

TESTIMONY OF NYC PUBLIC SCHOOLS
ON SCHOOL BUS TRANSPORTATION SERVICES
BEFORE THE NYC COUNCIL COMMITTEES
ON OVERSIGHT & INVESTIGATIONS AND EDUCATION

November 21, 2022

Testimony of Kevin Moran, Chief Schools Operations Officer

Good morning Chair Brewer, Chair Joseph, and all the members of the Committees on Oversight and Investigations and Education here today. My name is Kevin Moran and I am the Chief Schools Operations Officer for New York City Public Schools or the New York City Department of Education (DOE). I am happy to be joined by Glenn Risbrook, Senior Executive Director for Student Transportation, and Shona Gibson, Executive Director of the District 75 Citywide Office.

I first want to thank you for holding a hearing on such an important topic and for your leadership and advocacy in this area. Providing safe, reliable transportation to students in this city is essential for enabling our students, and especially some of our highest-needs students, to receive a quality education. In 2018, I came before the Council during a transportation crisis for our students and committed to working with the Council to revamp our transportation program. Those transformations included modernizing systems, improving customer service to families, working more effectively with our bus companies, and eliminating roadblocks that families confronted in getting their kids to school.

Today I will update you on what we've accomplished in the last four years and share this administration's commitment to upgrading transportation for our students. This is an issue that the Chancellor and all of the DOE are focused on getting right because we know how important it is for our school system and for our students and families.

Under this administration, we view transportation as a priority for the entire DOE, and not the work of just one office. We have come to appreciate that transportation isn't simply about the bus. A good experience for students depends heavily on what schools do, on what IEP teams do, on enrollment, and on the availability of programs in every community. The biggest change to transportation today is that all of us at the DOE are working together.

When I took on this mission back in 2018, I discovered a system that was not designed to provide the best transportation services possible. Our transportation system existed in a silo under leaders who insisted on keeping it that way.

Since then, we have made significant progress in modernizing our system and working to provide real accountability. Our guiding principles are these:

- Re-centering services around schools, so that families do not have to navigate a bureaucracy to receive the services they need

- Investing in technology to increase the efficiency and visibility of busing services in real-time; and
- Aligning our processes to those already in use by schools and familiar to families.

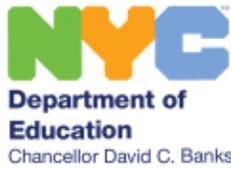
As you well know, we still have significant work ahead of us. However, I am proud that we have made tangible improvements since 2018. Transportation is now managed by a team of DOE employees dedicated solely to that mission who understand its importance on a deep and human level, led by Glenn Risbrook, who you will hear from shortly; and working with teams across the DOE. We have implemented major process and technology programs that are increasing visibility and transparency, enabling the department to better support students, families and schools through improved quality and responsiveness.

I'd like to share two examples of what these changes have meant for us, our schools, and our students and families.

- Technology to support family, student and systems-level transparency: The DOE has invested in a 5-year **modernization** of our outdated technology systems, many of them over 20 years old. This will allow us as a system, and allow our families, students and educators, to have real-time information into buses, and allow parents to view and select transportation options. For those that utilize busing, they will be able to track their bus in real-time. For the DOE, that accurate data we then get about route performance, vehicle behavior, and ridership tracking will enable us to see and correct problems early, place students on routes sooner, address vendor performance issues more effectively, and give families peace of mind. Our partnership with Via is a cornerstone of this project, and we are grateful for their commitment and expertise.
- Clearer, simpler lines of communication: Over the past four years, we have increased the avenues for families to receive information and support for their transportation concerns and questions, reducing their reliance on a single office. Schools, shelters, Committees on Special Education, and district offices now have the access and ability to address most transportation questions, so that a parent can get support at their program. We've also published student-specific information in their New York City Schools Accounts and have added general information on the DOE's website. We also maintain a call center for urgent and emergency issues.

To be clear, there have been and continue to be challenges, and the pandemic in particular has presented us with significant obstacles that we are still grappling with. For example, school building closures due to COVID-19 caused the suspension of bus services, leading to the layoff of drivers and attendants. That, along with broader national economic and employment disruptions, compromised our vendors' ability to staff bus routes. Like many districts around the country, this leads to the driver shortages we continue to see today. We are grateful for the work of our drivers and attendants to continue to serve our families as we together face these challenges.

As I said in 2018 and reiterate today, we still have progress to make, and we ask you to hold us accountable. We want to be transparent about both our successes and challenges while remaining



committed to partnering with all of you to ensure that our children receive safe and reliable transportation every day. I always appreciate the Council's candor and willingness to support school transportation, and welcome continued collaboration and feedback.

I am pleased and grateful that Glenn Risbrook has agreed to lead our transportation portfolio as its Senior Executive Director and will now turn it over to him. Thank you again for this opportunity, and we will be happy to answer any questions you may have at the conclusion of Glenn's remarks.

Testimony of Glenn Risbrook, Senior Executive Director for Student Transportation.

Good morning Chair Brewer, Chair Joseph, and all the members of the Committees on Oversight and Investigations and Education. Thank you to Kevin for the introduction.

Thank you for the opportunity to discuss safe and reliable school transportation.

My name is Glenn Risbrook and I am the Senior Executive Director for Student Transportation.

We are committed to serving our families. My team and I are working hard to make improvements in transportation for our children, including those who use bus service, and with a focus on improvements for our highest need students, as Kevin said.

I'd like to start by giving a full picture of student transportation for our school system because it's important to appreciate the scale of our transportation program as we consider how we can make improvements across the board.

- Every day, 52 contracted school bus vendors transport over 140,000 students to nearly 3,500 schools using 9,000 routes. This is both within and outside of New York City.
- Additionally, in partnership with the MTA, we distribute over 830,000 student MetroCards annually to students for transportation to and from school.

As Kevin mentioned, we have made major improvements in our transportation system. We are better coordinating our communications, and we are slowly but surely upgrading our technology systems to allow us – and families and educators – to track our buses. But much work remains, and we appreciate your focus. While understanding the vast scale of our transportation program, we must also stay grounded in focusing on the individual students and families we serve. This issue is personal to them and greatly impacts their lives day to day. Our charge is to provide a transportation system that works for each and every one of our students, that is safe, reliable, transparent, and accessible to all of our families. One student who is not supported to get to school on time is one student too many.

Kevin conveyed some of our busing and transportation system's broad challenges and goals, so I would like to focus on the more specific issues we face and what we are doing to address them. These structural challenges lead to the individual challenges that students and families face and feel and are critical to address.

MITIGATING DRIVER SHORTAGES AND THEIR IMPACT THROUGH TRAINING, RECRUITMENT, INCENTIVES – AND RIDESHARE OPTIONS FOR FAMILIES

The top complaint we receive right now relates to bus delays and lateness, which is a symptom of the driver shortages that vendors – and we as a system – are facing. This year, we started with a deficit of 500 drivers systemwide. This means to get students to school, we had to “double up” on routes, with vendors asking drivers to drive two routes in succession. This leads to unpredictable bus times for families and students, as drivers are driving two routes instead of one. Because of how our systems work, it is also true that it is often our highest need students who are on these routes that end up without permanent drivers, and thus are put in these situations.

Today, we have made improvements, but stand at an overall deficit of 313 drivers. While the driver shortage is nationwide, we have been working on a few different tracks to try to address the shortage and its impact on students and families:

- Training, recruitment and incentives: We have been working with our bus companies to help them with recruitment strategies and to expedite processing to get qualified drivers on the roads as quickly as possible. We have been pursuing ways to expand hiring pools and build career pipelines to create a sustainable workforce.
- Rideshare: As we work with vendors to address the shortage, we also know we have families facing challenges now, who cannot wait for the shortage to be addressed. We need to get creative. We have launched a rideshare service, allowing families impacted by route outages and doubled-up routes to access prepaid rides to get to school as we work with companies to find permanent drivers. This is available on a daily basis, morning and afternoon, for these families. This has been complicated to provide; our systems are set up to support buses, not rideshare. While it’s not a perfect solution, we believe it is critical in the short-term.

ADDRESSING LACK OF TRANSPARENCY AND REAL-TIME INFORMATION FOR FAMILIES, STUDENTS AND EDUCATORS THROUGH VIA

As a father, I understand how important it is to know where your kids are. Until now, we have not been able to tell families pick-up and drop-off times, where their children are on their routes at a given time, and whether they arrived at school on time – or will be home on time. That is always frustrating, and particularly frustrating given, as we previously stated, the impact of the driver shortage.

But we are finally changing that, thanks to your leadership, with Via.

Through our partnership with Via, we will be receiving a state-of-the-art routing platform, as well as the ability for schools and families to view and monitor route assignments and vehicle location in real-time.

We began working with Via before the pandemic and are excited to finally roll out the Via app to families and schools. After conducting a small pilot in 2021, we just launched the app in District 26, with other districts to follow. We have worked in close partnership with Superintendent Giunta, the bus companies, the schools, and families themselves to ensure this roll out is successful and are using that feedback to make sure the product is working the best it can. This will allow us to learn and make improvements before we move to broader adoption.

I would be remiss if I did not note that it was the Council that passed the law in 2019 requiring that families can view real-time information for their buses to set us on the path we are on today. It has taken longer than we would have liked – there have been complexities along the way. But we continue to work through these, and are working with vendors, drivers, and communities, and we are grateful for your leadership and for lighting that spark.

IMPROVING COMMUNICATIONS AND SUPPORT TO FAMILIES THROUGH TRANSPORTATION COORDINATORS/LIAISONS AND OUR CALL CENTER

A complaint we used to hear a few years ago was that families had to wait a long time on hold just to get through to the call center. We heard of families waiting hours just to ask basic questions like: Is my child eligible for busing? How do I find out my child's route? What is my bus company's phone number? Whatever the question, everyone was directed to a call center that was severely understaffed with temporary consultants.

We're proud to say families no longer face those frustrating obstacles to learning answers to their transportation questions:

- Transportation coordinators and liaisons: Every school now has a transportation coordinator, and every district has a transportation liaison who schools can go to for help. We have posted comprehensive guidance and information on the DOE's website, provided families with route information using NYCSA, and given schools direct access to route information in the ridership system. This allows us to keep the call center lines clear for communication about emergencies, accidents, and complaints.
- Call center improvements: We also shifted the workforce model of the call center, thanks to the Panel for Educational Policy's approval of contracting with Nagarro to staff our call center. Nagarro has the ability to staff up if we start seeing an uptick in volume, as we usually do during the start of school, and all the staff are trained in how to handle families' calls about transportation. This allows us to be nimble and make real-time adjustments to better serve families.

Because of many of the other changes we have put in place, we have been able to reduce call center volume from 27,593 total calls on the first day of school in 2018 to 3,550 calls on the first day of school in 2022. As those calls are being handled more effectively and efficiently. The wait time has been reduced from 16 minutes, 12 seconds on day 1 of 2018 to 10 minutes, 30 seconds on day 1 of 2022. The call abandonment rate has been reduced by 32 percentage points from day 1 of 2018 to day 1 of 2022. Currently in November 2022, 98% of calls are being answered and the wait time is consistently about 15 seconds. We continuously monitor the data to ensure that families are being helped in a timely fashion.

An even more meaningful metric to assess our service is the type of calls and complaints we receive. Calls can range from basic inquiries that don't involve service issues to serious complaints about our service. Our service complaint data reveal a similar trend to the call volume data – overall service complaints during the months of September and October dropped from 26,649 in 2019 to 17,267 in 2022, which is a 35 percent reduction.

IMPROVING SERVICES FOR STUDENTS IN TEMPORARY HOUSING AND FOSTER CARE

One of our most significant accomplishments that I am especially proud of relates to the transportation we provide to students in temporary housing. A few years ago, we had routes entirely dedicated to students in temporary housing. That approach caused inefficient routing and 3-hour-long ride times for some of our most vulnerable children, while segregating them from other students. The cost to taxpayers was approximately \$80 million annually. We have now shifted our routing so that students are integrated with their peers and arrive at school in a timelier fashion. Along with that, we stand with the Mayor in welcoming the new arrivals to our city and are committed to supporting students and their families with transportation to school.

We have also been able to expand the service we provide to students in foster care. Before the pandemic, if we determined that we couldn't accommodate a student in foster care, we would give them a MetroCard and revisit the issue in 30 days. We are now committed to finding a route for every eligible student in foster care, even those traveling across boroughs. While we don't have a perfect system, we are striving to make sure that we are serving our kids to the greatest extent possible and continuing to make improvements in this area.

INCREASING FAMILY ENGAGEMENT AND TRANSPARENCY

Finally, I just want to underscore our commitment to engaging our constituents and increasing transparency in what we do.

We have recommitted to meeting with parent groups to learn about their challenges and using that feedback to improve our systems. One child who is not able to attend school, or who is late, because of transportation issues is one child too many, so listening to our families is critical to diagnosing problems and addressing them to make transportation work better for our children.

We also continue to speak regularly with Community and Citywide Education Councils to hear their feedback and concerns while sharing the improvements we are making within our systems.

Families, schools, advocates, and all of you on the Council are our partners, and we will continue to use your feedback to constantly improve transportation for our children. We welcome your feedback.

CONCLUSION



We are continuously working to provide families with safe, reliable, quality transportation to and from school. Our families deserve that. At the same time, we know much work remains, to continue to improve services for our students. We know that the Council has the best interests of our children in mind, and we look forward to continued partnership. Thank you again for the opportunity to testify today. We are happy to answer any questions you may have.



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Testimony to be delivered to the New York City Council Committee on Oversight & Investigations and the Committee on Education

Re: School Bus Transportation Services

November 21, 2022

Thank you for the opportunity to speak with you. My name is Janyll Canals, and I am the Director of the Robin Hood Project at Advocates for Children of New York. For more than 50 years, Advocates for Children has worked to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds.

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Since August, AFC has been contacted by well over 100 families with concerns regarding busing. As in prior school years, families have reached out to AFC because students did not have bus routes despite being eligible for busing, buses did not show up at all, buses arrived at school well after the beginning of the school day, bus rides lasted for hours, buses arrived without the nurse or paraprofessional students needed to safely ride the bus, buses did not have the accommodations mandated by students' Individualized Education Programs (IEPs), and bus rides exceeded the maximum amount of time allowed by students' IEPs. Just last week, we heard from a Spanish-speaking parent whose high school student with a disability has not yet attended school this year because there is no bus in place – despite multiple requests to the DOE's Office of Pupil Transportation (OPT) for help from the parent and the school since early September.

Many families reached AFC after trying to resolve busing issues on their own, often being bounced around between schools, bus companies, the Office of Pupil Transportation (OPT) and other DOE offices, including the Committee on Special Education (CSE) and Students in Temporary Housing (STH) offices, without any resolution. The families who reach AFC represent only a small fraction of families experiencing similar challenges without the support needed to navigate the DOE's multiple offices responsible for busing.

Many of the challenges families face with busing are not new and continue to impact students' ability to attend school year after year. We appreciate the City Council's increased attention on addressing these longstanding issues.



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The DOE must ensure that every student who has a right to bus service has a bus route. They need to ensure that the bus paraprofessionals, nurses, and other accommodations students need are in place for the start of the school year; that bus routes get students to school on time and do not require them to spend hours each day sitting in transit; that families can get better information and the help they need when problems arise; and that students who have a right to transportation, including students in foster care and temporary housing, are guaranteed bus service or a comparable alternative. To this end, the DOE must develop the systems and procedures necessary to run an effective transportation system that gets all students to school every day. The DOE must take steps to address these urgent issues now while it works to revamp the busing contracts in the coming years to design a system that works for students, families, and schools.

Customer Service

When trying to resolve bus-related issues, we often hear DOE offices blame each other for the failure to resolve problems and tell families to contact someone else, leaving families without any resolution. Upon seeking assistance from OPT's Hotline, many families cannot get through, must wait extensive periods of time, are told that OPT staff do not have the answers, or are told to ask their schools. In a change that took place in recent years, OPT Hotline staff now refuse to provide student-specific information via phone, citing confidentiality concerns, forcing families to go back to schools that did not know how to resolve their busing concerns in the first place.

The DOE must provide better information to families about their child's bus service and create a transportation customer service system that works for families. This system should allow families to report a problem easily, get status updates on the resolution, and get the problem fixed in a timely manner so their child can get to school. As part of this system, OPT Hotline staff should be able to provide parents, school staff, and advocates with bus information while maintaining confidentiality. Additionally, in communicating bus routes with families and designing a customer service system, the DOE should not rely solely on students' online NYC Student Accounts (NYCSA) to share bus routes or other transportation information, as families with limited tech literacy or internet access cannot obtain this information as needed. School and OPT staff should also be trained on how to access routing information for families.

Students with Disabilities

Bus transportation for students with disabilities often requires collaboration between schools, OPT, CSE, and/or the Office of School Health (OSH). Students with IEPs that mandate bus transportation are frequently left without busing or the accommodations needed to ride the bus because these offices fail to take the crucial steps needed to coordinate and implement busing. For example, we



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heard from parents whose students did not have busing at the beginning of the school year because the CSE failed to input the busing request required to route the student, leaving OPT without knowledge that the student required transportation, and we have continued to hear from families where this problem is happening well into the school year. This year alone, AFC contacted the DOE regarding over 100 cases with issues related to failure to route the student, lack of accommodations, or both. Even when AFC directly asked the DOE for assistance, it often took several weeks for the student to receive busing, resulting in students missing weeks and sometimes months of school. Additionally, the process for ensuring students receive accommodations, like limited time travel, nurses, paraprofessionals, or wheelchair access, remains unclear and confusing, with families being sent to different offices, which request different documentation at every turn and even make bus determinations outside of the IEP meeting. Even when an accommodation is eventually added to the IEP, the DOE often fails to put the accommodation in place, resulting in students missing even more school. As of November 2022, there are still some students that AFC is working with that do not have the appropriate accommodations to ride the bus, resulting in students missing school or parents having to miss work to take their children to and from school.

The DOE must be proactive in arranging busing for students with IEPs before the beginning of the school year by creating a system where the Special Education Office and OPT intentionally engage in arranging bus routes and accommodations for students with disabilities, including identifying nurses and paraprofessionals prior to the start of the year, and must continue this work for students who require new bus routes or accommodations during the school year. The DOE must also create a clear protocol for requesting bus accommodations and train schools, CSEs, and OSH on the documentation needed to implement these requests.

Students in Temporary Housing

While the City has expanded its provision of busing to students living in shelter over the years, significant hurdles remain, creating a barrier to school stability for students in temporary housing. Although the City guarantees bus service to K-6th grade students living in shelter, busing is often not arranged for the beginning of the school year due to data match issues between the DOE and the Department of Homeless Services (DHS), lack of clarity and accountability about updating address information for students in shelter who receive IEP-mandated busing, and limited routes. In fact, at the start of this school year, there were hundreds of students in DHS shelters whose data had not been matched. Therefore, the DOE was unable to determine which students needed busing to get to school and identify bus routes for those students. We also heard about students who were routed but were assigned to oversubscribed routes lasting for hours.



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Furthermore, students in temporary housing who do not reside in DHS shelters, such as students living in domestic violence shelters and students who are doubled up, are required to complete an exception form online in order to request busing. This process presents multiple problems. In order to complete the form, one must have a google account, creating a barrier for families with limited access to internet or tech literacy and limiting service providers' ability to help families request busing. Additionally, once the form is completed, there is no way for families to determine if it was accepted by OPT. This year, AFC brought to the DOE's attention a number of cases where students still did not have busing within 10 days of submission of the exception form; in some cases, over a month had gone by, during which time the student was either missing school or spending hours on public transit. For example, a domestic violence agency requested busing for a student in shelter on September 28. When AFC contacted OPT regarding the status of busing for the student on November 7, the request had not yet been processed, well over a month from the family's initial request for busing. These delays in processing requests continue to persist into the school year. In other instances, OPT responded that the information provided on the form was incorrect or the student's address in DOE systems did not match. However, neither the schools nor OPT had shared this information with families, leaving them waiting for routes that were never processed. Other times, OPT simply never processed the request or could not identify a route. Nonetheless, families were not advised of the status and had no way of checking on their request.

Arranging busing for students in domestic violence shelters continues to be particularly challenging, especially since the only way to request busing for students in confidential shelter locations is with the online exception form. AFC alone brought to the DOE's attention at least 28 cases from two domestic violence agencies where busing was not arranged for students in confidential shelter locations because schools had not updated the address in the DOE system to match the PO Box associated with the shelter, no available route was identified, or the request was not processed. In other instances, though OPT arranged busing, it had the incorrect safe location, resulting in pick-up locations far from the confidential shelter. Even now, with AFC involvement, some students still do not have busing, more than two months into the school year, with OPT explaining that they are still waiting for schools to update addresses or that a route cannot be identified. The situation is even more complicated for students in temporary housing who need IEP-mandated bus accommodations in addition to bus service.

While we are pleased that the City's task force on transportation for students in temporary housing, required by a city law passed one year ago, will finally begin to meet, there are many steps the DOE should take to begin to resolve barriers to busing for students in temporary housing, including the following recommendations:



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- The DOE must ensure that all students in shelter who are eligible for busing are provided with a route with correct pick-up and drop-off locations at the start of the school year to prevent absences and unnecessary school transfers. To do this, the DOE must ensure that there are sufficient DOE staff tasked with reviewing data reports to reach out to parents, schools, shelter providers, and OPT to proactively trouble-shoot and resolve any routing issues before the start of the school year.
- The DOE must create multiple paths for families to request bus transportation without relying solely on an internet-based form that cannot easily be accessed by families and agencies. The DOE must also create a system that automatically advises families of the status of their request within 10 days, including informing families, schools, and agencies if changes need to be made to route the student.
- The DOE and HRA should create an interagency protocol that details the process for arranging bus service for students in domestic violence shelters, as there continues to be confusion about the responsibilities between DOE and domestic violence agency staff.
- The City should extend the guarantee of bus service to students in shelter enrolled in 3-K and Pre-K so they have the same opportunity for school stability as school-aged students.

Students in Foster Care

Federal and state laws require the City to provide transportation to students in foster care so they can stay in their original school. Despite this obligation, the DOE guarantees bus service only to students in foster care who have transportation mandated on their IEPs. While other students in foster care may apply for busing through the online exceptions form described above, these requests can take weeks or even months to process, putting tremendous stress on already fragile foster care placements. The DOE continues to deny some of these requests, offering only a MetroCard.

Furthermore, while the DOE says it will reimburse agencies and foster parents for transportation costs when no bus route is available, they will not reimburse costs for a chaperone if the foster parent or agency staff cannot accompany the student to and from school every day, and agencies have experienced extensive delays getting reimbursed for those costs that are allowed.

Transportation to school is the first and most basic step to school stability. Without it, students are forced to change schools or even foster homes, resulting in lower test scores, fewer credits, and ultimately alarmingly low graduation rates for students in foster care. The City must guarantee 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.

Prepaid Rideshare



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In the past, when the DOE did not have a bus or bus accommodations available for a student, the parent's only option was to transport their child at their own expense and request reimbursement through a lengthy process. We appreciate that the DOE is now offering some families a prepaid rideshare service, where the DOE pays upfront for a service like Uber, when the DOE does not have bus service in place. However, this option does not work for many families, as it requires the parent to accompany the child to and from school. Furthermore, the eligibility requirements for who can receive rideshare are limited and the process for requesting it is inconsistent and unclear. The DOE should be providing a prepaid rideshare option to all students who are entitled to busing and do not have busing or required busing accommodations in place regardless of the reason for the DOE's failure to provide busing, as well as to students who are waiting for required bus routes. Students should be able to attend school while the DOE resolves the delays. The DOE must also provide clear guidance to OPT and schools about who is responsible for providing rideshare instructions to families. In many cases, even after rideshare is approved, there is a delay in implementation because no one knows who is responsible for arranging the transportation.

We look forward to working with the DOE and the City Council to address these challenges and ensure children have the bus service they need to get to school every day. Thank you for the opportunity to testify. I would be happy to answer any questions you may have



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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 School Bus Transportation Services

November 21, 2022

My name is Anna Arkin-Gallagher, and I am a Supervising Attorney and Policy Counsel 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 Oversight and Investigations and Chair Brewer 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.

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

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

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.

Brooklyn ^(B)_(D) Defenders

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 young child was removed from her mother and placed with a relative several miles from her home school. Though the relative was offered a car service to bring the child to and from school while the DOE looked for a bus route, the relative was unable to avail herself of that service because her work schedule prevented her from riding to and from school with the child each day, and the child was forced to change schools. When the child was returned to her parent several months later, she had to switch schools again.
- A six-year-old student was moved from one foster home to another due to school transportation issues. Though this child had specialized transportation on his IEP, which guarantees him door-to-door busing, OPT took four weeks to locate a route for the student. And though the foster agency was ordered to transport the child to school in the interim, the agency failed to do so. This young child, a student with disabilities, has not only endured the trauma of being separated from his mother, and then of having to switch foster homes, but has also missed nearly a month of school.
- A student in the foster system was eligible for bus service, but the DOE was unable to locate a route for the student. While the parent wanted to keep the child at his school, the foster agency ultimately overruled the parent's decision to keep him at his home school, pulling him from a school where he had thrived for several years. The student has

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>.



struggled to adapt to his new environment, and has experienced increased behavioral challenges in his new setting.

- The children of a parent we represented were removed from her care and placed with a relative. ACS did not assist the relative in arranging busing from her home to the children's school. While the relative worked to figure out school transportation, the children were unable to go to school. In this case, the children returned home to live with their parent just a month after being removed, and they were able to begin attending school again. But the short length of this removal illustrates the need for busing to be swiftly arranged and for the DOE and ACS to assist with chaperoned transportation in the meantime. As it is, the children missed a month of school. But had the children been moved to a school near the relative's home, they would have had to switch schools again just weeks later when they came home.

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:

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.

We thank you for the opportunity to submit testimony on this critically important topic. If you have any questions, please feel free to contact me at aarkingallagher@bds.org or (646) 971-2719.

**Oral Testimony for New York City Council
Committee on Education and
Committee on Oversight and Investigations
Re: School Bus Transportation Services
November 21st, 2022**

My name is Alana Schwartz, I am a CASA Advocate Volunteer. First, I would like to acknowledge the Council for its support of students in foster care, which helped lead to the creation of a first-of-its-kind team at the Department of Education (“DOE”) focused solely on students in foster care.

As a CASA, I am very familiar with the importance of reliable school transportation for all students, particularly students in foster care. Federal and state law require New York City to provide transportation to students in foster care so they can stay in their original school when they come into foster care or change foster homes, except in the limited situations where it is in the students’ best interest to transfer schools.

I’m going to tell you about a child we’ll call Kallie. CASA was assigned to Kallie’s case in July 2022. The Judge ordered that CASA assist with services for the child, specifically requesting and obtaining busing services for the fall 2022 school year. Kallie is on a trial discharge to her father, which means that the child is still technically in foster care but has been reunified with her father on a trial basis. Kallie was enrolled in a new school this year, a charter school, which is in a different borough from her current residence, and her father is unable to escort her to and from school daily due to his work schedule. Because she is still in foster care, Kallie should be eligible for busing services under the DOE’s foster care exception.

Through conversations with DOE staff, school personnel, and family members, it is unclear if Kallie’s school ever submitted an exception request for her to receive busing to and from school. Kallie attends a charter school, and it is unclear if the school is aware that children in foster care are entitled to busing. As of November 9th, DOE staff is still searching for the exception request. More than two months into the school year, we still do not know if busing has even been requested for Kallie, much less whether or not the DOE will grant bus service to her.

While many students in foster care 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. Even when students do receive busing, delays in routing, like the situation described above, can be hugely destabilizing to students who are already in a time of transition. Furthermore, while the DOE says it will reimburse agencies and families for transportation costs if no bus route is available, they will not reimburse costs for a chaperone if the parent, foster parent or agency staff cannot accompany the student to and from school every single day, and agencies have experienced extensive delays getting reimbursed for those costs that are allowed. I am happy to answer any questions you have.



**Testimony of Juan Diaz, Caitlyn Passaretti, & Jenny Veloz
Policy and Advocacy Associates
Citizens' Committee for Children of New York**

**Submitted to the New York City Council
Committee on Education and Committee on Oversight & Investigations**

School Bus Transportation Services

November 21st, 2022

Citizens' Committee for Children of New York is a 76-year-old independent, multi-issue child advocacy organization. CCC does not accept or receive public resources, provide direct services, nor represent a sector or workforce; our priority is improving outcomes for children and families through research and advocacy. We document the facts, engage, and mobilize New Yorkers, and advocate for solutions to ensure that every New York child is healthy, housed, educated, and safe.

We would like to thank Chair Joseph and Chair Brewer, as well as all the members of the Education Committee and the Committee on Oversight and Investigations, for holding today's hearing on school bus transportation. CCC views this issue as cross-cutting many areas of work – from housing to child welfare, health, and safety, which have a significant on children's educational performance.

Support students in temporary housing by addressing transportation barriers

The 2021-2022 school year that is underway marks the seventh straight year that over 100,000 students faced some form of homelessness, including more than 29,000 students residing in New York City shelters. Although school enrollment decreased 3.3 percent citywide, the number of homeless students increased from 101,000 in 2020-2021 to 104,000 in the current school year. Heavily populated immigrant populations areas like Elmhurst and Corona reported a student homeless population increase of close to 22 percent, while also experiencing student enrollment reduction. Furthermore, School District 9 in the Bronx has the highest rate of student homelessness, with more than 1 in 5 students experiencing homelessness last year, while 1 in every 13 spent time in a city shelter.ⁱ

Students residing in New York City shelters experienced higher rates of chronic absenteeism and poor academic outcomes compared to the rest of the city's overall population.ⁱⁱ The student shelter population and the need to improve school bus services has increased in recent months with the enrollment of over 6,100 migrant children who lack the social and economic means to timely adjust to a new culture and school system.ⁱⁱⁱ

Students in temporary housing struggle with long commutes and accessing adequate school bus services. To reduce the commuting time of children, some parents decide to transfer their children to schools that are closer to their temporary housing. However, data from previous years show that

transferring students in temporary housing to schools closer to them negatively impacts their attendance and school overall performance compared with students in stable housing.^{iv}

CCC and other City advocates recognize the school bus improvements that the Department of Education has implemented for students in temporary housing, which included guaranteed bus services for students in shelter in grades K-6. More should be done to ensure that all children in temporary housing have adequate transportation to attend school and succeed.

To this end, CCC recommends the following Department of Education program updates.

- The DOE should expand the guarantee of bus service to children in shelter enrolled in 3-K and Pre-K to promote participation in quality early childhood programs and ensure that they have the same opportunity for school stability.
- The DOE should improve the communication, procedures, and practices for arranging busing for students in domestic violence shelters by creating additional ways for families to request bus transportation. Currently, parents need to rely on an internet-based form that is difficult to access for parents who are facing housing and economic instability.
- The DOE should actively work with other City agencies to tackle the educational issues facing the growing number of students experiencing homelessness, including by filling the vacancies in the Department of Students in Temporary Housing. Though funding was approved for 100 new shelter Community Coordinator positions, only a fraction has been hired to date; it is urgent that these positions be filled. Adequate staffing in positions such as shelter-based Community Coordinators can help coordinate optimal communication between parents, school officials, shelter providers, and the DOE's Office of Pupil Transportation (OPT). This would allow DOE staff to proactively trouble-shoot and resolve any routing issues before the start of the school year and ensure that all students in shelter eligible for busing are given a route with correct pick-up and drop-off locations to prevent absences and unnecessary school transfers.

Support students in foster care by ensuring safe and accessible transportation

Being involved in the foster care system is already a traumatic experience for many young people, and the challenges foster youth face are only compounded when they encounter barriers accessing public school transportation. In 2020, just 42 percent of students in foster care graduated from high school, compared to 79 percent citywide, this is the lowest rate of any student subgroup in New York City.^v The DOE is required by law to provide students living in foster care with transportation to enable them to remain in their original school. Despite this, the DOE currently only guarantees bussing for a limited number of students and the remainder must apply for an exception. Due to multiple system barriers, many foster care students are left with no support or transportation to school. In the 2019-2020 school year, 1 in 5 students who entered the foster system were forced to transfer schools.^{vi} Furthermore, if foster care students cannot be added to a bus route or if they are moved to a home outside of their school district or cannot travel to the school alone, they are forced to change schools.

An alternative to mitigate the insufficient access to public school transportation for many foster care students, is for the DOE to reimburse their parents and foster care agencies the out of packet school

transportation costs. However, in order to effectively reimburse foster care parents and agencies, the City government must improve its lengthy and complicated reimbursement process. Additionally, the DOE should also cover transportation costs for the chaperones that accompany foster care students. By improving the right to school bus services and reimbursement mechanisms, foster care students will have access reasonable and reliable transportation services and a better opportunity to remain in their original school.

Close to 7,000 students in foster care are among the most at-risk for suspension, chronic absenteeism, and school dropout of any group in the DOE system. Accessing reliable school bus services is an equity issue in New York City as Black and Latinx youth make up most of the foster care population, as well as most of the youth targeted by the school to prison pipeline. Furthermore, students with Individualized Education Program (IEPs) are at risk of losing ground when forced to change schools. To take tangible steps of making NYC schools more equitable, the DOE must provide transportation so that all students can access their schools regardless of whether they are in foster care.

Ensure students have safe and healthy transportation

New York City has one of the largest school bus fleets in the state, with approximately 10,000 school buses in operation across the city. In New York City, the number of pollutants that school buses emit poses a significant health risk to students who depend on them daily to get to and from school. The inefficiency of bus routes means students spend on average almost two hours a day on these buses inhaling toxic fumes, which can increase the risk of asthma or other respiratory conditions. The exacerbation of these medical conditions can lead to increased emergency room visits and absenteeism from school.^{vii}

Local Law 120 of 2021, requires the electrification of all school buses by 2035. This is a first step in improving the quality of student transportation. Additionally, New York City will receive 51 electric school buses mandated by the EPA's Clean School Bus Rebate Program.^{viii} **To lessen the negative impacts of cumulative air pollution, CCC and other partner organizations urge the DOE to prioritize low-income communities during the implementation process as low-income communities are environmentally overburdened.**

Students in environmental justice communities deserve the right to travel to and from school without fear of getting sick.

We thank you for this opportunity to provide testimony.

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- ⁱ Data of NYC public school children who are homeless. Retrieved from: <https://www.advocatesforchildren.org/node/2093>
- ⁱⁱ Yearly report of NYC students in temporary housing. Retrieved from: <https://www.advocatesforchildren.org/node/2093>
- ⁱⁱⁱ Recent migrant student population in NYC public schools. Retrieved from: <https://www.nydailynews.com/news/politics/new-york-elections-government/ny-nyc-homeless-student-population-increased-3-percent-2020-2021-20221026-ccgw2wf23jdexlpefzxscg7ja-story.html>
- ^{iv} Impact of transferring schools for NYC students in temporary housing. Retrieved from: <https://ny.chalkbeat.org/2022/10/26/23423652/nyc-homeless-students-pandemic-shelter-transportation-bus>
- ^v Percentage of foster care students that graduate from high school in NYC. Retrieved from: <https://ny.chalkbeat.org/2021/6/1/22463940/nyc-students-in-foster-care-need-dedicated-office-and-guaranteed-busing-advocates-say>
- ^{vi} Portion of students who transfer school after entering the foster care system in NYC. Retrieved from: <https://nypost.com/2022/07/10/nyc-schools-to-create-office-for-students-in-foster-care/>
- ^{vii} The negative impact of pollutants in NYC school buses. Retrieved from: <https://www.publichealth.columbia.edu/public-health-now/news/new-york-city-switch-clean-buses-cut-air-pollution>
- ^{viii} 51 electric buses for NYC school transportation. Retrieved from: <https://www.epa.gov/newsreleases/epa-185-million-rebate-will-put-clean-school-buses-streets-new-york-city#:~:text=EPA%20is%20making%20rebate%20awards,crisis%20is%20a%20win%2Dwin.>



**Dr. Brenda Triplett, Director of Educational Achievement & Partnerships
Joint Oversight Hearing on School Bus Transportation Services
Committees on Education and Oversight & Investigations**

Monday, November 21, 2022

My name is Dr. Brenda Triplett, Director of Educational Achievement & Partnerships in the Child Welfare & Family Services Division at Children's Aid. I would like to thank Chairs Rita Joseph, Gale Brewer and members of the Education and Oversight & Investigations Committees for the opportunity to testify on how the New York City Department of Education (DOE) can further strengthen support and services for the nearly 5,000 students who are in the foster care system.

I am a retired public school educator, having served nearly 35 years as a teacher, vice principal, principal, district administrator, and served as a foster parent for many years. So, with my background, I bring multiple lenses to this issue of providing transportation to DOE students who are also youth in care. I am currently charged with the herculean task of ensuring school stability for approximately 650 school-aged youth in foster care. These students are among the most likely to be targets of disproportionality when it comes to suspensions, special education referrals, repeating a grade, or leaving high school without a diploma. At the very least, and as per the federal and state mandates, these youth are entitled to remain in their schools of origin – even when their foster homes change.

Every Student Succeeds Act (ESSA) and the Fostering Connections Act require local school districts and child welfare agencies to collaborate to keep students in their original schools when they enter foster care or change foster care placements, unless it is in their best interest to transfer to a new school. There is a disconnect between policy and practice due to the lack of infrastructure to comply with the mandates. I am sure you will hear countless examples of students who were denied the right to school stability because of delays in identifying DOE transportation routes or worse – the absence of a route altogether. In these cases students are simply provided with a Metrocard regardless of the distance

between the foster home and the school of origin. As an example, a 6th grader may be required to travel from Far Rockaway Queens to Washington Heights on his/her own having only a Metrocard.

Recognizing the safety risks in allowing young students to travel great distances on their own, child welfare agencies are compelled to step up and utilize their already scarce workforce to serve as chaperones and chauffeurs. This practice is not an efficient use of human resources, time or money. Just last week, we contacted the DOE's Office of Pupil Transportation (OPT) to inquire about the status of a transportation request we had submitted in October. We were informed that the OPT office is working on the requests in the order in which they are received and at this point they are only up to September 28th.

Three years and 8 months ago – almost to this exact day- I sat before the New York Council's Education Committee to testify on the negative reverberating impact the lack of transportation has had on our children in foster care. I shared the story of three siblings who were fortunate enough to have been placed *together* in a home in Woodside Queens but whose school of origin was located in another borough. Already traumatized, these siblings were faced with the dilemma of either staying together as a family in the same foster home, or- because of the unavailability of DOE transportation to transport them to their schools of origin – they could separate and be placed in foster homes closer to their individual schools. What an unfair, inequitable choice to have to make.

I have to admit back in 2019, I was truly moved by the response of the former Chair of the Education Committee to the story of these three siblings. I'd like to remind the committee of his response. He stated, *"For the record, the DOE spends over \$1.2 billion on school bus contracts and yet, they're falling short and they fail to provide transportation for youth in foster care? That is unacceptable. That is unacceptable. Budgets are not just numbers – they are documents that reflect values. In our city, we value all of our children."*

I walked away confident, hopeful, and trusting this process. Three years and eight months later, I sit before you with the same plea - on behalf of the thousands of youth in foster care throughout New York City. It is crucial for the city to invest in the infrastructure to provide reliable, timely transportation for children in foster care in grades Kindergarten through sixth.

We also recognize and appreciate the significant improvements that the DOE has made to school bus service for students in temporary housing, including guaranteed bus services for students in shelter in grades K-6. However, there are additional improvements that can be made. Like youth in foster care, school is the primary source of stability and support for many students in temporary housing, when there is so much disruption and upheaval outside of school. As one of several organizations testifying today in solidarity with Advocates for Children of New York, I urge the city to implement the following recommendations around transportation for youth in the shelter system:

- Ensure that all students in shelter who are eligible for busing are provided with a route with correct pick-up and drop-off locations at the start of the school year to prevent absences and unnecessary school transfers. To do this, the DOE must ensure that there are sufficient DOE staff, like shelter-based STH Community Coordinators, tasked with reviewing data reports to reach out to parents, schools, shelter providers, and the DOE's Office of Pupil Transportation (OPT) to proactively trouble-shoot and resolve any routing issues before the start of the school year.
- Improve the communication, procedures, and practices for arranging busing for students in DV shelters. For example, create additional ways for families in DV shelters to request bus transportation, instead of relying on an [internet-based form](#) that is difficult to access for many; inform parents and DV providers about the status of busing requests within 5 days of submission; ensure accountability regarding roles of DOE and DV provider staff in supporting families and trouble-shooting transportation issues.

- Extend the guarantee of bus service to children in shelter enrolled in 3-K and Pre-K to promote participation in quality early childhood programs and ensure that they have the same opportunity for school stability.

I would like to thank the New York City Council for their support of children, youth, families, and communities in New York City. Thank you again for the opportunity to testify before you today on this very important issue.



Fariha Sattar, Education Advocate, Children's Aid
Joint Oversight Hearing on School Bus Transportation Services
Committees on Education and Oversight & Investigations

Monday, November 21, 2022

Thank you Chairs Rita Joseph, Gale Brewer and members of the Education and Oversight and Investigations Committees for the opportunity to speak with you today about school transportation. First, I would like to acknowledge the New York City Council for its support of students in foster care, which helped lead to the creation of a first-of-its-kind team at the New York City Department of Education ("DOE") focused solely on students in foster care.

My name is Fariha Sattar and I am an Education Advocate for Children's Aid, a multi-service human services organization supporting children, youth and families in poverty to succeed and thrive. We currently serve 650 school aged youth who are in foster care. Prior to being an education advocate at Children's Aid, I was a social worker in the child welfare space for five years where the topic of transportation was always a challenge. However, under the federal Every Student Succeeds Act and the Fostering Connections Act, kids in foster care have the right to remain in their school of origin.

As a social worker, I have had to transfer the homes of children in foster care multiple times because the foster parents were unable to continue caring for them due to the lack of transportation. To highlight the undue hardship this creates, I would like to share a story about a foster parent and child in care that I am currently supporting. To maintain their identities, the child will be referred to as Kevin and his foster parent Cynthia.

Kevin is a five-year old boy who is on the spectrum, has a seizure disorder, and other conditions. He has door-door busing on his IEP but has not had busing since school began this year due to no route being available. In the meantime, while I continue to figure out transportation, Children's Aid has provided private car service which requires a chaperone since the child is so young. This is a temporary solution, and there are unintended consequences for using the private car service.



Cynthia, the foster parent is late to work because she has to chaperone Kevin to school in the private car service, then return home, to then travel to work. There are times she arrives later than usual at work due to the delay with car service. She had to hire a baby sitter to chaperone/pick up Kevin from school at the end of the day because if she continued to leave work early, she was risking being unemployed.

One of the challenges Kevin has is coping with the abandonment from his birth mother. The new transportation routine with private service (with either Cynthia or the baby sitter doing pick and/or drop off) has triggered his separation anxiety, making it harder for him to even enter the school building when he arrives in the morning. From Pre-K up until now, Kevin had consistent bus transportation which helped to regulate his separation anxiety. However, he has regressed this year in coping because of transportation not being available. As Kevin's education advocate, I can see how this lack of transportation has disrupted Kevin physically and mentally. For the past three months, I have not had a solution from OPT or DOE and Kevin continues to be affected. Kevin is one of the seven cases I currently have where there is no resolution for bus transportation.

While I am happy to know that DOE has a team to support youth in foster care, there are still challenges with bus transportation and I urge the city to expedite the transportation needs for youth in foster care.

Thank you for the opportunity to speak with you about this important issue. I am happy to answer any questions you have.

Graham Windham Testimony regarding Transportation for Children in Foster Care:

Submitted 11/21/2022 to the Committee on Oversight and Investigation and the Committee on Education, New York City Council.

Submitted by: Sharmeela Mediratta, Chief Advocacy Officer

Inconsistent and lack of school transportation does not support students rights to school stability, their special needs services, and their family's daily routines – impacting not only the particular student, but other school-aged children in the home as well. For example, children with no reliable transportation, need to wake up extra early, may be late for school, miss formal instruction time and may miss out on afterschool and other activities to accommodate the complex schedules of those individuals dropping off and picking up the child. This also takes agency staff from their critical responsibilities to ensure the safety, the well-being and the courts mandates for the children in our care.

Here is an example of students affected by inconsistent transportation, please note that this is NOT a unique situation:

- Graham updated the school in May 2022 that the childrens' address would change. (Foster Care Placement notification/address update form);
- September 2022, the school did not update the childrens address nor requested the required bussing
- Graham's Education Team included the following personnel to advocate for the students required transportation: School busing liaison, ACS Ed Unit and Ed Attorney, ACS Assistant Commissioner for Education Initiatives, DOE Foster Care staff, and OPT Routers, OPT Foster Care Liaison
- Graham provided car service for the morning commute, the foster parent accompanied the children to school every morning.
- 5 agency staff, including a Program Director, took turns picking the students up until October 26th.



New York City Council Committees on Oversight & Investigations and on Education

November 21st, 2022 at 10:00 am

Testimony of Caroline Iosso, Senior Policy Advocate

Homes for the Homeless

My name is Caroline Iosso and I am the Senior Policy Associate at Homes for the Homeless (HFH). Thank you for the opportunity to submit testimony on behalf of the nearly 600 children who reside in our shelters, many of whom face challenges getting to school.

HFH is a nonprofit organization that provides NYC families experiencing homelessness with more than just a place to sleep. On any given day nearly 530 families with 600 children ages 0 to 18 reside in safe, clean, shelters—our family residences. These family residences provide a host of services focused on HFH’s three pillars: education, employment, and social services designed to meet the immediate and ongoing needs of both parents and children. Our goal is for families who move on from HFH family residences to achieve family and housing stability. In addition, many HFH programs are also available to neighbors in the communities near our family residences.

We are proud of our programming that targets the social-emotional needs of children, through our Early Learn and Afterschool and Recreation programs. From ceramics to yoga, children who reside in HFH shelters are able to participate in myriad activities that enrich their experiences of childhood and enhance the education they receive in New York City’s public school system. We are dedicated to working towards ending the cycle of homelessness by supporting young people in shelter who are disproportionately more likely than their stably housed peers of needing to enter shelter as adults.

Over the last year, the number of families in shelter has increased dramatically, and thus so too has the number of children. There are currently over 20,000 children in shelter, which represents an over 40% increase from this time last year. The unique challenges that unstably housed children face in accessing education are well-documented:

- Students in temporary housing are more than 1.5 times as likely to be chronically absent compared to their housed peers.¹
- Students in temporary housing are 3 times as likely as housed peers to transfer schools mid-year.²
- One in four students who experience housing instability were ELLs, which is twice the rate of housed students.³
- Students in temporary housing are more likely to have mental health barriers.⁴
- Students in temporary housing are less likely to graduate on time.⁵
- These students also have lower state test scores than their stably housed peers.⁶

One challenge that students in temporary housing should not have to surmount in accessing quality education is inconsistent busing service. At the beginning of the 2021-2022 school year, 266 children at HFH shelters were school-aged, and attended 177 different schools. During this time, parents reported difficulties ensuring their child was on the correct bus route, finding out what time buses would arrive to the shelter to pick children up, and learning about changes to bus routes.⁷ All of these complications disrupted not only the parents' lives and employment opportunities, but also compounded the challenges that students in shelter already grapple with in accessing education. If a bus is late or doesn't show up, a child may be late or may not show up to school.

For many students who reside in shelters, school is a significant source of stability and support. New York City's Department of Education (DOE) must continue to work to improve school bus transportation issues to reduce school absences and avoid unnecessary school transfers for students in temporary housing.

¹ <https://www.icphusa.org/reports/school-instability-factors/#overview>

² <https://www.icphusa.org/reports/school-instability-factors/#overview>

³ <https://www.icphusa.org/reports/homelessells/#new-york-city-s-english-language-learner-program>

⁴ <https://www.icphusa.org/reports/suicide-and-depression-among-homeless-high-school-students/>

⁵ <https://www.icphusa.org/reports/grad-gap/>

⁶ https://www.icphusa.org/maps_infographics/the-lasting-academic-impact-of-homelessness/

⁷ <https://www.hfhny.org/2022/01/snapshot-back-to-school-2021-2022/>

My name is Courtney Nelson, I am the Director of Operations for the International Academy of Hope (known as iHOPE). We are a non-public school for students ages 5-21 with traumatic and acquired brain injuries. We currently have 105 students and are located in midtown Manhattan, but we service students from all 5 boroughs.

Our program is unique in that each student receives anywhere from 12-25 hours of mandated therapy services a week in addition to their academic instruction due to their significant medical needs. Our therapeutic services are comprehensive and include but are not limited to Physical Therapy, Occupational Therapy, Speech Therapy, Vision and Hearing Education. These services are life sustaining for many of our students and are provided 5 days a week starting at 8:30 AM.

It is crucial that students arrive to school on time each day to maintain their medication routines, feeding routines and can attend all their scheduled academic and therapy sessions. It is also crucial that students traveling to and from school are doing so within the limited travel time designated on their Individualized Education Plan. This ensure that their morning and afternoon routines for feeding and medication can be maintained and allows them to travel within a safe window of time to prevent a medical emergency while in transit. Not to mention, no one should be on a bus for two hours to get to and from school.

Transportation in Midtown has its existing issues. The Department of Transportation secured us a school standing zone which designates enough space for two mini-wagon buses (however, we have 26 mini-wagons servicing our school). Despite a no standing sign, the standing zone is consistently blocked by illegally parked vehicles which NYPD has not been ticketing, especially when the vehicles belong to city workers who are abusing their use of parking placards.

Beyond our traffic and parking issues (which may or may not be unique to Midtown), the one thing that has remained constant over the past 8 years is that the transportation services we receive from the Office of Pupil Transportation are problematic.

- Every year we start school with the expectation that 50% of our students will not have a bus in time for the first day of school. This year, we had 3 students wait over 30 days to receive a bus route, which is unprecedented.
- Every year we expect that our in-house Transportation Liaison will need to provide parents with bus routing information shortly before the school year begins, even though they should have been given this information by OPT prior to the first day of school. This year the school didn't even have this information until after the school year started, which is unprecedented.
- Every year OPT assigns too many wheelchair students to one bus route and the students can either not physically fit on the bus or are traveling for upwards of 2 hours to get to and from school based on the route. This year, we were told for months that there were not enough buses available for assignment. This left several students not able to attend school and even more students on a bus route which was putting them at risk with extended travel, which is unprecedented.

I am sure everyone in this meeting has also wasted countless hours on hold to get in touch with OPT to file a complaint which will lead to a bus company getting a violation. In my experience violations are taken about as seriously as the

people who are getting a ticket for parking in our standing zone. It does not get to the root of the problem – which is poor communication, training and quality control.

As a school, we have more accessibility to speak with the OPT routers and management than a parent does. Although these contacts are helpful, they are only ever stepping in to de-escalate extreme issues we bring to their attention, they are not being proactive about preventing the issue. We have hundreds of violations that have been filed over 8 years for the same persistent issues and nothing has been done on OPTs end to improve their routing, communication with families or training with bus companies.

As a result, our students are at risk of significant regression when they are not maintaining medically necessary therapeutic routines which allow them to continually develop their motor and communication skills. Additionally, for students riding over two hours - those with behavioral challenges have had meltdowns, we've had students arrive at school having soiled themselves because they are missing their toileting routines, students under extreme stress or missing medications have had seizures while in transit sometimes resulting in being taken to the hospital. This has resulted in extreme emotional hardship for both parents, students and educators.

Although I've outlined the problems, I believe in being solutions focused. To start - The Department of Education, OPT and the Bus Companies need better communication. They all play a part in making sure transportation is accurate and they all point fingers at each other.

That said, my suggestions are as follows:

- 1) DOE needs to ensure their medical coding matches the student IEP before it is transmitted to OPT. If a child has a wheelchair for transportation – DOE needs to make sure OPT and the Bus Company know that. There have been countless time where a student has not been picked up because they were not coded properly.
- 2) Routes should make sense – OPT should be requiring Bus Companies to perform a GPS tracked “dry run” before they are permitted to pick up students to ensure the routes work. These should be reviewed by OPT (and maybe google maps) to prevent overcrowding or backward routes before they are shared with families.
- 3) Bus Companies should be required to use EZ Pass lanes when they work with the route. This should be contracted by OPT so that EZ Pass is used regardless of the bus companies' complaints about the cost.
- 4) We understand routes change and that students enroll mid-year. OPT needs to inform parents directly of route changes and pick up time changes at least 48 hours before they occur so that families can plan and troubleshoot.
- 5) In addition to training bus drivers and bus matrons how to strap in wheelchairs and operate lifts. All bus company employees servicing Special Education Routes should be required to attend sensitivity training for working with Special Education Students. This should be required for sign off and oversight by OPT.

It is apparent the current systems being used are out of date. Funding needs to be provided to ensure that communication is streamlined, buses are available, and staff are fairly compensated/well trained so they remain consistent.

If anyone would like to contact me my name again is Courtney Nelson. My email is Courtney.Nelson@yai.org and I can also be reached at . Thank you.

New York City Council's Committees on Education and Oversight and Investigations on
School Bus Transportation Service
November 21, 2022

We would like to thank the New York City Council's Committees on Education and Oversight and Investigations for jointly holding this important oversight hearing on school bus transportation services. My name is Lori Podvesker and I am the Director of Disability and Education Policy 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 almost 40 years.

We commend the City for the last couple of years for their efforts to strengthen the efficacy and quality of school bus transportation services by establishing New York City School Bus Umbrella Services (NYCBUS), providing data on school bus routes to the City Council as per Local Laws 26 and 33 on school bus routes, creating more accessible information online for parents and caregivers, and the recent announcement of the City receiving an \$18+ million grant to begin converting over 5,000 diesel buses towards electric and clean buses.

However, these initiatives do not adequately address longtime systemic issues, nor timely ones as a result of the pandemic and the last few years. As a result, Citywide practices, policies, and lack of transparency and accountability on the provision of transportation services and vendor contract deliverables continue to inequitably impact the educational progress and social-emotional being of tens of thousands of students with disabilities in New York City.

School bus staffing shortages have led to routing problems such as students from multiple schools being assigned to the same route. This has led to longer traveling time for students to and from school. Consequently, students with disabilities often are forced to sit on idle buses while they endure different starting and ending times of their busmates' school day schedules. These same students often are on idling buses for longer than the three minutes that the current NYC law on vehicle idling allows, or one minute when adjacent to a K-12 school. Emissions from buses, especially diesel buses, are one of the leading causes of air pollution that contributes to asthma and other serious health conditions. We know firsthand that low-income students and students of color are disproportionately impacted by air pollution. We also know there is a correlation between children in high-poverty areas being more likely to be diagnosed with asthma, and more likely to receive special education services.

Furthermore, students with disabilities miss related services and specialized instruction as a result of getting to school late, prematurely boarding buses in the afternoon so their bus

route can transport students from multiple schools, and as a result of some students being heavily dysregulated and/or agitated from the time they were picked up by the bus from the time their actual school day begins.

INCLUDEncyc hears from hundreds of parents each year about school buses and so far this year is no different than past ones. In addition to parents reaching out to us for help with the issues outlined above, here is a short list of additional ways we have helped parents in the last year:

- Whose children were stuck at home and not being educated due to needing a busing paraprofessional or a porter
- When their child could not receive meaningful special education recovery services in person because busing was not available
- Looking to change their child's bus route as a result of busing staff not understanding the characteristics of their child's disabilities and repeatedly writing incident reports on their child's sensory-related behavior
- Distinguish the best process to escalate their busing problem to help them resolve their child's school transportation issue; the school, Office of Pupil Transportation (OPT), bus company, due process determination
- Navigate OPT
- Locate their child's busing information

As a result of these chronic and pervasive issues, we recommend that the Department of Education and the City:

- Update Chancellor Regulation A-801 on Pupil Transportation by August 2023. They were last updated more than 22 years ago.
- 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
- Create an accountability mechanism that measures timely and language-accessible communication with families
- Provide more public transparency on the organizational structure of OPT and funding (currently more than \$ 1 billion)
- Mandate additional annual training on young people with disabilities for all NYC busing staff. Require these trainings to be conducted by professionals with expertise in this area, and not allow bus companies to deliver them.
- Amend Laws 26 and 33, so School Transportation Reports to City Council:
 - Specifically include metrics on bus routes for students with disabilities mandated for specialized transportation
 - Change the data structure to accurately capture the timeliness of curb-to-school routes from bus-centered to student-centered

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,



Lori Podvesker
Director of Disability and Education Policy

November 21, 2022

To Whom It May Concern:

Route L748 has not had a driver since the start of the school year in September. Parents are extremely frustrated. We have four students on this route. This route covers 3 students in Queens and one student in Starret City. I have been putting in complaints with OPT as well as the parents every day. One parent said that her and her husband are on the verge of losing their jobs because they have to drive their daughter to and from school each day and it is affecting their livelihood and jobs. OPT offered something called Rideshare to the parents which worked for about a week and then stopped working. Rideshare you need an adult in the car with the student to and from school. One parent didn't opt for it saying that if I have to go in the car with my daughter I might as well drive her myself. OPT says that they have a shortage of drivers citywide. I reached out to the router at OPT to try to get these students onto a different route, but he told me that there is a shortage of routes and drivers. There is a matron for this route who calls me each afternoon saying that she is waiting at the base with 15 other matrons who are also waiting for drivers. I have been emailing Samantha Gonzalez. She doesn't get back to you so quickly. She doesn't have a phone number for anyone to contact her, only email. Still waiting for her to respond to me from last week as to why Rideshare is not working anymore for two of our parents. Students have been missing days of school due to this route not working. Any help with this will be greatly appreciated. Please call me at x if you have any questions.

Mrs. Bayla Spira
School Secretary
IVDU Elementary School

To the Committee on Oversight and Investigations (Jointly with the Committee on Education),

School Code 21002/21016 –

This is only a partial listing of some aggravating emails that we sent OPT

The biggest bussing problems are not even the specific routes. **The problem is that**

OPT needs help! Or the City needs help. There are not enough drivers. So some routes don't have a set driver which makes it complicated for the kids' parents and the school. **OPT needs to offer more pay for the drivers and matrons.** Also, there are no respite changes. What's different this year? It makes no sense. We were always able to make respite changes. If we ask for an alternate PM drop off, there is no one to talk to. Samantha is supposed to do respite changes and alternate pm drop off and she never responds. When she does respond, she sends a link that doesn't work. Our students have special needs, and they need consistent busing! Not random drivers every day. Parents need a place to call for complaints and bus companies need to call parents if it's a new route. I had a few parents call all nervous that a new bus just showed up without them knowing. And then the kids have anxiety. Also, Matrons still think it's covid, so some make each kid sit in their own seat and then expect the kids not to talk for a long ride. Basically, you need normal trained drivers and matrons and we need normal communication. You need to pay the drivers and matrons a normal salary so that they should want to work. It's 2022!

The following busses still have issues:

Lorinda DOES NOT HAVE DRIVERS!!!! L717 L711

Y & M DOES NOT HAVE DRIVERS!!!! K849 K851 K858

Boro L102

Also so inconsistent and kids are being rerouted all the time and it's so confusing for them. 11/18/22

11/3/22 Good Morning,

The driver for Route K238 Boro is an extremely nasty fellow and does not follow rules appropriately.

I have many complaints against him.

1. He makes the children cross the street on their own to get to the bus, so he does not have to come around the block.

This is extremely unsafe and irresponsible!

His job is to cross over, blocking traffic, to get the children safely.

2. The father of Shaina Leah Gansburg, student ID 204651160, has reported that the driver has been touching the kids, and verbally abusing them.

That is completely unacceptable, and the driver knows that!

3. The driver has not been following the route, as given to him by OPT. Children who are supposed to get dropped off first are coming home much later, for the driver has a bone to pick with some parents, so he drops their children off later.
How do you think these parents feel, knowing that their children are at the mercy of this driver? Many children also have programs that they are enrolled in after school and miss the program because they were dropped off late, so their ride to the program left.
They would be on time if the driver followed the route in its correct order!

4. The driver has been ignoring phone calls, both from the parents, as well as our school, for he knows he has done wrong.

Yesterday, a child was put on the bus that did not belong on it.
The driver was FOUR blocks away when the mistake was realized, yet he refused to come back. He told the father to come meet him, and, after waiting a minute, drove off still with the child. He ended up taking her all the way to Crown Heights!
The father was beside himself with worry.
This is very disturbing!

This driver is not healthy enough to be covering this route!
This is not okay!

Please ensure that this gets resolved QUICKLY!

11/2/22 Hi,

We are pleased to welcome back our old driver to route K535.
This driver is prompt, courteous, and cares about our children.
The children and parents know and like him, and requested for him to please be KEPT on this route.

Thank you for your understanding,

11/2/22 This morning, 11/2/22, Shimon Rudich, Student ID 229731153, was not picked up at all. He had to find a way to school on his own. Every child MUST be picked up on the route!

11/2/22 Hi,

I'm emailing you now to give positive feedback for once :)

One of the children on route K846 tripped and skinned her knee while coming off the bus. The matron was so kind to her, talking soothingly to her and walking with her to the school building until a teacher came to take over.

We need more matrons like these in the workforce, who actually care about our children!

11/1/22 Hi,

The bus for route L102 arrived at our school for pickup with a different child on the bus yesterday that they had to drop off first in Queens.

This means that Eliezer Beer, student ID 210298790, got home after 8:00 pm!!

This is unacceptable!

Poor kid, he had to be on the bus for over two hours AFTER a long day in school.

How can we do this to him?

Please see that this gets taken care of appropriately.

11/1/22 Hi,

The bus for route K851 has been coming to pick up the students at extremely random times, and is totally unreliable.

The students NEED a steady driver, and the parents need to get notified when this is set up.

11/1/22

Hi all,

The buses for routes L717 and K851 have both been coming extremely late for WEEKS already. You already heard and know of all that they are missing out on because of this.

We, as a school, have a duty to report it, so that is what we do.

But we need to see results! Reporting alone does not make change.

We do not like complaining and having the children come so upset each day, any more than you like getting all these emails.

We hope you know that this is nothing personal, we just NEED the children here on time, driven by safe and efficient drivers, which is why we turn to you.

Please do all you can to ensure that these buses arrive in a timely manner.

10/27/22 Good Afternoon All,

I'm sure by now you know that L717 Lorinda is not happening. **Lorinda doesn't answer phones.** If Lorinda bus company doesn't answer phones, how can I put special ed students on that bus and not have contact with the company? I don't feel safe sending our students on that bus. 99% they don't show up and the 1% time that they do come, they are extremely late. Please check all past emails that we sent you about L717 Lorinda! They can fill up a whole notebook! Yesterday 10/26 Lorinda L717 just didn't show up for dismissal. Just like that, **NO SHOW! Lorinda didn't answer our phone calls.** We have a diabetic student on that bus and he has to get home in a timely manner!

10/26/22 Hi,

The bus doing route K535 has still not started picking up the children assigned to its route.

Why is this okay?

These children **MUST** get to school!

Like we've already mentioned countless times, they are missing countless vital therapies and activities every day, often leaving them a wreck!!

When will this issue be resolved?!

10/24/22 Good Morning All,

Thank you for assisting our students in getting to and from school in a timely manner. Most of the buses are running smoothly. Up until this school year, the school and the parents

always enjoyed a good relationship with OPT. The school and the parents always had good communication with OPT. Whenever the school or parent had a complaint we called the hotline number. We and the parents felt good speaking to a human being. However, this year when parents call the hotline number to register a complaint - the hotline customer representative tells the parents that the school has to call. No more dealing with parents. My colleagues and I are so busy emailing and registering complaints to OPT! We are busy with the busing issue the whole day! We are not getting our work done!
The following are bus issues that are going back starting from the first day of school and are still ongoing.

The first day of school was **September 8** and today is **October 24**.

The following issues are ongoing:

Y&M K851 - Has no set driver from 1st day of school! **Today at 10AM, the bus was still not at school!** Parents call us daily in tears! The bus company keeps telling the parents and us that the bus is coming on time and it doesn't come on time. **Don't forget that this is a special ed school.** The students all have physical and emotional issues. **By the time the students reach school they are nervous wrecks!** Their whole school day is messed up and they are missing out on their therapies. Many of the students display anxiety symptoms for the rest of the day! The students are missing out too much of the school day. What will we tell CSE when it comes time for the annual IEP meeting that the students are not up to par on their education and therapies. because OPT is out to lunch?

Also, whenever we or the parents call Y&M , the bus company is very rude!

K535 - NYC NT - No show from September 8!!!! Eric keeps adding students to this no show bus! We have a new student, Lisa Marciano ID# 250370897 that was just added for 10/26 - that makes her **#15** on the bus. The mother is so excited that her daughter finally got busing. How can I tell her that K535 is a bus only on paper and it never comes!

L717 Lorinda - Comes late every day. They don't have a set driver. We have a new student just approved for this bus. Nahum Daniel Alchits ID# 241682384. Starting 10/24. this morning. Nahum is autistic, diabetic and has limited time travel - door to door on his IEP. Nahum is **sequence 11** on the bus. Nahum needs a bus with very limited travel time so that we shouldn't have to deal with any emergencies. Mom spoke to the bus company 3X to confirm that bus is coming this morning. This bus did not pick up Nahum. When the bus came to school we asked the driver why he didn't pick up Nahum and he said that he wasn't on his sheet! Eric says to give violations - violations don't help. We never see results!

When I ask Eric if we can change bus companies that don't work, Eric says that he is not in charge of the contracts. I do see that Careful Bus Company is close to our school. We have good experience with them. Why can't we have more routes for Careful bus? Why can't we use bus companies that service the students instead of adding students to bus companies that aren't working?

Can I please have a contact number and email address to speak to the people who are in charge of giving the contracts to the bus companies.

Please, Please, I'm waiting for some response!!!!

Thank you,
Chaya Fried Good Afternoon Eric,

Thank you for attaching the route sheet stating that 1st pickup for 21016 is **7:50**. However, Lorinda L717 changed the route! They don't have the first three students from school code 17300 dropped off before **7:50!** **They have a different schedule and the driver says they first finish their first (17300) school at 8:00 AM in Queens. There is no way they can be at stop #4 - our first pick up in Crown Heights at 7:50 AM!**

Please respond!

Thank you,

Chaya Fried

9/29/22

TESTIMONY of NEW YORK APPLESEED
THE NEW YORK CITY COUNCIL
COMMITTEE ON EDUCATION
Jointly with the Committee on Oversight and Investigations
Oversight of School Bus Transportation Services
November 21, 2022

My name is Nyah Berg and I am the executive director of New York Appleseed, a nonprofit organization that advocates for integrated schools and communities in New York City and State. I am testifying today to share with the council, what we believe to be, several of the most pertinent findings from a comprehensive research briefing we published on [yellow bus service](#) in April 2022.¹

When we first started our research, we did so to better support diversity planning initiatives in community school districts that often had to address questions of access for students who reside in transportation deserts or need extra assistance to attend an inclusive school setting. What began as a briefing intended to help in diversity planning quickly grew to encompass a more significant effort to bring clarity, and transparency and request greater accountability for a critical resource for many NYC students, particularly students of color and students with disabilities.

When working to untangle the incredibly complex history of yellow bus service in NYC three points rose to the surface: (1) the responsibility of getting children to school safely and on time is suffering from a fragmented system, only exacerbated by COVID-19, (2) the lack of accessible public data on student ridership is stunting accountability and most importantly, (3) students and families, particularly those from historically marginalized groups are going unheard in asking for quality transit on which they rely on.

To briefly elaborate on the above points, I highlight the following findings from the report:

- School bus delays and breakdowns seem to happen year after year with minimal calls for improvement. For example, there were 344,818 reported breakdowns and delays from 2015-2019, of which 72% involved buses carrying children in special education programs. These problems were only exacerbated by the consequences of the pandemic, and in the 2021-2022 school year, scores of students were left without buses for days, sometimes weeks, well into October. Additionally, while this follows our report, I think it is key to note the beginning of this school year was unsurprisingly more of the same, with reports citing bus delays and or buses not arriving altogether.²

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>.

² See Michael Elsen-Rooney, *New year, same school bus problems for some NYC families*, N.Y. Daily News (Sep. 8, 2022), available at:

- Despite providing transportation to all eligible NYC students in public, charter, and non-public schools, the DOE website contains almost no data or statistics on yellow bus ridership—past or present. The sole source of public data concerning ridership in NYC comes from an Independent Budget Office(IBO) report that is twenty-two years old and reflects K-8, not K-12 data. We had to contact the IBO directly for up-to-date information.
- The updated information we obtained from the IBO illustrated that in every borough except for Staten Island, Black, and Hispanic students make up the majority of students using yellow bus services in their borough. Buses for special education students also overwhelmingly serviced Black and Hispanic students. While these numbers may be of no surprise—considering NYC is a school system that is a majority of students of color—it shows that the failure to supply dependable transportation is a burden shouldered, once again, by students and families from historically marginalized communities.
- Chancellor’s Regulation A-801, despite its importance in regulating quality transit services, has not been updated in over 20 years, despite past indications from the DOE it would do so in the 2019-2020 school year. As far as we know, this remains to be the case.
- The lack of updates in Regulation A-801 has seemingly led to discrepancies in what is presented on DOE websites, vs. what is outlined in the regulation. For example, Regulation A-801 provides that students in Grades K-2 are eligible for half-fare transportation if they reside less than 0.5 miles from their school, whereas the chart on the DOE’s website provides that they are not eligible for transportation at all.

Yellow bus service is a resource and a necessity for many of our most marginalized student groups to get to school, and yet at the heart of our nearly 40-page report is a story of harmful ambivalence to fix problems that families raise year after year. We offer the following next steps to navigate the complexities of yellow bus service more equitably in the future:

1. The New York City Department of Education can provide easily accessible public data on yellow bus ridership.
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.
3. Facilitate comprehensive community engagement on the needs of students and families, particularly those from historically marginalized groups.

Thank you for listening and we welcome any follow-up councilmembers may have regarding our report.

<https://www.nydailynews.com/new-york/education/ny-nyc-school-bus-problems-first-day-20220908-p3pxx2jhgrhytbrzlrtnzije-story.html>

Testimony by New York Legal Assistance Group (NYLAG)

before the NYC Council Committee on Education and the NYC Council Committee on Oversight and Investigations regarding:

School Bus Transportation Services

November 21, 2022

- Chair Joseph, Chair Brewer, Council Members, and staff, good afternoon and thank you for the opportunity to testify before the Committee on Education and the Committee on Oversight and Investigations regarding school bus transportation services. My name is Courtney Yadoo and I am a staff attorney in the Special Education Unit at the New York Legal Assistance Group.
- NYLAG uses the power of the law to help New Yorkers experiencing poverty or in crisis combat economic, racial, and social injustices. We address emerging and urgent needs with comprehensive, free civil legal services, financial empowerment, impact litigation, policy advocacy, and community partnerships. We aim to disrupt systemic racism by serving clients, whose legal and financial crises are often rooted in racial inequality. For more than twenty years, NYLAG's Special Education Unit has advocated on behalf of low-income children with disabilities.
- We are deeply concerned by the widespread transportation failures this school year. The lack of reliable bus service, and the denial of IEP-mandated transportation services, have created crisis and confusion for families. Months into the school year, our clients are *still waiting* for bus service, stuck on routes without bus drivers. Months into the school year, our clients are *still waiting* for medically necessary nurses and paraprofessionals. In the meantime, they cannot ride the bus.
- Children with complex disabilities often must travel far from home to attend specialized programs. Given the lack of transportation services, their families must make impossible tradeoffs every day. Should they embark on an hours-long commute to school, or should they go to work? Should they spend their limited income on car service to school, or on necessities like food and rent? Should they transfer their child to a nearby school that does not meet their needs, or continue waiting for the DOE and OPT to provide transportation? If they cannot get their child to school, are they risking an ACS investigation? The weight of these tradeoffs has taken a tremendous toll on students and families.
- I'll devote the rest of my time to the impact on two NYLAG clients, who I'll call Nancy and Lukas.
 - Nancy is a 10-year-old with autism and seizure disorder. Her IEP mandates specialization transportation with a number of medical accommodations, including a 1:1 nurse to monitor her seizure activity. At the start of the summer session, and then again in September, the DOE failed to provide Nancy with any transportation services. For nearly two months, Nancy's mother spent approximately two-and-a-

half hours transporting Nancy between their home in Queens and her school in Manhattan each day, making it difficult for her to work. Nancy's family accrued over \$2,000.00 in expenses from rideshare services, an enormous burden given their limited income.

- Lukas is a 6-year-old with autism and Down syndrome. His IEP mandates specialized transportation and a 1:1 paraprofessional to ensure his safety on the bus. For the first 6 weeks of the school year, Lukas did not have a bus route. Once he finally received a route, he could not board the bus, because the DOE failed to provide him with a transportation paraprofessional. In late October, Lukas finally received a paraprofessional. After just four days of service, the para stopped reporting to work, so Lukas was again without transportation. Lukas's mother works and has another elementary-school aged child, so could not transport him between their home in Brooklyn and school in Manhattan every day. As a result, Lukas has missed weeks of school.
- Even with NYLAG's constant outreach to the DOE and OPT, Nancy, Lukas, and their families have endured months of uncertainty and suffering. For families without advocates, transportation problems can feel insurmountable. We urge the city to address these issues as soon as possible. Thank you for the opportunity to testify today.



TESTIMONY

November 21, 2022 New York City Council Committee on Oversight & Investigations and the Committee on Education Joint Oversight Hearing on [School Bus Transportation Services](#)

Greetings Council Members and guests. My name is Sara Catalinotto and I speak on behalf of Parents to Improve School Transportation (PIST). I'm a mother of former school bus riders, and an observer of what's gone on in this service industry over the past twelve years.

Others are describing specific injustices and failings of the current system, so I will only focus on our vision of actual solutions, and on the reason this crisis is no surprise.

First, respect is due to several parent councils, unions, and other advocates who have been making enough noise about the critical state of busing to have it catch the attention of these two important committees. Lately, most of us have been collaborating, exchanging information and ideas. We've rallied at Tweed, OPT, the Brooklyn Bridge, on Zoom, and next week we are going to the United Nations because **access to school is a human right**.

<https://www.pistnyc.org/events/globalmusic4idpd>

The bus route system is set up to only activate corrections to problems one by one, for the most connected parents, so it magnifies existing inequality. In contrast, we are pursuing the goal of a

ballot referendum for a School Bus Bill of Rights, including more democratic governance.

We want the City to empower a panel that includes advocates for parents, workers and people with disabilities, to make stronger criteria for the quality of yellow bus service to **prevent** problems. As the document at <https://www.pistnyc.org/gallery/bill-of-rights> states “A decision-making body that reflects the most affected stakeholders can do a better job of attracting workers, improving routes, training & communication, honoring the physical and neurological needs of the riders, and keeping everyone safe on the bus.”

Since it’s our understanding that City Council can only create reporting laws, and since the bus reporting associated with Local Law 34 unfortunately has not made a concrete difference in service, we will pursue the support of the voters to approve a more comprehensive change in the Charter on the City’s responsibility for school transportation. We do welcome individual or committee endorsements of this campaign; petitioning begins in January 2023.

Second, we should all be infuriated but not surprised at the current crisis. PIST receives complaints daily about school bus issues that deprive students of their basic right to get a full day of school, every day. Transportation is a dealbreaker for many students with disabilities and those in foster and temporary housing situations. The lack of it is painful to hear and read about, and inexcusable.

The Office of Pupil Transportation is finally admitting to one of the roots of the problem. Their new nine-million-dollar phone system has a recorded message stating “we are experiencing staffing shortages; this will have an impact and likely cause service disruptions.” However the school bus driver shortage – which clearly leads to an increase in doubled-up routes and no-show buses, and violations of some students’ medically mandated travel time limits – did not happen in isolation from policy decisions made by the authorities over NYC education.

For those who are new to this, including some of the personnel at OPT who claim money is no object, it pays to review what happened long before the pandemic. The 2013 school bus strike was provoked when one particular Mayor and one of the Schools Chancellors he appointed decided to remove Employee Protection Provisions for a portion of the drivers, attendants and mechanics. Alongside one particular OPT leader who later had to be fired in a big scandal, Mr. Bloomberg and Mr. Walcott changed the bidding for school bus routes, favored companies which bid lower than others, and claimed that this would divert more money into the classrooms.

That last part is cute if it were true, but fast forward to the predictable result in which 140,000 students can't count on getting to these classrooms. Parents warned about this all along:

- In February 2013 the Citywide Council on Special Education wrote to the Chancellor: "The savings that you're estimating clearly does not take into effect the destruction and havoc that the long term damage that we, as parents, will inherit as a result of your failure to resolve a problem that is within your control."
- Sharlene Figueroa of PIST testified to NY City Council's Education and Finance Committees that same month: "If we follow to its conclusion this trend of eliminating routes and cheapening the regard for the workforce, our children will have worse routes than ever." Then-Comptroller John Liu and the United Federation of Teachers Special Education Vice President at the time provided testimony that only half of local busing is paid for out of city monies, that only 55% of the cost of school busing goes toward labor despite fifty years of EPP, and that the DOE qualifies for Medicaid reimbursement for specialized transportation (as with other related services on the Individualized Education Plan of a student with a disability).

The city kicked two thousand experienced workers to the curb at the end of that school year, and triggered a domino effect of cuts in the starting pay package for new hires. See details at <https://www.nydailynews.com/new-york/exclusive-school-bus-operators-cut-workers-pay-benefits-article-1.1294501>

- Organized parents, and Civil Rights lawyer Norman Siegel, co-signed a letter to incoming Mayor DeBlasio urging among other things: “A commitment to reinstate EPP. We find it disturbing that the experienced multicultural school bus workforce--60% women who have achieved some financial empowerment over many years--are pushed towards poverty as the systematic dismantling of seniority hiring proceeds.”
- In March 2014, PIST member Amy Herren attended the Committee on Civil Service and Labor “to comment on how the trend towards drastically lower bids in this industry affects another important and completely innocent group of stakeholders: the riders.”
- In October 2018 we included in our testimony to the Education Committee a PIST statement which said: “Any time there is **only one driver willing to tolerate a low wage job--where there used to be two drivers enjoying a secure career**, that’s when students get picked up late or not at all, have routes which stop at four schools instead of one or two, get yelled at, or worse. When there is **little to no investment in climate control or upgrading of vehicles**, that’s when children get dehydrated, or their car seats or wheelchairs do not attach properly, or the bus breaks down.”

We can suppose that if a school bus company lowered its bid by roughly the same amount that it stopped investing in employees with seniority (and perhaps in vehicle maintenance), then the

same dollar amount of their contract is going into profit as before, i.e. our tax money is subsidizing the lifestyle of the bus owners – but we are not getting the public service that we were promised. School busing and special education are rights that people fought for generations ago, and yet here we are.

We urge everyone on these Committees to envision a better school bus system sooner rather than later, even if it means shaking up the status quo with things like publicly owned bus fleets – electric of course, new routing software* and proactive communication with parents in all home languages.

For what it's worth, this is one company we met with that does free trials and approaches this as Student Route Problem instead of Vehicle Route Problem: <https://info.ezrouting.com/>
<https://www.youtube.com/watch?v=tt7yTDDX0BQ>

Thank you again for your serious consideration of this matter which impacts public education and for that matter, public health/mental health. We are always available for discussion.

Parents to Improve School Transportation / Padres para Mejorar el Transporte Escolar (PIST)
pistnyc@gmail.com *Hablamos español*

<https://www.facebook.com/groups/pistnyc/>

www.pistnyc.org

<https://www.facebook.com/pistnyc/>

<https://twitter.com/pistnyc>

<https://www.instagram.com/schoolbusparentsny/>

DONATE at <https://gofund.me/CEEEAD76> or CashApp \$pistnyc

Watch School Bus Bill of Rights video sizzle reel at

https://www.youtube.com/watch?v=_QVoieUgcsc

Bussing issues:

November 22, 2022

Reach for the Stars learning Center
1818 Avenue P
Brooklyn NY 11229
718-677-0797

Florence Shomer

We are a school serving students with autism ages 3-21. Our students are entitled to bussing on their IEPs from age of 5. This past school Year, beginning mostly in July 2022 we have been inundated with a multitude of bussing issues. Our parents are incredibly stressed and our students are having behavioral and learning interferences due to their schedules being changed on a regular basis. Here are some of our problems:

The bus company in question the most problematic has been Lorinda. Here is a short summary on all of our issues but not just with this company:

Lack of a driver for a route. A different driver and matron daily. Often not known until the morning. Often not consistent or randomly doesn't show up in the afternoon

Parents or school not given a heads up if a driver is not showing. Other arrangements must be made last minute. At 1/130 we call to confirm a pm route and are then informed we don't have one. We are never notified in advance

Substitute drivers don't know the run. Often very late. Route may begin at 9am as they do another run first: our school day begins 830 Drivers often do a full run of another school

Before starting ours. Can be an hour late

Very hard to get in touch with dispatch or bus company. Long waits. No answer. I call from 715 in morning and don't know status if bus runs. Parents are incredibly stressed out

Our liaison for bussing outside our school is not following through in a timely fashion

Shortage of drivers. Don't know if they have one on a specific day. And parents don't know when bus is coming. Drivers only wait required 2 minutes for a student; therefore the bus may come and leave quickly

Busses late and angry if student isn't waiting ahead of time

Cannot get through to bus companies. No answer or very long hold times. CNt get definite answers. Information can be very vague

Ride share not a viable option for our special needs students who cannot be on their own . We were never even notified that ride share even exist

Add your written testimony here (in your own language of choice) regarding chronic busing issues with OPT.

Send it back to school and we can help submit it for you!

Agregue su testimonio escrito aquí (en su propio idioma) con respecto a los problemas crónicos de transporte escolar con OPT.

¡Envíelo de vuelta a la escuela y le ayudaremos a enviarlo por usted!

在此处添加您的书面证词（以您自己选择的语言）关于 OPT 的长期公务问题。

寄回学校，我们可以帮您提交！

The name of your child/student at Lexington: Camila Ramírez

El nombre de su hijo/a/estudiante en Lexington:

您在列克星敦的孩子/学生的姓名：

Your name: Coral Zombrano

Su nombre

你的名字

mi testimonio es que puedo estar
satisfecha con el servicio de transporte
a veces llega un poco atrasado pero
si se comunica conmigo para informar.
No puedo quejarme
gracias por considerar nuestra opinion.

Coral Zombrano

Honorable committee on Oversight and Investigations,

My 11 year old son, diagnosed with a variety of developmental and learning disabilities has been recommended for short bus runs, to avoid temper tantrums, violence, bathroom accidents etc.

Over the past few years his bus ride was never shorter than an hour and 15 minutes, often more than an hour and a half.

This is despite the fact that for most of this time (up until June 2022) he was placed on a mini bus with 7-8 students, yet the 20 minute drive from Crown Heights to Williamsburg took well over an hour.

This school year, OPT is telling us they have a shortage in busses and are therefore using my sons school bus for 2 schools at the same time, making the bus run over an hour and a half!

These are special needs children with a very low level of patience and with the risk of all sorts of behavioral outbursts.

I believe that OPT should be able to:

- A. Have enough busses so that no run should be more than an hour (which is very long as it is)
- B. Hire more competent staff to work on the bus routes, drivers and matrons that know how to navigate traffic – ensuring that these children are on the bus for as short as possible.
- C. Provide parents with tracking links to know where the bus is

On behalf of our special needs children, I thank you in advance for your consideration.

From: Fred Rodriguez <frodriguez94@yahoo.com>
Sent: Monday, November 21, 2022 11:35 AM
To: Testimony
Cc: Beediahram Diane
Subject: [EXTERNAL] Fw: 75029 / PVT - Connor Rodriguez ID# 219650397

Hello NYC Council,

My name is Frederick Rodriguez, and my son Connor Rodriguez is 12 years old and was diagnosed at birth with Down Syndrome. For the past 7 years our son Connor has been attending an out of Borough school called Tiegerman located in Glen Cove Long Island. This year makes his first year in the Middle School which approximately 1 mile away from the Elementary School of Tiegerman and takes approximately 75 minutes to get to from our home in Rockaway Queens.

Nothing else has changed this year, yet my son Connor's entire school information was removed out of the DOE and OPT systems and no one can advise why and how this happened. Connor did not have a school bus assigned to him for the beginning of the school year that started in September and therefore missed the first 2 1/2 weeks of school. One we finally had the DOE to re-enter all of my son's information back into the system, they entered the wrong information leading to further delays for my son's school bus being set up properly and getting him into the school.

I have escalated my son's school bus issues to the DOE and OPT up to the Executive Director/Transit Services at OPT Diane Beediahram as well as several individuals under her guidance such as Royston Etkins, Uri Fraenkel, Wendelyn Choi, Chris Cinicola from the DOE as well as many others in order to resolve my son's bus issue.

My latest correspondence as you can see in the email below to which I still have yet to receive a response from anyone. My son Connor's IEP states he has Limited Transportation Time (LTT) but yet the DOE and OPT systems have not been updated as of today to reflected, so OPT continues to tell me that their system still does not show Connor as having LTT and there is nothing they can do, yet his IEP clearly shows this information. We have advocated to get LTT on Connor's IEP because he can't hold his urine for long periods of time and gets dehydrated easily.

I was advised by OPT Route Supervisor Royston Etkins "That is not something I do and you need to go to the people that do that" this was when I asked him to update OPT's system and he stated he does not update OPT's system and he gave me OPT's customer service phone number to file a complaint.

This is the type of service I have received this year. Keep in mind that the only thing that changed this year was that Connor moved from the Elementary School to the Middle School which is less than one mile away.

It has gotten to the point that we have had issues with the bus driver and are at the point that we now feel our son Connor is NOT SAFE with this driver and Matron from this bus company (Boro). I have requested several times for the DOE and OPT to start the process of getting a new bus company for our son and his safety, but all this has fallen on deaf ears and we pray to God that he keeps our son safe. Royston Etkins (OPT Routing Supervisor) advised me that it would take approximately take 2-3 Months to get a new bus set up for our son yet nothing has been done.

I have reported to OPT customer service on many occasions that my son has either arrived late going to school or coming home from school and am given a report number and told to follow up with the schools bus liaison on the report to get more information which they are not updated. This has been ongoing since September when our son started Middle School and to date his information is still not updated in the DOE and OPT systems and my request to have the bus company changed for my son Connor's safety has also fallen on deaf ears.

Please review the chain email which dates back to October and I have more should you want to read them that date back to September to the start of this years bussing issue.

We would love to get updated on both action items that we have been advocating for our son Connor.

Thank you
Frederick & Marian Rodriguez

----- Forwarded Message -----

From: "Fred Rodriguez" <frodriguez94@yahoo.com>

To: "Conquest Gerald" <gconquest@schools.nyc.gov>, "Fraenkel Uri" <ufraenkel@schools.nyc.gov>, "Choi Wendelyn" <wchoi@schools.nyc.gov>, "Chickoree Mala" <mchicko@schools.nyc.gov>, "Kormendi Judy" <jkormen@schools.nyc.gov>, "Assemblymember Stacey Pheffer Amato" <amatos@nyassembly.gov>, "Etkins Royston" <retkins@schools.nyc.gov>, "Beediahram Diane" <dbeediahram@schools.nyc.gov>

Cc: "Michaela Jarvis" <mjarvis@tiegerman.org>, "Kristin Lyons" <klyons@tiegerman.org>, "Magbt10@yahoo.com" <magbt10@yahoo.com>, "Gross Stephanie" <sgross14@schools.nyc.gov>, "Cinicola Chris" <ccinicola@schools.nyc.gov>, "Johnson Mia" <mjohnson90@schools.nyc.gov>, "chris.glorioso@nbcuni.com" <chris.glorioso@nbcuni.com>

Sent: Fri, Nov 18, 2022 at 10:30 AM

Subject: Re: 75029 / PVT - Connor Rodriguez ID# 219650397

Mrs. Beediahram,

I am following up on the action items as we have not had anyone provide us with an update since my last email back on November 9th. Since that time you in which you advised a discussion was had with the bus driver, the driver has continued to take the same street route in the morning catching all the traffic lights so nothing has changed and my son continues to take longer than 90 minutes to arrive home and I have continued to report it to OPT. For the past 7 years it never took my son longer that 75 minutes to and from school but this year we continue to have issues with this bus driver.

1) Can you confirm that my son's IEP LTT been added back into to all systems in which OPT utilizes so that it is finally back in all systems?

2)Can you provide an update on a new bus company for my son's route.

On Monday November 21st the NYC Council Committee on Oversight & investigation and the Committee on Education will be holding a joint hearing on School Bus Transportation Services and I do plan on providing my testimony for my son's bus issues as will many other families but I would like to be able to say some kinds words if at all possible.

Thank you
Fred & Marian Rodriguez

Fred Rodriguez
Phone: 347-510-9092
Email: frodriguez94@yahoo.com

On Wednesday, November 9, 2022 at 02:42:29 PM EST, Fred Rodriguez <frodriguez94@yahoo.com> wrote:

Mrs. Beediahram,

Yes our son Connor does have LTT on his IEP which is 90 mins for Out of Borough students as you mentioned, but as Mr. Etkins kindly advised, he is still not in the OPT system as having LTT and we would like that corrected as we have been trying to do so for several months now. We thank you for advising the driver to use the directions we provided and to which has been used by all the bus drivers from different bus companies in the past 7 years that our son has been attending Tiegerman all without our intervention.

Also, it does not address the fact that we still do not feel that our son will be safe with this bus driver nor the matron as stated. We hope that both items will be addressed as this issue has been ongoing since the start of the school year in September and we are now in November. We just want our son to be safe while in the hands of OPT bussing and unfortunately that is not the case at this time.

Thank you
Fred Rodriguez & Marian Tinnelly Rodriguez
Phone:
Email: frodriguez94@yahoo.com

On Wednesday, November 9, 2022 at 02:18:12 PM EST, Beediahram Diane <dbeediahram@schools.nyc.gov> wrote:

Mr. Rodriguez-

Just to clarify, Connor has LTT on his IEP which is 90 mins for Out of Borough students. We advised the driver to use the directions you provided, the travel time will not change since Connor is the last picked up and first dropped off.

Diane Beediahram
Executive Director/Transit Services
Office of Pupil Transportation
New York City Department of Education

Dbeediahram@schools.nyc.gov

From: Fred Rodriguez <frodriguez94@yahoo.com>

Sent: Wednesday, November 9, 2022 2:00 PM

To: Conquest Gerald <GConquest@schools.nyc.gov>; Fraenkel Uri <UFraenkel@schools.nyc.gov>; Chancellor David C. Banks <NYCChancellor@schools.nyc.gov>; Choi Wendelyn <WChoi@schools.nyc.gov>; Chickoree Mala <MChicko@schools.nyc.gov>; Kormendi Judy <JKormen@schools.nyc.gov>; Assemblymember Stacey Pheffer Amato <amatos@nyassembly.gov>; Beediahram Diane <DBeediahram@schools.nyc.gov>; Etkins Royston <REtkins@schools.nyc.gov>

Cc: Michaela Jarvis <mjarvis@tiegerman.org>; Kristin Lyons <klyons@tiegerman.org>; Magbt10@yahoo.com <magbt10@yahoo.com>; Gross Stephanie <SGross14@schools.nyc.gov>; Cinicola Chris <CCinicola@schools.nyc.gov>; Johnson Mia <MJohnson90@schools.nyc.gov>; chris.glorioso@nbcuni.com <chris.glorioso@nbcuni.com>

Subject: Re: 75029 / PVT - Connor Rodriguez ID# 219650397

Thank you for such a quick response and we appreciate it, but it does not address the fact that we still do not feel that our son will be safe with the bus driver nor the matron as stated in my email below. This morning you stated they are union employees and that nothing can be done, but I will not accept that nothing can be done.

Also it does not address the fact that our son is not listed in the OPT system as having LTT as you so boldly advised which means that at any time things can change should another child be added to the bus route.

Please escalate our concerns to your manager in order to keep our son safe.

Thank you

Fred Rodriguez

Phone:

Email: frodriguez94@yahoo.com

On Wednesday, November 9, 2022 at 01:42:46 PM EST, Etkins Royston <retkins@schools.nyc.gov> wrote:

Good afternoon I spoke with the driver and he's willing to try your way ,also the route/bus only has 2 students, and your child is the last p/u in the am and first d/o in the pm .Have good day.

From: Fred Rodriguez <frodriguez94@yahoo.com>

Sent: Wednesday, November 09, 2022 1:09 PM

To: Conquest Gerald <GConquest@schools.nyc.gov>; Etkins Royston <REtkins@schools.nyc.gov>; Fraenkel Uri <UFraenkel@schools.nyc.gov>; Chancellor David C. Banks <NYCChancellor@schools.nyc.gov>; Choi Wendelyn <WChoi@schools.nyc.gov>; Chickoree Mala <MChicko@schools.nyc.gov>; Kormendi Judy <JKormen@schools.nyc.gov>; Assemblymember Stacey Pheffer Amato <amatos@nyassembly.gov>

Cc: Michaela Jarvis <mjarvis@tiegerman.org>; Kristin Lyons <klyons@tiegerman.org>; Magbt10@yahoo.com; Gross Stephanie <SGross14@schools.nyc.gov>; Cinicola Chris <CCinicola@schools.nyc.gov>; Johnson Mia <MJohnson90@schools.nyc.gov>; chris.glorioso@nbcuni.com

Subject: Re: 75029 / PVT - Connor Rodriguez ID# 219650397

Mr Etkins,

Thank you for contacting me today in reference to my email below to which you started our conversation by saying you were calling about the 5 page documentary that I sent to everyone. You went on to say that there is nothing that you can do and referred me to call OPT Customer service to file a complaint about the bussing situation, Yet you are part of a Management team within OPT. **Couldn't you have easily taken my complaint and filed it on our behalf?**

I stated on many occasions since the beginning of the school year in September, that we do not feel comfortable with this driver and as of today the Matron as well, as she is now giving the cold shoulder making us even more uncomfortable.

All we are asking is for our son to be safe and not take a tour of Queens NY while traveling to and from school which has been the case for the past 7 years that Connor has been attending Tiegerman School.

You also stated that my son still does not have Limited Travel Time (LTT) on his IEP to which I responded that he does have LTT on his IEP and I was even willing to provide this document to you to prove it so that you can update your systems but you would not accept it, saying this is not something that you do and that I should reach out to the people that do that. **Who are the people that do that?**

If you do not see his LTT in your systems, it is an error on the part of your organizations and the DOE's, as my son has always had LTT on his IEP since kindergarten. This year as I stated multiple times, my son was moved to the Middle School in a different building less than a mile away from the Elementary school and for whatever reason he was removed ENTIRELY from the DOE's system as well as OPT's and I have been fighting since September for this to be corrected.

What do you need from us to prove that our son has LTT on his IEP and to have your systems updated with this information? I HAVE ATTACHED HIS UPDATED IEP that proves he has LTT so **why can't someone update all the system and confirm that it is in all the system once and for all and confirm with Mr Etkins from OPT that it is in thier systems as well?**

Mrs. Jarvis / Mrs. Lyons / Mr. Cinicola

Can you please escalate this issue to get OPT's system updated to show my son Connor has LTT as this has been ongoing for way too long, to be more specific it has been on going from the start of this school year up until present. **I have attached the updated IEP for your review should you need it.**

Most importantly getting our son on another bus or setting up a RIDESHARE.

Mr. Etkins stated today that it would take about a month for the process of putting out a bid for this route and for another bus company to start. Why can't that process be started so that my son Connor, can be safe and on a bus with LTT listed in all systems and not take a tour of Queens while going to and from school. The past 7 years it would take an average of 75 minutes and that is with traffic, but this year it is taking 90 minutes or more.

We shouldn't have to worry about our son's safety going to and from school on top of having to deal with all the bureaucraties of having a child with special needs.

What does anyone need from us in order to make this happen?

How many more HOOPS do we have to jump through for the DOE and/or OPT or anyone else for that matter? Do I need to stop my life in order to drive my son to and from work myself?

All we want is for our son to be on a bus where we feel he will be safe and not taken on a tour of queens while traveling to and from school.

Thank you

Fred Rodriguez

Marian Tinnelly Rodriguez

[Sent from Yahoo Mail on Android](#)

On Tue, Nov 8, 2022 at 8:01 PM, Fred Rodriguez

[<frodriguez94@yahoo.com>](mailto:frodriguez94@yahoo.com) wrote:

Mr. Etkins,

I am following up on the conference call that took place on 10/18 @ 10:00AM. I appreciate that you were able to sort out part of the issue, and that was to have the bus driver take the direct route using the toll bridges. However, you ended the call before resolving the issue of changing the bus driver for this route.

We have been more than patient with this matter, but have to advise you that since our call, the driver still refuses to take the direct route over toll bridges to shorten the drive. Instead, he continues to take the main streets which adds 15 to 20 minutes to the route, and is now being rude to me as well when asked to please take the direct route. It is already a long day for our son. As always we will continue to look out for his own best interests.

Because of this on-going animosity with the bus driver, and as I have stated several times we do not feel our son Connor is safe with this driver. If ANYTHING happens to him while on the bus with this driver, whether its being talked to in the wrong manner or being mistreated in any way, it is on record that you did not act upon the requests to change the bus driver.

I have AngelSense GPS tracker on my son at all times and it shows the exact route that is taken. Every single day this driver inexplicably takes a different route which adds 15 to 20 mins to the route. Most days on the way home he appears to be taking a tour around JFK Airport! (rather than staying on the Belt Pkway - yes, there may be pockets of traffic, but each time the driver veers off the direct route, it literally adds 15-20 mins onto the journey). This makes no sense!

As I've said before, my son has been going to Tiegerman school for the past 7 years without issue. It is causing Connor and us, his parents, so much added stress and anxiety that we do not need. It remains a big concern that this is allowed to continue.

It is now November. We are tired & frustated and should not have to be still worrying about bussing issues. We are demanding that this issue be resolved without further delay.

Mrs Lyons / Mrs. Jarvis - We are asking for you to intervene with this bussing issue and request another bus company. This bus driver has stated on several occasions that the bus company directs him to NOT take tolls to save money, but it is Connor that pays the price!

Chancellor David Banks - We would appreciate an acknowledgement/ reply to our previous communications. Please make note of our requests to change bus drivers so that we can feel confident that our son is safe going to and from school. We are requesting your immediate intervention on this matter.

Thank you

Fred Rodriguez

Marian Tinnelly Rodriguez

Phone:

Email: frodriguez94@yahoo.com

On Tuesday, October 18, 2022 at 07:29:34 AM EDT, Fred Rodriguez <frodriguez94@yahoo.com> wrote:

Good Morning Mr. Etkins / Mr. Fraenkel, / Mr. Conquest

I am following up on my son Connor Rodriguez's bussing issue. This morning I was advised that the bus route pick up time has changed back to 6:40 AM from 6:50 AM and this is due to the bus arriving late everyday. I have requested several times that the bus driver take the "Direct Route" over the CrossBay Bridge (which is a toll bridge) and straight onto the Belt Parkway which saves 15 minutes instead of taking the street route with no tolls and catching every street signal light which adds 20 minutes to this route. My son has been taking this same route as you know for the past 7 years.

This morning when I requested the bus driver take this route, he replied that the DOE will not allow for him to go over the toll bridge and so he will not take this route yet again. His first response was that he has 25 years experience driving a bus and that he knows best. I have stated on several occasions that I no longer feel my son is safe on this bus with this driver and matron and yesterday my son would not even allow the matron to touch him as he came off the bus and was very upset and would not tell my why he was so upset. This is unlike my son and I want to find out what took place.

In the past I requested the change several times but now I am demanding that another bus driver or company is placed on this route so that my son will be safe and also that the route is direct over toll bridges to allow for shorter bus time. last year we had All American and the driver and matron were outstanding and we NEVER had an issue.

Mr. Etkins, As you know I am a big advocate for my son Connor Rodriguez and will do anything and everything needed to ensure my son's safety. For 7 years my son has been Tiegerman school and the route has been the same and bus drivers took the direct route over toll bridges. Enough is enough and my next step is to hire an attorney if changes are not made.

Thank you

Fred Rodriguez

Marian Tinnelly Rodriguez

Phone:

Email: frodriguez94@yahoo.com

On Wednesday, October 12, 2022 at 03:36:12 PM EDT, Fraenkel Uri <ufraenkel@schools.nyc.gov> wrote:

Thank you Gerald., I am looping in the Director for Long Island, Roy Etkins, to review route N787

Uri Fraenkel

Director of Transportation for schools in:

Manhattan and Field Trips Citywide

Office of Pupil Transportation

New York City Department of Education

UFraenkel@schools.nyc.gov

Visit us online: <https://www.schools.nyc.gov/school-life/transportation/transportation-overview>

Call us: 718-392-8855

From: Conquest Gerald <GConquest@schools.nyc.gov>

Sent: Wednesday, October 12, 2022 2:05 PM

To: Fraenkel Uri <UFraenkel@schools.nyc.gov>

Cc: Michaela Jarvis <mjarvis@tiegerman.org>; Kristin Lyons <klyons@tiegerman.org>; Magbt10@yahoo.com; Gross Stephanie <SGross14@schools.nyc.gov>; Cinicola Chris <CCinicola@schools.nyc.gov>; Chancellor David C. Banks <NYCChancellor@schools.nyc.gov>; Fred Rodriguez <frdriguez94@yahoo.com>; Johnson Mia <MJohnson90@schools.nyc.gov>

Subject: RE: 75029 / PVT - Connor Rodriguez ID# 219650397

Importance: High

+ Mr. Uri Fraenkel

From: Cinicola Chris <CCinicola@schools.nyc.gov>

Sent: Tuesday, October 11, 2022 12:15 PM

To: Chancellor David C. Banks <NYCChancellor@schools.nyc.gov>; Fred Rodriguez <frdriguez94@yahoo.com>

Cc: Michaela Jarvis <mjarvis@tiegerman.org>; Kristin Lyons <klyons@tiegerman.org>; Magbt10@yahoo.com; Gross Stephanie <SGross14@schools.nyc.gov>; Conquest Gerald <GConquest@schools.nyc.gov>

Subject: Re: Connor Rodriguez ID# 219650397

Good Afternoon,

Please be advised you are the primary contact in our system.

Additionally, I have copied Mr. Conquest from OPT as your point of contact to review your concerns/requests.

Thank you.

Christopher Cinicola

Chairperson, Committee on Special Education 4

Districts 24, 27, 30

82-01 Rockaway Blvd, Ozone Park, NY 11416

(O) 718-642-5836 (F) 718-642-5891

28-11 Queens Plaza North, Long Island City, NY 11101

(O) 718-391-8405 (F) 718-391-8093

Email: ccinicola@schools.nyc.gov

From: Fred Rodriguez <frrodriguez94@yahoo.com>

Sent: Tuesday, October 11, 2022 11:01 AM

To: Cinicola Chris <CCinicola@schools.nyc.gov>; Kormendi Judy <JKormen@schools.nyc.gov>; Chancellor David C. Banks <NYCChancellor@schools.nyc.gov>

Cc: Michaela Jarvis <mjarvis@tiegerman.org>; Kristin Lyons <klyons@tiegerman.org>; Magbt10@yahoo.com <Magbt10@yahoo.com>

Subject: Connor Rodriguez ID# 219650397

Good Morning Mr. Cinicola,

My son Connor's GPS notified me that he arrived to school at 8:17am today. This is most likely due to the route that this bus driver is taking which is the side streets having to wait for many lights instead of taking the direct route on the highway which I have requested of him. The past 7 years all the bus drivers have taken the direct route on the highway and arrived on time, but this driver refuses.

He was picked up today at 6:48am and I was not advised of the new pickup time by the bus company. The new pick up time is his usual time for the past 7 years so that is a great change, but the driver refuses to take the direct route to school and returning home from school.

I have call OPT this morning to report the issue only to find out that they would not discuss my son's route issue with me because I am not listed in the system as his contact.

Yet again I am requesting that my wife's name be removed as the primary and replaced with my contact information in all systems so that OPT can file a report and provide me with the report number etc. My contact information is listed below.

Also I have requested a new bus driver as I do not feel my son is safe with this driver do to the drivers continued defiance of taking the direct route to the school and back home from the school which adds on at least 15 minutes to Connor's bus ride, so please make the request to replace the bus driver, get a new company, and/or consider a private rideshare if needed.

Also can you please report my son's lateness to OPT for today and provide me with the report number for my records.

PRIMARY CONTACT INFORMATION

Fred Rodriguez

frodriguez94@yahoo.com

Thank you

Fred Rodriguez

Marian Tinnelly Rodriguez

November 7, 2022

Re: Nova Polanco

ID: #####

DOB 11/18/2017

To Whom It May Concern:

My name is Judi Polanco and I am the disabled mother of two disabled children residents of the Bronx borough (Pelham Parkway). My 4-year-old daughter Nova Polanco is nonverbal autistic and was accepted to district 75 school PS596X. Unfortunately, her transportation accommodation is still pending review since MAY 2022. In May the transportation accommodation was submitted for review and because someone decided they didn't want to do their jobs this was not reviewed until September 2022, at which point they decided to reject it because the medical note was OLD (REALLY??).

I submitted the new doctor's transportation accommodation in early September and took my child to school as I could with limitations as I waited for the review. I was told this review took 2 weeks it has been 2 months and no one gives me any updates. I was not able to send my daughter to school as I don't have the means to take her everyday and noticed regression. The teacher also noticed the regression when I was able to bring her back to school as my child started self harming. I have been extremely stressed as I have since brought her back to school however, am still waiting on updates. My last update received was from Patricia Klebanov (PKlebanov@schools.nyc.gov) who stated that "The review is still pending with OSH." On October 27th. I replied by asking where or who I needed to contact to get this expedited and have received no response even though all of these people were included in the email : (jsiracuse@schools.nyc.gov ; kmoran2@schools.nyc.gov; English Sacha, Louissaint Ketler, Risbrook Glenn.

I have an advocate by the name of Katherine Hoy, LMS, Director of Advocacy Services with AHRC New York City who has been of great help in also requesting answers to this unacceptable mess, her requests for answers have fallen on to death ears. I have reached out to the Office of Jumani Williams and Ms. Velazquez who are my representatives and the office of Jumani Williams stated

today that they would assist me in this matter. This is so sad that this is happening I worked in corporate America for over a decade in the HR department and honestly I would have fired everyone involved in this process who decided to drop the ball in such serious matter. We are dealing with children the recruiting and employee development process should be top tier. There should be no room or tolerance for this kind of behavior or errors from the individuals who hold these employment opportunities.

Please let me know if there is anything else that I could state about my case that could help deter these situations from happening to any family going forward.

Judi Polanco

Judi.polanco@gmail.com

Re: NYC ID # is ###-###-###

11/21/22

To whom it may concern,

Hi my son Netanel Agadi is a special needs child who attends a special education program at HANC (Hebrew Academy of Nassau County) and has not received any bussing since the start of school in September although bussing is on his IEP and was approved at his IEP meeting last spring. It takes 40 minutes travel time daily each way to and from our home in Far Rockaway to his school in West Hempstead. This is very stressful with a full time working schedule. My son often gets to school late which causes him to miss out on his necessary therapy sessions and class time.

Although I called OPT several times since the start of school nothing has changed. OPT told me Netanel is routed for bussing but there are no available vendors to do route due to lack of available drivers. They told me many times that the issue will be escalated and handled by a supervisor who will contact me but I have not received any calls back from any supervisor.

NYC must find a way to handle the driver shortage and resolve this bussing issue. NYC should add funding and seek appropriate personnel to address this issue in a timely fashion and find interim solutions that will be helpful to parents. The city has a responsibility to make sure our special needs children get transportation to and from school so they can receive the services they desperately need. It has been over 2 months that this issue has been going on and still no solution has been provided. Our children should not be ignored any longer.

Thank you for your help in advance.

Juliet Agadi

Keith R Johnson

##-## 46th street
Astoria, NY 11103
Keith.rjohnson@gmail.com

November 20th, 2022

To whom it may concern,

I am submitting this testimony to discuss the situation with my daughter, Kiera, and her bus service. My child is seven years old and has a diagnosis of autism and adhd. She currently has an IEP, which among other things entitles her to door to door bus service. My child is functionally non verbal, making it unsafe for her to travel on a regular school bus. She has been receiving bus service since the beginning of last year until last Tuesday November 15th.

On Tuesday morning no bus arrived to pick up Kiera. We called the bus company and we're told her stop was canceled by the board of Ed. I contacted the board of Ed and was told they could not give any information about the situation and that the school would tell us the start date of the new bus route. Kiera did not attend school and I filed a complaint with the Board of Ed and 311.

Later that day my wife got in contact with the school and the new bus company Logan. We were informed Kiera would be picked up at 8:05 from now on, and they had no record of Kiera having an IEP. Her school day begins at 8, and her speech therapy begins at 8:20, meaning she would not be getting to school on time, or receiving her IEP services. We opted to get her to school ourselves in the morning, and have her come back on the bus. We contacted the schools transportation coordinator and asked her to verify that the new bus service had the correct information before allowing Kiera to get on the bus. She agreed and called me at work when Kiera got on the bus at 3:15 pm. At 3:56 I received a call from the bus matron stating they were outside of my home. I contacted my mother who was waiting outside and she said she saw no bus. Speaking to the bus driver and the matron they went to the wrong address, despite the schools coordinator ensuring they had the correct one. By the time she was dropped off at the correct address my daughter was frightened and inconsolable. We have no idea where the bus was for 45 minutes, despite it being at best a 20 minute drive. She was the first drop off according to the driver and there were several kids still on the bus. I contacted the bus company to complain and was told it was not their bus, despite my mother taking a picture of the bus. I contacted the Board of Ed again to complain.

I'm not sure what else to do. This was all changed with no notice or explanation. I was fortunately off for the remaining two days last week, able to get my daughter to and from school personally, but I have to return to work. The bus as scheduled will not get my daughter to school on time, and it will be too late to receive her speech therapy. I cannot trust the crew or company as there is no way I can hold them accountable. Complaints to the BOE have gone unanswered, and I feel there is no accountability in this process. I need my child to go to school, but I don't see how I can be sure of her safety outside of the two days I can personally take her. I had a number of complaint references but no explanations or solutions to this situation. Kiera is on remote learning this week due to parent teacher conferences, but next week I will have no way to send her to school Monday through Wednesday. She is already woefully behind her peers due to her disability and the distribution of the pandemic and I'm running out of time and options to get her on track. I am truly at a loss as to what to do.

I have filled the following complaints

On 11/15

311 complaint 00539813

I issued a complaint to the office of student transportation but did not receive a number

On 11/16

311 complaint 00549813

Department of Special Education- 000048

Dept of student transportation- 91226242

Thank you for your time

Keith R Johnson

Add your written testimony here (in your own language of choice) regarding chronic busing issues with OPT.

Send it back to school and we can help submit it for you!

Agregue su testimonio escrito aquí (en su propio idioma) con respecto a los problemas crónicos de transporte escolar con OPT.

¡Envíelo de vuelta a la escuela y le ayudaremos a enviarlo por usted!

在此处添加您的书面证词（以您自己选择的语言）关于 OPT 的长期公务问题。

寄回学校，我们可以帮您提交！

The name of your child/student at Lexington: JAY UREÑO

El nombre de su hijo/a/estudiante en Lexington:

您在列克星敦的孩子/学生的姓名：

Your name: JAY UREÑO

Su nombre

你的名字

HOLA A TODO EL PERSONAL QUE COMPONE
LA ESCUELA DE LEXINGTON ASÍ COMO DIFÍCIL
PARA LOS PADRE Y LOS NIÑO MAS A OTRO
CON EL FRÍO NEESESITAMOS EL BUS
QUE RECOJA LOS NIÑO EN CASA POR
FAVOR

SE COMPLICAN LAS COSAS MAS YO
QUE MI ESPOSA NO ESTO AQUÍ

Manuel Ureño

Manuel U. P. Padre

Add your written testimony here (in your own language of choice) regarding chronic busing issues with OPT.

Send it back to school and we can help submit it for you!

Agregue su testimonio escrito aquí (en su propio idioma) con respecto a los problemas crónicos de transporte escolar con OPT.

¡Envíelo de vuelta a la escuela y le ayudaremos a enviarlo por usted!

在此处添加您的书面证词（以您自己选择的语言）关于 OPT 的长期公务问题。

寄回学校，我们可以帮您提交！

The name of your child/student at Lexington: Dany Ramirez

El nombre de su hijo/a/estudiante en Lexington:

您在列克星敦的孩子/学生的姓名：

Your name: Noe Ramirez

Su nombre

你的名字

Hola. Mi testimonio es, están dando un mal
servicio de transporte escolar hay día que no vienen
a traer a mi hijo para ir en la escuela, a veces el
espera 1, 2, 3 horas esperando en la orilla de la
calle donde vivo y no llegan a traer y hace frío
afuera, nos engañan avisan que llegamos en 5 a 10
minutos y dicen estamos esperando y no hay nadie que
está esperando con el transporte afuera, la otra vez
yo llame a este número 718 392 8855 y me
preguntaron el nombre de mi hijo el mío el de la escuela
mi dirección el # de transporte que recoge a mi hijo para
la escuela y al final dijeron que no saben nada del
servicio y o hable 33 minutos, 52 segundos. me dijeron que
coordinara con la escuela, por teléfono no se podía hacer nada o
estar presente en la oficina de transporte. Si se llega a solucionar
por favor avisar 70 minutos antes de llegar. y que Dios los Bendiga

Add your written testimony here (in your own language of choice) regarding chronic busing issues with OPT.

Send it back to school and we can help submit it for you!

Agregue su testimonio escrito aquí (en su propio idioma) con respecto a los problemas crónicos de transporte escolar con OPT.

¡Envíelo de vuelta a la escuela y le ayudaremos a enviarlo por usted!

在此处添加您的书面证词（以您自己选择的语言）关于 OPT 的长期公务问题。

寄回学校，我们可以帮您提交！

The name of your child/student at Lexington: Hunter Chen

El nombre de su hijo/a/estudiante en Lexington:

您在列克星敦的孩子/学生的姓名：

Your name: Quan Jin Cheng (Mother)

Su nombre

你的名字

My child lives in Brooklyn, which is far from
the school. We choose the bus service as a safer & reliable
alternative to the train. The train has delays often and
the bus would offer safety, being with a trusted bus driver.
I am frustrated and disappointed by the confusion and
disorder of bus service. My son wakes up extra
early every day to get to school on time. We depend on
the bus service for convenience and stability. However
recently it has been nothing but the opposite of that.
There has been consistent delays, not only are they last minute
but they also lack communication when it is really need.
Why should I have to know that the bus is running late
after my son is waiting outside for it, at the designated
time; Why are there constant delays and no service at times
How can I ~~rely~~ be relied on a company who can't even
relied on their own schedule. It's so disappointing!

My daughter Devorah Leah Dubroff is on Route K238. She gets picked up at 7AM and she gets to school at 8:45am. School starts at 9am. She's the second stop, my daughter Devorah Leah is 11 years old. She gets picked up from school at 3:45pm and doesn't come home between 5:20-5:45pm. There's no reason why she needs to be picked up at 7:45am when school doesn't start at 9am. I know the time limit to be on the bus is 90 minutes, she's on the bus longer than that. I appreciate you trying to change things, this is not acceptable the way it is.

Thank you,

Rivka Dubroff

The most important responsibility we have as parents is how we educate our children.

My son Shmuel Sabri is in A special Ed class and does not have bussing to school.

I live in Far Rockaway and have been having to drive my son to school in west Hempstead.

I believe that this is the best educational setting for my son.

It has been extremely difficult to for me to drive him. It takes about 40 minutes each way. It is stressful And I have a 5 month old baby.

Having a special needs child is challenging and not having transportation to school creates added stress and feelings of victimhood.

Bussing is mandated on his IEP. The Office of Transportation has been unable to find a bus company willing to take the route. I have been waiting for 2 months.

New York City needs to find a way to address the driver shortage. The city needs to add funding and find appropriate personnel to address this timely and find interim solutions that are helpful to parents.

The city has a tremendous responsibility to our special needs children and must support parents in their time of need.

Thank you.

Add your written testimony here (in your own language of choice) regarding chronic busing issues with OPT.

Send it back to school and we can help submit it for you!

Agregue su testimonio escrito aquí (en su propio idioma) con respecto a los problemas crónicos de transporte escolar con OPT.

¡Envíelo de vuelta a la escuela y le ayudaremos a enviarlo por usted!

在此处添加您的书面证词（以您自己选择的语言）关于 OPT 的长期公务问题。

寄回学校，我们可以帮您提交！

The name of your child/student at Lexington: Andrea Marleny Ramirez Alay
El nombre de su hijo/a/estudiante en Lexington:
您在列克星敦的孩子/学生的姓名：

Your name: Yomira Lisseth Alay Florian
Su nombre
你的名字

MI testimonio es: Que yo no tengo ningun problema con el transporte escolar de la linea Q140 mejor tengo que felicitar a los conductores y su acompañante por a ser bien su trabajo y por ser personas muy amables. Se ve que tratan muy bien a los niños. Son bien cariñosos todas las veces siempre agarran a los niños de la mano cada vez que los recogen y dejan.
De mi parte mejor tengo que felicitarlos por su buen trabajo. Gracias.

Parent #1

The first several months of the school year, there was no bussing- we were assigned to ROUTE L751, however, due to a bus driver shortage there was no transportation. A few weeks ago we were finally assigned PM bussing which is working smoothly.

We were recently assigned AM bussing however, the first child on the route was picked up at 6:50 AM! We live less than an hour away from school which begins at 9 AM, and there are a total of 4 children on the route that live within 10-15 minutes of each other. There is no reason that the route needs to start so early, since once the bus gets to school, the children would need to sit in front of the school for at least half an hour until the school opens. My child and another child on the route need to take medication at home at 7:40 AM and cannot leave the house before that time. I have called the bus company numerous times to request that the route start later and keep being reassured that it will but to no avail, the bus either shows up at 7:15 or doesn't show up at all.

I am having a very difficult time holding down employment, since I am constantly late to work due to driving my child to school.

Additionally, the bus driver still ends up driving an empty bus to the school to sign in with the school. So funding on transportation (gas, driver's and matron's salary) is being wasted on a bus route that doesn't actually have any students on it.

Parents of children with special needs have enough difficulties accommodating all the extra resources that our children need- please help us instead of making it more difficult for us

Parent #2

This school year we have experienced a lot of aggravation and frustration with bus service. My son has not been getting timely and reliable bus service since September 14, 2022. Today is November 18, 2022 and the issue still exist despite the fact that I called OPT numerous times to place a complaint. Every morning I question if my son will be picked up to get to school on time and how will he get back home. I also question every morning if I will be able to get to work on time. The absence of reliable school bus services places a big stress and creates frustration for working parents and students. My son, who has difficulty with self regulation, has a difficult time in the morning not knowing if the bus will arrive and how will he get to school and from school. This matter must be resolved immediately to ensure that students get to school and from school in a timely fashion to promote better learning and emotional well-being of students and parents. Thank you

Parent #3

My son has ADHD and is sitting on the bus for an hour and forty five minutes for just one way because his bus comes so early! So he is traveling for an average of 3 hours every day, at 8 years old, a boy with ADHD. They often wait at his school rather than getting there when it opens. He comes home not only irritable but ravenous because they don't let him eat. I have other children and this issue has made my son's day very difficult and our home life seemingly impossible.

Parent #4

Our son was assigned to Rt# L751; however, the bus never showed up, and after many times calling and not getting through to anyone at the bus company, we were finally told that there was a shortage of bus drivers/ matrons. Unfortunately, they could not give us a timeline on when this will be resolved.

A few weeks ago, when the bus showed up without prior notice, it was at seven in the morning, which is too early as the school only starts at 9 am. Even with picking up more children on the route, they would get to school at 8:30 am and then would have to wait on the bus for another 30 minutes until school starts. My child cannot sit on the bus for 2 hours. The long bus ride would cause him to have anxiety and get frustrated.

Driving our son to school takes an additional hour + out of the morning commute to work, and due to it, I end up arriving late at work, which makes it very hard to hold down a job.

Parent #5

I am writing in today to voice my opinion on the current bussing situation and the hurdles that I had to go thru this year alone.

The year was supposed to start off without a hitch but I come to realize that is not the case. To start the

bus company called to confirm pickup time as 9:30am yes 9:30 when school starts at 9am. When I mentioned it to them, they said call dispatch and that is what I did and they pushed in onto OPT. and that was the start of my 4-week struggle. One point to mention that my son was put on a bus coming from far Rockaway when my son lives in Brooklyn. So, Day in and day I'm calling OPT only to say "my case is shut and a new one needs to be entered". or to say "we advised the bus company to fix it". Or the best one "we are monitoring the route". Finally, after all this frustration and giving up I am told by

the school that my son has been put onto another bus and pickup time is 8:15am. And thank God it has been working for now

Thank you for taking the time to listen to me. And I look forward to hearing new suggestion from all of you

Parent #6

I, Yael Werth, duly affirm the following:

1. My name is Yael Werth, and I am the mother and natural guardian of Daniel Werth (DOB: 3/12/2012; NYCID:).
2. On September 12, 2022, Daniel's school (Ha'Or Beacon School/Yeshiva Ohr Dovid) received an email from Samantha Gonzales, the Transportation Support Liaison for Brooklyn and Staten Island from the Office of Pupil Transportation ("OPT"). Ms. Gonzales informed the school that at that time, Daniel's route was experiencing driver scheduling issues. She further stated that OPT was offering Rideshare options, up to four rides per day, to families experiencing this issue such as myself. She further informed us that an adult over the age of 18 (a "matron") must accompany my son. I filled out the required information and was informed that I would receive an Uber code to use for my son's travel to and from school.
3. On September 14, 2022, I reached out to Ms. Gonzales and asked her several questions regarding the rideshare option, including requesting more information about the school-provided Uber code, whether we could provide more than one adult to act as a matron on the rides, whether the four rides per day would cover my trip back from dropping him off, and the amount of travel that would be paid for. Ms. Gonzales did not respond until September 21, 2022, and at that time only asked me to provide the OPT school code and inquiring as to whether I was a parent or a school. I emailed Ms. Gonzales back that same day. I provided her with the school's OPT code and Daniel's NYCID, informed her that I was a parent, and requested that she send me the Uber code so that Daniel would have reliable transportation to and from school.
4. By September 22, 2022, I had still not yet received an Uber code, and the scheduled bus route was very inconsistent. At times, the bus would fail to show up with no prior notice, and I had to take Daniel to school myself which often interfered with my work schedule. As the bus was servicing students in Staten Island, it was often late picking Daniel up. On September 22, 2022, I again reached out to Ms. Gonzales and informed her that the bus

again did not pick up my son for school and requested the Uber code, as we had experienced these issues for weeks with no improvement. I further requested that Daniel be placed on another bus route in Brooklyn that had a driver. Additionally, I reached out to Daniel's school and requested that they assist me in having Daniel's route be changed to one in Brooklyn that had an available bus driver. As such, the administration at Daniel's school reached out to Ms. Gonzales and Mr. Eric Orkin from OPT, requesting that the route be changed so that Daniel could have stable transportation. Mr. Orkin responded that it was not possible due to a major lack of routes this year.

5. Due to these issues persisting and remaining unaddressed, I called OPT on September 22, 2022, and filed a complaint. In the afternoon on September 22, 2022, I received an email

from someone named Lokesh from Uber who informed me that I need an invite link to join the NYC DOE Uber account. She informed me that after reviewing the business account, I had not been invited by the organization yet. She further stated that once I was invited, I would receive an email invitation that I could accept and begin using the Uber code. I forwarded this email to Ms. Gonzales that day and told her again that I was waiting to be invited to begin using the Uber services for Daniel, at least until the busing transportation issues were resolved. I further requested that she send me this invitation as soon as possible, as it had been weeks without appropriate transportation and no appropriate resolution.

6. On September 23, 2022, I received an Uber invite link to join the DOE Uber account. However, when I went to use the code, an error message appeared. As such, I emailed Ms. Gonzales about this issue and sent her a picture of the error message. I did not receive a response and continued trying to use the Uber account to no avail. On September 28, 2022, I emailed Ms. Gonzales again and informed her that the Uber link was still not working and requested that she advise me as to the next steps. As I did not receive a response, I reached out to Daniel's school to assist me, as I used Lyft services in the meantime and paid out of pocket for such expenses. Daniel's school again reached out to Ms. Gonzales regarding this issue. Ms. Gonzales responded to the school and asked if I was logged into Uber with the same information that OPT had on file, with a picture of that information. As the information on file had my marital name of "Yael Werth," I changed my account information to reflect that rather than my maiden name "Yael Neumann." The original error message did not show up, and I thought the problem was fixed. However, when I went to use the Uber link for Daniel on September 29, 2022, another error message appeared.

7. On September 29, 2022, I again emailed Ms. Gonzales to inform her that an error message was appearing again when I attempted to use the Uber link. I also sent her another picture of such error message and requested her to please advise me on this matter so that it could be corrected as soon as possible.

8. The Uber link began working around early October and I used the provided rides to bring Daniel to and from school and ensured either I or another matron was always present. However, in early November 2022, I became aware that I no longer had access to the DOE Uber code. At that time, I had not been informed that there was an available bus for Daniel and as such, called All American Busing Company to verify that they had busing available for Daniel. At first, I was told that they did, but that there was no matron available and would likely be more than an hour late. Then, I was placed on hold for a substantial amount of time before being informed that there was in fact no bus available at all. As such, on November 2, 2022, I emailed Ms. Gonzales and told her this information, and further expressed my frustrations that the unpredictable and unreliable busing situation for my young son was negatively impacting him and his school performance. I further requested that the DOE-provided Uber account be reinstated and that I not be taken off without advance notice of a stable and long-term transportation arrangement for Daniel.

9. Ms. Gonzales responded to my email that same day on November 2, 2022 and asked me to have the school reach out to her with the school code and bus route number to see who communicated that a driver was available. I informed the school that same day and they provided her with that information. I also requested again that the DOE-provided Uber account be reinstated so that I could continue to use it for Daniel.

10. On November 4, 2022, the bus came in both the morning and afternoon pick up and drop Daniel off. Other than that, the bus was inconsistent. On November 7, 2022, I reached out to Ms. Gonzales and informed her that the bus failed to ever show up that morning to pick Daniel up with no prior notice. I again requested that the Uber account be reinstated until there was a long term and stable busing situation for Daniel. That same day, Ms. Gonzales emailed me that my account was still activated. However, I figured out that I had to find the original invite and accept it again in order to activate it. I did so and the account was reactivated. I was not informed of this procedure despite multiple outreach attempts. While the account was activated, I used the available rides for Daniel's transportation.

11. On November 14, 2022, I again lost access to the DOE Uber account. As such, I emailed

Ms. Gonzales and requested that she assist me in activating the account again. Daniel's school also reached out regarding the issue that same day. On November 15, 2022, I emailed Ms. Gonzales again and informed her that the inconsistent busing situation had been persisting for both the morning and evening bus and that I still no longer had access to the DOE Uber account. I also expressed my concerns and frustrations that Daniel was experiencing so much inconsistency and uncertainty in his daily schedule, impacting both his behavior and academic performance. I again requested that she reinstate the DOE Uber account and to please notify me prior to deactivating it, as well as to provide a long term and consistent busing situation prior to any removal.

12. On November 16, 2022, I emailed Ms. Gonzales again and requested that the DOE Uber account be reinstated. I received a response that day from Ms. Gonzales that she had not removed my Uber account and to communicate with the school. I responded again that day that I did not have access, even after trying to reactivate the account multiple times. I attached an image of the error code that appeared and asked her to please advise as to my next steps.

13. In the afternoon of November 16, 2022, Daniel's school received a message from Ms. Gonzales that was the same as her message in early September, informing the school that there were no available bus routes for the list of students attached to the email, which included my son Daniel. It again offered Rideshare options. Daniel's school informed me that they would submit the necessary information so that we could utilize Rideshares for transportation.

14. Throughout the beginning of the 2022-2023 school year, Daniel has had no stable, secure, and long-term transportation plan. I have cooperated with OPT throughout the year and have consistently stated my concerns to them both over the phone and through email, often not receiving a timely response back. In the interim, when there has been no

available bus or working Uber account, I have paid out of pocket and had to arrive to work late due to the inconsistent nature and failure of OPT to notify me that no bus would show up. This unreliable busing situation is unacceptable and is negatively impacting my young son.

Our school has been using DOE transportation for a while. Overall, the system has been working but there have been several issues that have been making transportation a bumpy and frustrating process.

Firstly, communication is not easy. Our transportation liaison, who is supposed to be our school transportation support, has been very difficult to reach. Many emails have been sent to her that went unanswered and there is also no way to reach her by phone. We've had time-related issues that weren't addressed due to lack of response. For example, a student's session time needed to be changed and we were requesting the change since the beginning of the school year. Most of our emails went unanswered. After weeks and weeks of follow-up emails, we finally got a response that the session time can't be changed. It wasn't until the parent reached out to her CSE team that the session time finally got changed. This was after 2 plus months of the student not having afternoon busing due to his incorrect session end time.

Another big issue is the bus companies that the DOE employs. Many of them are not reliable and do not have good communication within their company. We've had instances where the router sent a bus company an additional student to add to a route. However the message wasn't given to the bus driver and the bus never came to pick up the child. Many times the bus companies don't pick up the phone either. There are times when we are trying to reach the bus company to see where a bus is and they simply ignore our phone calls or hang up right away.

An improvement we would love to see in the OPT system is allowance for temporary address changes. Currently, the system only allows for address changes in real emergency situations, such as a family member's death or a housefire. However, there are many other situations that come up that require a child to be at a different address, for example, if a child's mother has a baby and the child needs to stay at a different address for a few days. It is an added hardship for the parents that they now have to make their own transportation arrangements for their child because OPT won't allow a bus address change. Allowing requests for address changes would greatly help the parents and schools in many ways.

Lisa Berman

Testimony regarding OPT and bussing for a child with special needs:

I am the parent and legal guardian of a child who had been deemed eligible for Special Education bussing for many years. Due to a medical condition documentation was submitted to OPT each time it was requested documenting the need for “limited transportation time”. The OPT has regularly puts my child on a bus route that can not be completed in limited transportation time.

Each time I have to contact OPT and file a complaint, and in the interim I have to choose between taking time off from work to drive my child to and from school or risk putting him on the bus for an extended period until the issue is resolved. This has taken weeks in the past.

The most recent incident was on October 30, 2022. The bus driver informed me that he would be picking my child up 30 minutes earlier than the pickup time as they added another child and drop off school to the route. This complaint was filed with OPT as complaint #91219691. After I contacted the School Transportation Liaison the issue was immediately resolved. As with the other incidents, it should not have happened.

Thank you for your consideration and attention to this issue.

When, after a pandemic-related mental health setback, my preteen son was transferred to a therapeutic day treatment program in a remote part of Queens, it never occurred to me that something so basic like transportation would be an issue. Like the ICT classroom that for many years had been enough for him to function at school, transportation was mandated on my son's IEP. The DOE would never have violated IDEA by removing his ICT classroom—how could they fail to allow him to get to school day after day, doing nothing to rectify the situation? Little did I know that would be the situation for me and so many others.

Somehow, it's become acceptable to tell parents they have not been assigned a route on the first day of school—and that they couldn't even tell them when a route would be assigned. An official from a bus company told me this over the phone, and I never would have believed it before my son became a student in District 75, the Siberia of the school system. My son, like so many other children, missed the first three weeks of school both in July and in September, since routing changed with the start of every new school term. Somehow, it's become commonplace for buses to show up preternaturally early or later than the start time at school. Rather than resolve the issue through a combination of carpool services, home instruction, and increases in bus driver salaries, rather than keeping the lines of communication open with parents, the Office of Pupil Transportation takes "tickets" over the phone and tells parents to contact the busing coordinator at their children's school. The busing coordinator claims his hands are tied by the OPT. The bus company, if they pick up the phone, put parents on hold and let the lines disconnect when they know there is no driver assigned to a route.

District 75 parents are all too familiar with this routine. What more can you expect in a segregated school system? Why kids with mental health issues and learning disabilities need to be bused so far from their districts, why there are not therapeutic day treatment centers in subway-accessible communities, is a separate but related issue that I will not get into here.

Last Friday, just when I was growing complacent after my son's bus had consistently showed up for five weeks in a row, my son was told by his matron that a bus with a new route would be picking him up. As soon as my son reported this to me, my stomach tensed. I knew we would be in the position we're in now. Today is Wednesday and a bus has yet to show up. My son has missed another three days of school. I have endured the usual runaround with the OPT, the phony officiousness and barely concealed indifference to the educational neglect they impose on children. If a parent (usually a mother) is particularly irate and decides to escalate matters, have a meeting with the DOE, write to the superintendent

and/or threaten a lawsuit, perhaps something will be done, but that something will be at the expense of other people's children, whose routes are abruptly switched, who are left in the cold to wait, sometimes for months.

Only parents of D75 kids get it: that the kids who have suffered the most learning loss, who are the most in need of academic and emotional supports, are missing months of school because of DOE's failure to contract reliable companies and hold the appropriate people accountable. That's not acceptable. Everyone needs to be outraged about this egregious form of educational neglect disguised as incompetence and temporary nuisances. There's no hiding how broken our educational system is when we can't even get our kids to school.

Signed,

Parent determined to get her son out of D75 and into a subway-accessible school that can meet his emotional and academic needs.

**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. Brenda Triplett - Children's Aid

Address: 717 West 124th Street, NYC 10027

I represent: Children's Aid

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: 11/21/92

(PLEASE PRINT)

Name: Anna Arkin - Gallagher

Address: _____

I represent: Brooklyn Defender Services

Address: 77 Livingston St 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: Amanda Navine (print)

Address: 4 [] Throgg [] Brooklyn NY 11224

I represent: Nina Navine (student)

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: Fariha (Fa-ree-Ha) Sattar - children's Aid

Address: 117 West 124th Street, NYC 10027

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: 11/21/2022

(PLEASE PRINT)

Name: Ruth Guillaume

Address: Fulton Street

I represent: Myself

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: 11/21/22

(PLEASE PRINT)

Name: Florence Shomer

Address: _____

I represent: _____

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: 11/21/2022

(PLEASE PRINT)

Name: Diana Avshalomov

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: JOHN BENSON

Address: _____

I represent: OPT

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: 11/21/22

(PLEASE PRINT)

Name: Shona Gibson

Address: 52 Chambers Street

I represent: DOE

Address: Advocates for Children NY

**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: 11/21/2022

(PLEASE PRINT)

Name: GRAEEN A. MISBROOK

Address: _____

I represent: OPT - JOE

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: 11/21/22

(PLEASE PRINT)

Name: Kevin Moran

Address: 52 Chambers

I represent: NYC DOE

Address: 52 Chambers

**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: 11/21/22

(PLEASE PRINT)

Name: Janyll Canals, Director

Address: 151 W. 30th St., 5th Fl., NY NY 10011

I represent: Advocates for Children of NY

Address: 151 W. 30th St.

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