCPS vendors have been very aggressive about pursuing federal and state grant opportunities to further their journey towards operating a 100% zero-emission fleet by 2035. NYCPS’s current vendors have submitted 49 applications for nearly 1,300 buses. In addition to grant awards, vendors continue to pursue opportunities to self-fund vehicles. There are currently 14 vendor funded electric vehicles in operation: 11 repowered vehicles (gas/diesel buses converted to electric) and 3 new electric buses. Given the uncertainty of our contracting modeling, grant funding and electrical infrastructure requirements, it is difficult to predict when complete replacement will be achieved.

Grant	Applications				Vehicles			
	Number of Apps	Awarded	Not Awarded	Pending	Number of Buses	Awarded	Not Awarded	Pending
EPA Round 1	7	3	4	0	151	51	100	0
EPA Round 2	5	2	3	0	405	180	225	0
EPA Round 3	30	7	23	0	685	163	522	0
NYSBIP	7	0	0	7	54	0	0	54
Total	49	12	30	7	1,295	394	847	54

SECTION TWO – EXISTING ELECTRIC SCHOOL BUSES IN NEW YORK CITY AND PROGRESS ON INFRASTRUCTURE

Current Inventory

The table below contains the details of the 14 electric buses currently in operation:

Manufacturer	Type	Bus#	Areas Served	Environmental Justice Area (Source: https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria)
Unique Electric Solutions - Repower	C	5130-ESB	Brooklyn	Yes
Unique Electric Solutions - Repower	C	4031-ESB	Brooklyn	Yes
Unique Electric Solutions - Repower	C	5129-ESB	Queens	Yes
Unique Electric Solutions - Repower	C	E001	Queens	Yes
Unique Electric Solutions - Repower	C	E002	Queens	Yes

Unique Electric Solutions - Repower	C	E003	Queens	Yes
Unique Electric Solutions - Repower	C	E004	Queens	Yes
Unique Electric Solutions - Repower	C	E005	Queens	Yes
Collins	A	NT2101-ESB	Citywide	Yes
Microbird	A	NT2102-ESB	Citywide	Yes
Thomas	A	NT2103-ESB	Citywide	Yes
Unique Electric Solutions - Repower	C	129-ESB	Bronx	Yes
Unique Electric Solutions - Repower	C	136-ESB	Bronx	Yes

Unique Electric Solutions - Repower	C	137-ESB	Bronx	Yes
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Current Infrastructure Projects

Vendors continue to work with Con-Ed towards building charging capacity capable of supporting electrification targets. Currently, seven vendors are working towards infrastructure upgrades. These seven vendors are pursuing upgrades at 17 bus depots. Of these 17 bus depots, 14 are in environmental justice areas. The locations are as follows: 8 in the Bronx, 4 in Brooklyn, 2 in Staten Island, 2 in Queens and 1 in Westchester County.

Safety and Reliability

NYCPS has had regular discussions with vendors regarding the operation of electric buses. While there are few buses on the road currently, most of which have come into operation in the last 12 months, there are some common themes in terms of safety and reliability:

- 1) Charging Issues – including:
 - a. The length of time it takes to charge
 - b. Midday charging capabilities
 - c. Battery quality issues and/or development of battery technology
- 2) Braking Issues – failed deceleration tests
- 3) Range – maximum of 100 miles, raising concerns about longer routes and field trips.
 - a. The average bus travels 60 miles in a day
 - b. 25% of buses travel over 70 miles in a day
 - c. 10% of buses travel over 90 miles in a day
 - d. Extreme temperatures can greatly affect the miles driven per charge

NYCPS intends to continue monitoring issues with electric buses, as well as the development of the technology, keeping in mind this is a rapidly developing field.

SECTION 3 – INDUSTRY-WIDE VIEW OF ELECTRIC SCHOOL BUSES

There are many “barriers to (...) achieving the replacement of school buses with all-electric zero emission school buses by September 1, 2035.” For each of the three “barriers” noted below, “plans [and strategies] to address [and mitigate] the barriers” are also noted.

- **Barrier: High Cost of New Electric School Buses**
 - A review of the New York State Office of General Services Statewide Contract for School Buses^[1] shows that:
 - Type A electric school buses are 2.3-2.7x more expensive up-front than their gasoline-powered equivalents
 - Type C electric school buses are 1.6-1.8x more expensive up-front than their gasoline and diesel-powered equivalents
 - The increased level of investment necessitated by this price differential may cause some vendors to lag in early implementation of the technology, which could ultimately lead to a delay in achieving the requirement.
 - Overall levels of production of electric school buses are presently lower than would be necessary to meet Statewide and national needs by the 2035 deadline, plus related supply-chain constraints
 - Mitigants include the following: “although electric school buses have higher upfront costs than traditional diesel or gasoline-powered buses, the total cost of ownership is expected to reach parity by 2027 due to advances in battery technology, increased supply chain outputs, as well as lower fuel and maintenance expenses”^[2]
 - Mitigant: Grant programs from the Federal and State government which subsidize the purchase of electric school buses. (See section 4.)
 - Mitigant: Many vendors have explored retrofits/repowers, and NYSERDA has allowed these to qualify for the NYSBIP program. The marginal cost of these vehicles is lower than a new electric school bus.

- **Barrier: Sufficient Electricity for Charging at School Bus Depots**
 - Many school bus depots are lacking in sufficient electrical supply for bus charging, and many are not electrified at all.
 - Mitigant: ConEdison (local utility) working with our vendors to ensure sufficient supply of electricity at depots to support a fully electrified fleet

- **Barrier: Sufficient Charging for Fleet During the Day**
 - Many school buses operate routes that would require them to charge in the middle of the day. Access to on-street chargers for this subset of the school bus fleet will need to be addressed in addition to the electrification of school bus depots noted above
 - Future Strategic Mitigant: NYC Department of Citywide Administrative Services (“DCAS”) Fleet team installing curb-side chargers city-wide which buses could utilize
 - Future Strategic Mitigant: NYC School Construction Authority (“SCA”) could install charging infrastructure at schools for mid-day charging where feasible and legally appropriate

SECTION 4 – EXISTING GRANT OVERVIEW

NYCPS provides pupil transportation through a 100% externally contracted fleet. Given this operating model, NYCPS has not submitted any applications for federal, state, private or other funding for the purpose of “achieving the replacement of school buses with all-electric zero emission school buses by September 1, 2035.”

OPT currently contracts with about 50 individual school bus contractors. These school bus contractors apply for a variety of federal, state, private or other funding on their own accord. NYCDOE has provided applicants with letters of support and any other forms required to be submitted with grant applications by Federal or State regulations, as well as informational support.

This is a time of unprecedented investment into electric school buses by the US Federal Government. The Bipartisan Infrastructure Bill included \$5B for the EPA’s Clean School Bus Program (“CSBP”). The EPA has already awarded \$2.8B in the first three rounds of funding for this program nationally, and current NYCDOE vendors have been named recipients for over \$125M in funding.

- 188 buses for City-Affiliated Bronx-based NYCSBUS
 - o \$8.0M for 25x Type A (Round 1 lottery, October 2022, Citywide award)
 - o \$29.5M for 100x Type A (Round 2 competitive, January 2024, Citywide award)
 - o \$18M for 63x Type A (Round 3 lottery, May 2024, Districts 2, 3, 4)
- 105 buses for Consolidated Bus Transit
 - o \$10.0M for 25x Type C (Round 1 lottery, October 2022, District 1)
 - o \$31.6M for 80x Type C (Round 2 competitive, January 2024, Districts 19, 20, 21, 22)
- 50 Buses for Logan Bus Company
 - o \$15M for 25x Type A and 25x Type C (Round 3 lottery, Districts 23, 25)
- 25 Buses for Pioneer Transportation
 - o \$8.6M for 25x Type C (Round 3 lottery, District 7)
- 25 Buses for GVC
 - o \$6.2M for 25x Type A (Round 3 lottery, Citywide award)
- 1 bus (\$0.5M) for Jofaz (Round 1, for Community Partnership Charter, Brooklyn)

Just under half (\$2.17B of \$5B) of the US EPA CSBP program remains unannounced. NYCDOE eagerly awaits new information on forthcoming rounds of funding and will continue to assist and support our vendors in their applications.

Additional federal funding opportunities exist for NYCDOE’s school bus contractors through the US EPA’s Clean Heavy-Duty Vehicles (“CHDV”) or Diesel Emissions Reduction Act (“DERA”) programs, as well as through Federal tax credits such as the Qualified Commercial Clean Vehicle (45W) and Alternative Fuel Vehicle Refueling (30C) credits. Unfortunately, US EPA’s CHDV program makes private operators like most of NYCDOE’s school bus contractors ineligible.

Grants are also available to NYCDOE school bus contractors from the New York State Energy Research and Development Authority. (“NYSERDA”) The New York School Bus Incentive Program (“NYSBIP”) was funded with \$500M from the Environmental Bond Act approved by voters in November 2022, and the

funding availability was announced in September 2023. Applications opened in late November 2023 and are being funded by NYSERDA on "first-come, first-served" basis.

APPENDICES

Applications Submitted by Current NYCPS Vendors

Grant	Vendor	# of Buses	District	Status
EPA Round 1	Consolidated	25	1	Awarded
EPA Round 1	Jofaz	1	17	Awarded
EPA Round 1	NYCSBUS	25	Chancellor's Office (Citywide)	Awarded
EPA Round 1	Logan (Bobby's)	25	9	Not Awarded
EPA Round 1	Logan (Grandpa's)	25	27	Not Awarded
EPA Round 1	Pioneer	25	7	Not Awarded
EPA Round 1	Pioneer	25	31	Not Awarded
EPA Round 2	Consolidated	80	19, 20, 21, 22	Awarded
EPA Round 2	NYCSBUS	100	Chancellor's Office (Citywide)	Awarded
EPA Round 2	Total Transportation (First Student)	25	18, 19, 22, 24, 25, 26, 27, 28, 29	Not Awarded
EPA Round 2	GVC	100	7, 8, 9, 10, 11, 12	Not Awarded
EPA Round 2	Pioneer/Logan	100	7, 8, 9, 10, 11	Not Awarded
EPA Round 3	GVC	25	Chancellor's Office (Citywide)	Awarded
EPA Round 3	Pioneer	25	7	Awarded
EPA Round 3	Little Linda	25	23	Awarded
EPA Round 3	Lorissa	25	25	Awarded
EPA Round 3	NYCSBUS	21	2	Awarded
EPA Round 3	NYCSBUS	21	3	Awarded
EPA Round 3	NYCSBUS	21	4	Awarded
EPA Round 3	Total Transportation (First Student)	25	26	Not Awarded
EPA Round 3	Total Transportation (First Student)	25	29	Not Awarded
EPA Round 3	Pioneer	25	8	Not Awarded
EPA Round 3	Pioneer	25	31	Not Awarded
EPA Round 3	Grandpa's	25	10	Not Awarded
EPA Round 3	Logan Bus	25	27	Not Awarded
EPA Round 3	Logan Transportation	25	12	Not Awarded
EPA Round 3	Little Richie	25	9	Not Awarded

EPA Round 3	Bobby's	25	24	Not Awarded
EPA Round 3	Lorinda	25	19	Not Awarded
EPA Round 3	Little Lisa	25	11	Not Awarded
EPA Round 3	NYCSBUS	21	1	Not Awarded
EPA Round 3	NYCSBUS	21	5	Not Awarded
EPA Round 3	NYCSBUS	21	6	Not Awarded
EPA Round 3	NYCSBUS	21	13	Not Awarded
EPA Round 3	NYCSBUS	21	14	Not Awarded
EPA Round 3	NYCSBUS	21	15	Not Awarded
EPA Round 3	NYCSBUS	21	16	Not Awarded
EPA Round 3	NYCSBUS	20	17	Not Awarded
EPA Round 3	NYCSBUS	20	20	Not Awarded
EPA Round 3	NYCSBUS	20	21	Not Awarded
EPA Round 3	NYCSBUS	20	32	Not Awarded
EPA Round 3	NYCSBUS	20	75	Not Awarded
NYSBIP	Total Transportation (First Student)	25	18, 19, 22, 24, 25, 26, 27, 28, 29	Pending
NYSBIP	Hoyt Transportation	1	7, 8, 9, 10, 11, 12	Pending
NYSBIP	Careful Bus	1	Citywide	Pending
NYSBIP	Careful Bus	5	Citywide	Pending
NYSBIP	GVC	20	Citywide	Pending
NYSBIP	Marcan	1	Citywide	Pending
NYSBIP	IC Bus	1	Citywide	Pending

ACKNOWLEDGEMENTS

^[1] <https://online.ogs.ny.gov/purchase/spg/awards/4052423254CAN.HTM>

^[2] <https://www.nyserda.ny.gov/All-Programs/Electric-School-Buses/Electric-School-Bus-Roadmap>

^[3] Definition from Wikipedia: “when a vehicle operates without carrying or accepting passengers, such as when coming from a garage to begin its first trip of the day”

9/24/24

Dear Sir or Madam,

I am currently writing to submit my testimony as it pertains to my experience with the city's school bus system. My experience has been that I am never informed in the beginning of the school year of the time my child will be picked up nor dropped off, and when I'm late the bus driver is rude.

I've also experienced that the bus arrives at different times in the beginning of the school year. In addition, my child has had to ride on the bus for an unusually significant amount of time various times throughout the year.

I recently experienced that my son's bus driver threatened to take my son back to Brooklyn, because we live in Queens, and I was not there to receive my child the 2nd day of school. However, I was only 5 minutes away. Once again, I had not been given the drop off time, so I had to guess. My experience has been that I'm always playing the guessing game with pick-up and drop-off time.

If you'd like more information, you may contact me at [REDACTED], as I've submitted multiple complaints throughout the years.

Best regards,

Alicia Gomera, LMHC

Mother of a special needs child

[REDACTED]

From: Evan Stein <steine01@gmail.com>
Sent: Tuesday, October 1, 2024 12:45 PM
To: Testimony
Subject: [EXTERNAL] Testimony in Support of Intro 0515-2024 (Special Needs Busing) – 9.30.2024

[REDACTED]

Dear Council Members,

I am writing to express my strong support for Intro 0515-2024, a bill that will significantly enhance the safety, communication, and training of school bus personnel for children with disabilities. As a parent of a child with special needs, I know firsthand the challenges that arise from inadequate training and communication in school transportation.

I strongly endorse the following provisions in the bill:

- The requirement for annual reports detailing the number of employees trained to handle the specific transportation needs of students with disabilities.
- Ensuring that properly trained staff accompany students with disabilities on the bus.
- The mandate that parents be provided with direct contact information for bus personnel in the event of an emergency.

My son, Joshua (ID: [REDACTED]), has been transported by bus from Kips Bay, Manhattan, to College Point, Queens, for over 12 years. During that time, numerous bus companies, drivers, and matrons have been responsible for his transportation. I have worked closely with the Office of Pupil Transportation (OPT), bus companies, drivers, and matrons, advocating for my son at every opportunity. Despite my efforts, there are always disruptions, especially when buses break down or drivers leave their jobs. Unfortunately, I often learn about these issues only an hour or two after my son was supposed to be picked up.

One ongoing problem is that when a driver calls out sick, there is frequently no replacement available, resulting in a "route outage." When this happens, it becomes my responsibility to transport my son to and from school. While OPT now offers reimbursement and uses a car service called LimoSys, I still have to arrange transportation myself, taking my son or arranging someone else to take him while coordinating coverage at work – a difficult task without backup care.

This issue resurfaced just this week. On 9/30/2024, at 7:30 AM – the exact time of my son's scheduled pickup – I was notified by the matron that the driver had called out sick and there would be no bus service for the day. The situation worsened on 10/1/2024, when at 6:30 AM I received a call from the bus company informing me that, for the second consecutive day, the driver was unavailable due to a family emergency, and no backup driver was available for either the morning or afternoon routes. As a result, I had to once again rearrange my day to transport my son to school and will need to pick him up later today. This caused significant disruption to my schedule, requiring me to reschedule my patients and make last-minute childcare arrangements.

It is alarming that there is no contingency plan for such situations. Bus companies that bid for Department of Education (DOE) contracts should be required to provide backup drivers, especially for students with special needs who rely on transportation across boroughs. The current system is simply unacceptable.

Tomorrow, my son will likely miss school because my schedule won't allow me to transport him for a third consecutive day. It is both frustrating and disheartening that I've had to write this same email, or a version of it, multiple times each year for the past 12 years. This is a systemic failure, and it is long past time for meaningful change.

I urge you to take immediate action to address this issue and work toward a reliable transportation system that families can depend on.

Thank you for your attention to this critical matter. I look forward to seeing tangible improvements.

Sincerely,

Evan Stein

[REDACTED]
New York, NY 10016

[REDACTED]
EMAIL: steine01@gmail.com

[REDACTED]

From: Kate Hallet <kate@katehallet.com>
Sent: Wednesday, October 2, 2024 7:38 PM
To: Testimony; District26; [REDACTED]; District40; [REDACTED];
[REDACTED] Brannan, Justin; District3; District37; [REDACTED];
[REDACTED]; District39; [REDACTED]
Subject: [EXTERNAL] Testimony in Support of Intro 0515-2024

[REDACTED]

Dear Councilmember Won and Joseph,

I am writing to express my strong support for Intro 0515-2024, which will significantly improve the safety, communication, and training of school bus employees for children with disabilities. As a parent of an 11-year-old daughter, Naniya, who has autism and attends Summit School in Queens, I can personally attest to the daily challenges we face with the current busing system.

Busing for us is a daily game of roulette. This year, on her first day of school, Naniya spent 4+ hours on the bus. School starts at 8:45 a.m., but she arrived at 10:20 a.m. The same day, school ended at 2:45 p.m., but the bus didn't arrive to pick her up until 4:07 p.m. To make matters worse, the school had no way to reach the bus driver or matron, as they are not required to give out their contact information. The communication gap is unacceptable, especially for our vulnerable children.

One incident was particularly frustrating: I received a call from a random matron saying our route changed because we had moved. However, we hadn't moved. This clerical error, of which I received no prior notice, resulted in Naniya missing five days of school. It took me over 30 hours of phone calls to resolve the issue—working with the bus company, OPT, her CSE coordinator, city council members, and the school. This was time-consuming, stressful, and completely avoidable. This just happened during September 2024.

Last year, her bus got a flat tire on the first day of school, and every day for the first two weeks, we had different matrons, making it impossible to know when the bus was arriving. The lack of communication caused significant distress for both Naniya and me. On top of that, during the third week of school, the driver hit a biker in Ridgewood, Queens. The only reason we knew about the flat tire and the accident was because my daughter and another child on the bus had phones and could tell us.

Busing, for us, is unpredictable and inconsistent. The absence of communication between parents and bus staff creates unnecessary anxiety. There's no system in place to ensure the driver and matron understand how to work with special needs kids, and crucial information like travel limitations from Naniya's IEP is often disregarded. Our children need better-trained staff, cameras on buses, and effective communication. The current system is failing our kids, and it is a chronic, systemic issue.

I am deeply grateful to Councilmember Brannan for taking a stand on this issue, and I hope this bill will bring about the long-overdue changes that families like mine need.

Thank you for considering my testimony. Please feel free to reach out if you need further details.

Best regards,

Dr. Kate Hallet

Mother to Naniya Madeleine Senbanjo (student ID [REDACTED])

kate@katehallet.com
[REDACTED]

Join my newsletter:

<https://forms.gle/PQDVhB9jBNXv5AMH9>

Melissa Barber

[REDACTED]
Bronx, NY 10454

New York City Council

ATTN: Hearing of Committee on Education and Committee on Contracts September 30, 2024 at 10 am

Dear Council Members,

My name is Melissa Barber and I am the parent of an amazing, beautifully talented and gifted autistic young woman who attends a District 75 school in the Bronx. For seventeen years, my daughter has done busing to and from school through the different busing vendors under the umbrella of the Office of Pupil Transportation and for seventeen years it has come with surmountable challenges. My autistic daughter requires more medical accommodations on her busing due to her epilepsy. However, she has been put on broken buses that lack adequate air-conditioning and has been on buses for multiples hours, although she is required to have limited time travel. We have waited countless hours for buses that have never showed up. She has even been on buses that have constantly broken down due to lack of servicing. However, our experiences over the last two years with busing have been nothing less than diabolical in nature.

In September 2022, my daughter was placed on a bus with a matron and driver who tormented and victimized my daughter to the point she was terrified to ride her school bus for months. Along with her refusal to get on her bus, the encounters my daughter had on this bus provoked her to have a series of panic attacks, which I had never seen my daughter have before in her life, and increased aggression at the thought and mention of her having to get on that bus. What is most egregious is that after complaining multiple times about the behavior of this matron to the OPT, with documented complaint numbers, the school administration, the committee on special education, the chancellor's office, her supervisor at the bus company, everyone escalated this situation multiple times but the bus router, who was assigned the task of changing the bus route, was nowhere to be found **for 5 months**. Eventually, I got contact information for several significant players in OPT and emailed them, the bus routers, the directors of OPT, the vice president and CEO of the company to finally be heard and get the issue resolved. When that took place, the bus router, Mr. Michael Arcese, was very rude, unapologetic and very dismissive about his responsibility to have responded to the complaints and emails that reached his desk over the course of the five months. His response to me was "I wasn't sure if I should even give you my number to call me." As a result of his carelessness and lack of accountability to his job tasks, my daughter was having panic attacks and post traumatic stress episodes, she was fearful of even riding a school bus, which still continues to this day, I had to take off work to travel 1.5 hours to take my daughter each way to and from her school for months because she wouldn't get on the school bus. And that was his response to me! I'm sure you could imagine what I wanted to say and do to him but held my peace.

We, finally change buses. My daughter gets settled and then she gets bullied on the bus by a student. Since my daughter is minimally verbal, to this day she cannot tell me the extent of the abuse that was done to her but among the abuse was this student verbally abusing and yelling at her, calling her "a whore," him telling her to "shut the fuck up" along with a host of other derogatory things, which she repeats when she is in crisis mode. I tried to get her off this bus immediately and that did not happen for quite some time as well. During the time she had to stay on this bus, one afternoon, she had a post

traumatic stress episode where she was yelling the bullying students name at the top of her lungs, was frozen in position and for over 45 minutes, neither her nurse, the matron nor I could calm her down to get her off the bus. I complained and highlighted the episode and she was still left on the bus with this student who victimized her. She was taken off the bus and over the course of several months was placed, supposedly by accident, on the same bus with this student on four more occasions. Each occasion provoking a trigger and PTSD crisis. Although she was eventually taken off these buses, the encounters with that matron and the student have left significantly impactful and damaging emotional and psychological scars.

The start of this school year with busing was also no less than disastrous. Two days before school, I went into my daughter's school portal to verify school transportation for the school year **and there was none**. The Bronx bus router forgot to route over 30+ students in my daughter's school for busing. When I called her to see what happened, she said that my daughter was "inactivated" in her system, blamed the school and then said my daughter would probably not have transportation until September 11, although school started on September 5th. I find it hard to believe that no one thought it strange that a significantly large number of students from a school were "inactivated" from a system and no one followed up or knew who do it. I demanded that the school and OPT figure out how my daughter was getting transportation home from school on the first day and to and from home the subsequent days until September 11th since it was not my fault that she was "inactivated" and because I wasn't taking off more time from work to accommodate another busing issue. During that first week, my daughter, who was supposed to be a first drop off, was coming home at 5pm when school got out before 3pm. After waiting hours in the morning for a bus which I confirmed with the dispatcher at 5:45 am was coming, the bus never showed up. I had to keep pestering the bus dispatcher until he sent another bus to come pick up my daughter so that she can get to school. Did I mention she needed medical accommodations? The buses in the afternoons had no air-conditioning in those hot temperatures, and she was on it for several hours. My daughter was still triggered and terrified to get on a bus so I continued requesting another means of transportation the entire time for her to get to and from school. The request kept being ignored. One afternoon, there was a shortage of buses and drivers and someone decided to make an executive decision to put my daughter on an afternoon bus to come home with the student who previously bullied her. It led to a disaster. My daughter had another full-on posttraumatic stress crisis for over an hour the following day when it was time to get on busing. I called OPT and became the belligerent parent who demanded to speak to a supervisor and for my daughter to never ride a school bus ever again. I was finally told about the other option, the rideshare voucher program, which I had been requesting for my daughter the entire time. I continued emailing the bus routers and executive directors at OPT to complain and tell them how their haphazard decision to put my daughter on a bus **again** with her victimizer had caused her such distress. Last week, after her crisis, she finally got a transportation voucher. It only took one year and 10 months to get my daughter another mode of transportation and peace of mind, which still comes with its own hiccups. For the last two years, I have been looking for counseling/therapy for my daughter; at this point I have not found any external entities, outside of her school counseling/therapy that do counseling/therapy for minimally to non-verbal autistic persons so the devastating emotional and psychological scars of these experiences still persist until I can find her help to heal.

As I have mentioned in countless emails to head administration in OPT, this system needs to be completely done over with a new restructuring, a remodeling, and a redesign. The contracts should be given to a completely different entity where accountability and oversight actually do occur. There should probably be firing, possibly of entire departments, and an onboarding of completely new staff, because when executives tell you that they have no knowledge of what's being done under their jurisdiction, they probably should not have the job they are occupying. This ticketing system in OPT is not very effective

because things rarely get resolved or escalated. The buses need to be serviced more often. The matrons should be trained better to deal with students with special needs. Many of these matrons lack empathy and don't understand that they are working with children who have a completely different set of needs. Many of them hate their jobs and come to work disgruntled and are mean to the children. Why are they even being hired? The bus router claimed that there is a red flag in the system that notes when students are not supposed to be bused together. However, my daughter got bused with the same student who bullied her four different times. It took five months to reach a bus router. ***Five months!!!! Why did it take so long for OPT, supervisors, school staff and myself to reach this person? Why does he still have a job?*** I know if this happened to me, it has happened to several other parents. None of this is okay and should not be happening to children on anyone's watch.

Sincerely,

Melissa Barber

To the New York City Council:

We are writing to share our experience in obtaining busing for our son, who attends Tiegerman Elementary School in Glen Cove. As outlined in his IEP, our son is entitled to transportation services. However, living in Forest Hills, Queens, necessitates a commute of 45 minutes to over an hour, depending on traffic and weather. This is significantly longer than most students experience. We chose Tiegerman due to its specialization in language development, which has made a profound impact on our son, who is autistic with ADHD and language development challenges. The school has transformed his attitude toward education, fostering a love for learning.

In August 2024, we reached out to CSE3 via email and phone to request busing services. Our efforts were met with silence for several days, and it wasn't until late August—just days before the school year started—that we received any response. We were advised by a CSE3 admin to contact OPT, which in turn redirected us back to working through the school. This confusing cycle delayed our ability to secure transportation.

Eventually, we learned that CSE3 had submitted our son's information on August 12, but there were no updates regarding a bus route. Upon following up with OPT, we were informed that our son's data was not appearing in their system, preventing the assignment of a bus route. We were told it typically takes 7-10 business days to process such requests, yet due to the lack of visibility of his profile in the system, we experienced prolonged delays. Despite daily follow-ups with CSE3, we were met with continued uncertainty. Escalating the issue to the district chairperson also yielded no response.

Throughout this process, we want to acknowledge the efforts of the CSE3 transportation coordinator and Tiegerman staff, who did everything they could to assist us in escalating the issue with OPT. Unfortunately, it still took 33 business days to resolve a matter that should have taken no more than 10 days.

During this time, we had to rearrange our work schedules to drive our son to school, incurring approximately 20 hours of additional driving per week and over \$70 weekly in gas expenses, with no assurance of reimbursement. This has placed a significant burden on our family, forcing us to choose which child we could take to school on days when we could not both be present.

No family should have to navigate such challenges to ensure their child can attend school. We urge the council to address the need for further support for system issues between CSE and OPT as well as implement more efficient processes to support families in similar situations. The impact of these delays on our family has been immense, and we hope for a higher sense of urgency in resolving such matters in the future.

Thank you for your attention to this important issue.

Sincerely,
Rosanna Lam and Tom Boonyasai

Good afternoon,

I am here today to address the worsening issues surrounding the Office of Pupil Transportation (OPT) for children with IEPs entitled to specialized transportation, like my son Kevin.

Kevin has an IEP with medical accommodations due to his seizure disorder and complex medical needs. He requires a wheelchair-accessible bus, **Limited Travel Time** accommodation, and a bus para. His transportation needs are not preferences – they are necessities for his safety and well-being.

At the start of this school year, we were hopeful. Kevin's initial route worked well: it was punctual, and the ride was within the time limits specified in his IEP. But OPT switched his route without prior notice, adding an extra 45 minutes each way. Now, Kevin is on the bus for nearly 4 hours a day.

This is not just an inconvenience. Extended travel times can exacerbate Kevin's medical conditions, increasing health risks. Despite filing 8 complaints with OPT, there has been no resolution. The Department of Education and OPT are not prioritizing the transportation needs of children like Kevin, whose safety and well-being are legally protected by their IEPs.

Parents are left bearing the consequences of OPT's failures. We need accountability and action to ensure children with IEPs who are entitled to specialized transportation receive the appropriate, safe transportation they are mandated to have.

Transportation issues for students with IEP.

My son has been diagnosed with autism and ADHD. He has an IEP and attends Tiegerman School in Glen Cove. We live in East Elmhurst-Queens, so he uses the transportation service. In past years, there were no major issues, but this year the bus is overcrowded. Too many kids on the bus cause students to arrive 30-45 minutes late to school. I know my son is late because he has a tracking device. As of today, September 30, the company added two more kids to the route, making my son even later.

How can he show progress on his IEP if he doesn't get to class on time? After arriving late to school, he has a two-hour ride home, making him too tired and unfocused to do homework effectively. The homework loses its purpose because he is so exhausted.

The problems that need to be resolved are:

1. Reduce the number of kids with special needs on the route to decrease travel time and ensure students arrive on time to school and back home.
2. Add more vehicles to make the travel time more reasonable. How can a child be on the bus for two hours before getting to class? In the past, it was no more than 45 minutes to an hour.

I hope these issues can be resolved to help kids with IEPs succeed. These kids already must work harder to learn, and the system is supposed to help them. The companies should prioritize the children's needs over profit. They can still make a profit by doing a good job.

Bus Route student rooster
Should pick up students that
live near each other

GPS does not give shortest route
to school

This year pickup time 0630
LAST year " " 0730
School Starts 0830 hours

This year drop off time 1700⁰ After
LAST year " " 1520-1400
School Dismissal - 1500 hours

Children need exercise, After
school snacks

Bus Routes are 2 1/2 hours
this year

MAYBE we need more buses

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Flavia Puella Perdomo

Address: _____

I represent: NYCPS

Address: _____

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THE CITY OF NEW YORK**

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 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: James Barkin

Address: _____

I represent: NYCPS

Address: _____

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THE CITY OF NEW YORK**

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Date: _____

(PLEASE PRINT)

Name: Glenn Risbrook

Address: _____

I represent: NYCPS

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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 in favor in opposition

Date: _____

Name: Glenn R. (PLEASE PRINT)
John Beeson

Address: NYCPS

I represent: NYCPS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Tamara Samir

Address: _____

I represent: NYCPS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Dr. Cheryl Lawrence

Address: _____

I represent: NYCPS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Dobrynchuk, Irena

Address: _____

I represent: NYC PS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/30/27

(PLEASE PRINT)

Name: Christopher Leon Johnson

Address: _____

I represent: Self

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/30/23

(PLEASE PRINT)

Name: Lupe Hernandez

Address: _____

I represent: Parent NYC PS

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/30/2024

(PLEASE PRINT)

Name: KATHERINE HOY

Address: _____

I represent: AHRC NYC - EDUCATION ADVOCACY

Address: 83 MAIDEN LANE 10038

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/30/2024

(PLEASE PRINT)

Name: SACHO ARMY

Address: _____

I represent: AMRC - New York City

Address: 83 Maiden Ln. NY, NY 10038

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Anna Brehm - Advocates for Children

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Maggie Moroff - ARISE Coalition

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/30/24

(PLEASE PRINT)

Name: _____

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/30/24

(PLEASE PRINT)

Name: Molly Sprack

Address: _____

I represent: Center for Independence of the Disabled NY

Address: 1210 66th Ave

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Miriam Franco

Address: [Redacted] NY NY 10033

I represent: Myself (Parent)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: September 30, 2020

(PLEASE PRINT)

Name: Alexandra Kapisa

Address: _____

I represent: Brooklyn Defender Services

Address: 177 Livingston St, 7th Floor

Brooklyn, NY 11201

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Fahmeeda Saleem

Address: _____

I represent: NYCPS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Tara Foster (Legal Services NYC)

Address: 89-00 Sutphin Blvd

Jamaica, NY 11435

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DAWN AKERLEY

Address: 118-16 91st AVENUE

I represent: MY CHILD/MYSELF

Address: 118-16 91st AVENUE

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ellen Mc Hugh

Address: [REDACTED] [REDACTED] BROOKLYN 11209

I represent: parents advocate

Address: SAME

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0515 Res. No. 0250

in favor in opposition 1 of each

Date: 9/30/2024

(PLEASE PRINT)

Name: Sara Catalinotto

Address: [REDACTED] 10011

I represent: Parents to Improve School Transportation

Address: city wide - www.pisfnyc.org

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Res. No.

in favor in opposition

Date: 9/20/24

(PLEASE PRINT)

Name: TOMAS FRET

Address: [REDACTED] Valley St NY 10580

I represent: ATU LOCAL 1181

Address: _____

Please complete this card and return to the Sergeant-at-Arms