

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION

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OCTOBER 16, 2018
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HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: MARK TREYGER

COUNCIL MEMBERS: ALICKA AMPRY-SAMUEL
INEZ D. BARRON
JOSEPH C. BORELLI
JUSTIN L. BRANNAN
ANDREW COHEN
ROBERT E. CORNEGY, JR.
CHAIM M. DEUTSCH
DANIEL DROMM
BARRY S. GRODENCHIK
BEN KALLOS
ANDY L. KING
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STEPHEN T. LEVIN
MARK LEVINE
YDANIS A. RODRIGUEZ
DEBORAH L. ROSE
RAFAEL SALAMANCA, JR.
ERIC A. ULRICH

A P P E A R A N C E S (CONTINUED)

COREY JOHNSON, Speaker

RICHARD CARRANZA, New York City Schools,
Chancellor

JOANNE SEBRIN (SP?), Deputy Council for
New York City Public Advocate Leticia
James

KEVIN MORAN, Senior Advisor for
Transportation

ALEXANDRA ROBINSON, Executive Director of
OPT (Office of Pupil Transportation)

LISA COX, mother of Charlotte

DAVID COX, father of Charlotte

ROBIN LOCKWOOD, Co-President of PS11 PTA

NICHOLE CABLE, mother of Sally

MATTHEW CABLE, father of Sally

JUSTIN WOOD, Director of Organizing at
Research at New York Lawyers for the
Public Interest

PAULA MARTINEZ-BOONE, New York Lawyers
for Public Interest specifically
Disability Justice Program

A P P E A R A N C E S (CONTINUED)

NINA TRUMBO

HEATHER BEERS-DIMETRIATES (SP?), Serves
on School Leadership Team, parent member
J190

RANDY LEVINE, Policy Director at
Advocates for Children of New York

LIANA KEISER (SP?), mother of 6-year-old
autistic twins

JESSIE COLE CUTLER, Partner in Law
Offices of Virginia Skyer and Associates,
LLP

THOMAS RUSSVILLE (SP?)

MEGHAN CERRITO

LORI PODVESHER, Lead Policy work at
Include NYC

CELIA GREEN, President District 75
Presidents Council and President for CCHS
(Citywide Council on High Schools)

SARAH CATAWENATTO (SP?)

MARIA JAIME, mother

NELSON MANN, attorney

A P P E A R A N C E S (CONTINUED)

ELIZABETH VAN HORN

REBECCA GREEN, parent of Special Needs
child

ADRIANNA ESPINOSA, Director New York City
Program at New York League of
Conservation Voters

KUEN ANATIN (SP?)

MAGGIE MOORE, ARISE Coalition

GLORIA GARCINA, parent co-chair of
Citywide Council for Special Education

CHRIS TREIBER, Associate Executive
Director from the Interagency Council for
Children with Developmental Disabilities

GORDON LEE

STEVEN HAMNER, Director for Education and
Permanency Support for SCO Family
Services

MEREDITH SOPHER (SP?), Vice President for
Child Welfare Juvenile Justice and Youth
Services at Sheltering Arms Children and
Family Services

A P P E A R A N C E S (CONTINUED)

LISA GITTLESON (SP?), Associate Executive
Director of the Council of Family and
Childcare Agencies in New York State

MELINDA ANDRA, Assistant Director of the
Education Advocacy Project at the Legal
Aid Society

MELISSA ADAR, Staff Attorney at the Legal
Aid Society

CHELLE SCHMUZIN, attorney Brooklyn
Defender Services

2 SARGEANT AT ARMS: Test, test, test, this
3 is a Committee on Education. Today's date is October
4 16, 2018 and this recording is being recorded by
5 Mondola Day (SP?).

6 CHAIR MARK TREYGER: Good afternoon, I am
7 Council Member Mark Treyger, Chair of the Education
8 Committee. I would like to thank you for coming to
9 today's oversight hearing on the DOE's Office of
10 People Transportation. I would like to thank Speaker
11 Corey Johnson for joining us today and for his strong
12 commitment to our City's student safety and success
13 in school. I want to say before I turn it over to
14 the speaker that both the Speaker and his office have
15 been so instrumental and so supportive and very much
16 involved in making sure uhm that this hearing uhm
17 happens. That we follow up on some of the disturbing
18 cases that we have read about and some cases that
19 have come to our office. So I want to recognize in
20 turn and floor over to our Speaker and thank him for
21 his leadership, Speaker Corey Johnson.

22 SPEAKER COREY JOHNSON: Thank you, good
23 afternoon everyone. I'm Council Member Corey
24 Johnson, speaker of the New York City Council. I
25 want to thank my friend, Council Member Mark Treyger,

2 Chair of the Education Committee for holding this
3 important hearing in which the Council will examine
4 the Department of Education's Office of Pupil
5 Transportation and in particular School Bus Services
6 and I want to thank you Chancellor Carranza for being
7 here today. I really appreciate you taking time to
8 be here. We will also be considering a Student
9 Transportation Oversight or STOP package of Bills
10 aimed at increasing oversight and efficiency in bus
11 services. Each school year in September like
12 clockwork we hear school bus horror stories including
13 interminable delays and repeated no shows and this
14 year was the worst yet. Every September kids miss
15 time in the classroom, buses roam the streets
16 clogging up traffic and parents and caretakers wait
17 for hours with no information about a buses location
18 for their child's safety. This results in a ripple
19 effect of up-ended schedules across the City yet the
20 Department of Education has not done anything to
21 address this ongoing trend and prevent it from
22 happening. Every year starts with a higher rate of
23 delays caused by major traffic because the Department
24 of Education has not equipped bus companies or
25 drivers with information early enough for driver's to

2 familiarize themselves with their route and map out
3 their timing. It is unconscionable to me that year
4 after year the Department of Education's insufficient
5 planning is exacerbating the stress felt by families
6 starting a new school year. This has been the status
7 quo for too long. It is unacceptable and it must
8 change. The reports that we as elected officials
9 hear from parents and students each September give us
10 insight into the ongoing mismanagement at the
11 Department of Education's Office of People
12 Transportation but we really don't have yet a
13 complete picture of DOE's yellow school bus services
14 because currently the only data that we have about
15 bus delays and no shows is self-reporting by drivers
16 who are the sub... who could be the subject to fines
17 and penalties for these things pursuant to the
18 company's contracts with the Department of Education.
19 Still the data that we do have shows that in
20 September of 2018, last month, there was the highest
21 recorded number of delays per year, per day with 623
22 delays per day on average, 623 days, delays per day
23 on average. The STOP Package of Legislation which
24 Chair Treyger will discuss in more detail is intended
25 to improve the quality of the data we receive and

2 will help us identify ways in which the process of
3 getting our kids can be improved. The issues that we
4 have heard about don't stop with delays. Last school
5 year there was a 4-year-old girl in my District who
6 was released from the school bus at the wrong stop 4
7 years old, at the wrong stop without an authorized
8 adult, not once but several times, a 4 year old. We
9 have heard ongoing reports of drivers who have been
10 fired or suspended by OPT for serious incidents but
11 the penalties have been reduced or overturned by DOE
12 Senior Staff. We have heard reports of bus drivers
13 and attendants being approved for hire without the
14 proper signoff from investigators to ensure
15 appropriate background checks have been cleared.
16 Meanwhile the very DOE personnel who are actively
17 compromising student's safety with these procedures
18 are using tax payer funded vehicles to drive to and
19 from work every day. This from the Mayoral agency
20 charged with the well-being of our City students.
21 The negligence and lack of responsibility being
22 demonstrated is seriously problematic. I am glad the
23 Chancellor, new Chancellor Carranza has taken action,
24 grateful that you have taken action in your first few
25 months on the job by removing staff and restructuring

2 the office and I want to talk about that today with
3 you and hear about what your plans are. We need to
4 see much more from the DOE to be sure that these
5 issues are fully addressed and do not happen again in
6 the future. That's why I'm proud to co-sponsor
7 introduction 926 which will make very clear to
8 parents and students the procedures, the Department
9 of Education officials must follow when a complaint
10 is made about a bus driver and also require the
11 Department of Education to inform families on how to
12 file a complaint. It is essential that we continue
13 to hold the Department of Education responsible for
14 their duties to our children. I want to thank all of
15 my colleagues who are working to bring a new spirit
16 to student transportation. This is long overdue and
17 predates your time as Chancellor and I want to thank
18 the Department of Education and you, Chancellor
19 Carranza and everyone who is here to testify today.
20 Again I want thank the Education Committee for
21 holding this hearing and I will turn it back to our
22 great Education Chair, Chair Treyger.

23 CHAIR MARK TREYGER: Thank you Speaker
24 Johnson. Uhm I would like to just recognize the
25 Members of the Education Committee who are here so

2 far, Council Members Grodenchik, Council Member

3 Dromm, Council Member Cohen, Council Member Deutsch,

4 Council Member Kallos and Council Member Brannan.

5 The Department of Educations, Office of People

6 Transportation is responsible for the bussing

7 services of over 150,000 New York City Students.

8 While OPT has a history of problems in mismanagement,

9 recent reports show an increase in OPTs failure to

10 provide students with safe, secure, and reliable

11 school bussing services. In September, New York City

12 School Bus Helpline received nearly 130,000

13 complaints representing an increase, about 20,000

14 calls from the same period last year. Many of these

15 complaints involve no show school busses, significant

16 school bus delay and school bus drivers getting lost

17 on routes. The fact that DOE controls the purse,

18 controls the purse by over \$1 billion in school bus

19 contracts and prepares these contracts yet they have

20 failed to address these issues for years is

21 unacceptable. This past January, I met with the

22 parents of a kindergartner named Charlotte who

23 attends school in the Speaker's District. At the

24 beginning of, of, last school year Charlotte as the

25 Speaker noted at just 4 years old was released off of

2 her school bus at the wrong stop three times. The
3 last time she was released, a stranger picked her up
4 and took her to a nearby hospital. After learning
5 about this horrific incident, I examined DOE and OPTs
6 School Bus Protocols and Policies. I was alarmed to
7 learn that school bus drivers were not required or do
8 not have an attendance roster sheet. I was alarmed
9 to learn that DOE and OPTs Guidance allows young
10 students to be released from the bus even if an adult
11 is not present. Let me again state, under current
12 City Policy, a 4-year-old can self-dismiss themselves
13 off the bus. Lastly, I was alarmed to learn that
14 some school bus drivers have been arranging
15 additional bus stops with parents outside of the OPTs
16 oversight leaving parents like Charlotte's confused
17 about where their child could be released. Many
18 people might say that thank goodness nothing happened
19 to Charlotte, well I say that something did happen to
20 Charlotte. At 4 years old she experienced she
21 experienced the trauma of being lost and her parents
22 experienced unimaginable nightmare of not knowing
23 where their child was and Charlotte's story is not an
24 isolated incident. The Daily News shared with us the
25 story of Bertrum (SP?), a student with autism who

2 endured a 4 hour bus ride to school after his bus
3 failed to show up for two days and Lifstra (SP?), a
4 5-year-old student who endured four hours traveling
5 on a bus home and was then dropped off at the wrong
6 stop. Citywide, these incidents happen to thousands
7 of students who are negatively impacted by the
8 negligence of DOE and OPT. We cannot continue to
9 allow these things to happen to our children. Many
10 school bus issues could be resolved by the use of
11 modern day technology such as the usage of GPS
12 tracking but DOE and OPT are not taking advantage of
13 such devices effectively here. Families need more
14 communication and engagement than a shoddy website.
15 In the 21st Century I can text a number to find out
16 where my MTA bus is but parents cannot do the same to
17 locate their child's school bus, we have to do
18 better. I would like to also acknowledge that I am a
19 huge proponent of having a matron on every school
20 bus. Current policy for General Education Busses
21 allows up to 55 students in grades Kindergarten to 6
22 to be on a bus with just one driver who must focus on
23 driving safely, think about that. Up to 55 students
24 could be on a bus with just one driver whose main
25 focus should be on, on the road. This is very

2 concerning. I am proud to sponsor Legislation that
3 is part of the Student Transportation Oversight
4 Package we are hearing today. My Bill will make
5 public the full scope of the services OPT is charged
6 with providing including the number, total number of
7 students riding yellow school busses and receiving
8 Metro cards as well as the number of busses, bus
9 manager employees, bus routes, and transportation
10 sites OPT is managing. Understanding how these
11 numbers grow or change over time will help us better
12 assess the services OPT manages. My Bill will also
13 require DOE to report on the number of bus delays and
14 no shows disaggregated by the cause in the
15 contracting company. We already heard about the
16 Speaker's Bill Introduction 926, that Bill goes hand
17 in hand with Introduction 929 sponsored by Council
18 Member Borelli which will require DOE to report the
19 number of complaints and investigations into bus
20 drivers initiated each quarter, how often allegations
21 are substantiated, what discipline is imposed and how
22 long this process takes. Introduction 1099 sponsored
23 by Council Member Kallos will require busses to be
24 equipped with GPS tracking devices allowing parents,
25 students and DOE to actually know where busses are

2 and when. Proposed Introduction 89A sponsored by
3 Council Member King will require DOE to report on the
4 average transportation times for students using DOE
5 school bus services as well as required DOE to make
6 public the actual pick up and drop off times of each
7 stop so that we can verify delays in travel times and
8 not have to rely on self-reports from drivers.

9 Introduction 451 sponsored by Council Member Dromm
10 will require DOE to provide a School Bus Bill of
11 Rights to students and parents and another Bill
12 sponsored by Council Member Kallos will require DOE
13 to share how bus routes are determined and also
14 require DOE to make bus routes public for parents and
15 bus companies at least 30 days before the start of
16 school so there is time to address the cluster of
17 issues we see each September before school starts.

18 Finally, Resolution 540 sponsored by Public Advocate
19 James calls on DOE to provide more extensive training
20 for bus drivers who transport students with
21 disabilities. Many of the students using DOE's bus
22 services are students with disabilities and this is
23 the standard of care that they have been receiving,
24 one in which hiring decisions are rushed through,
25 routes are poorly planned and the same issues come up

2 time and again. The Committee is looking forward to
3 learning more about DOE's future plans for improvement
4 at today's hearing. I would like to remind everyone
5 who wishes to testify today that you must fill out a
6 witness slip which is located on the desk of the
7 Sergeant at Arms near the front of the room. If you
8 wish to testify on the Bills, please indicate on the
9 Witness Slip whether you are here testifying in favor
10 or in opposition. I also will point out that we will
11 not be voting on any of the Bill today and allow as
12 many people as possible to testify, testimony will be
13 limited to three minutes per person. I would like to
14 thank the Education Committee Staff, Beth Golub,
15 Kalema Johnson (SP?), Jan Atwell, Katelyn O'Hagan and
16 Elizabeth Hoffman. I would like to also thank my
17 staff, Anna Scaife, Vanessa Ogle and Eric Faynberg.
18 I will now return it over uhm to my colleagues who
19 have sponsored their Legislation for very brief
20 remarks. I would like to begin with Council Member
21 Danny Dromm.

22 DANIEL DROMM: Thank you very much Chair
23 Treyger for this hearing to oversee the DOE's Office
24 of Pupil Transportation and to consider an important
25 package of related Bills. While this school year

2 certainly got off to a rocky start, concerns about
3 transportation services have existed for years.
4 Getting students quickly and safely to and from
5 school help set the tone for the rest of the school
6 day. There are over arching issues that impact the
7 entire system but there are also a host of concerns
8 that impacts specific groups including students who
9 are very young, living in shelters, have IEPs or are
10 vulnerable to bullying and harassment. Given all of
11 these concerns, parent activists last year approached
12 me about introducing a School Bus Bill of Rights.
13 All parties involved would benefit from better
14 information sharing and expectation settings. Intro
15 451 will require the DOE to develop and distribute
16 materials that delineate the rights and
17 responsibilities of students using school bus
18 service. Such information should include how to
19 obtain accommodations, how to add bussing when
20 changing schools or houses, especially for those in
21 the shelter system, how to complain to a Borough
22 Director and how to seek a variance. Of course, the
23 course of a thorough Bill of Rights will need to be
24 accompanied by better responsiveness on the part of
25 OPT to the concerns of students and parents. Several

2 of the companion Bills being heard today, aim to do
3 precisely that. I look forward the hearing and I
4 look forward to hearing from OPT and the Advocates
5 about ways we can move forward to improve student
6 transportation. Thank you.

7 CHAIR MARK TREYGER: Thank you Council
8 Member. Next we will hear from Council Member Ben
9 Kallos.

10 BEN KALLOS: Thank you to Speaker Corey
11 Johnson for prioritizing this and our Education Chair
12 Treyger. I am Council Member Ben Kallos. I want to
13 thank all of the parents, advocates and members of
14 the media who are here and watching online. You can
15 tweet me at BenKallos with questions for agency
16 officials during today's hearing. Uhm I want to uhm
17 call attention to Introduction 1099. This would
18 require GPS trackers on all New York City School
19 Busses and create software so that parents can track
20 the location of their childrens' bus on their phone.
21 Uhm this would be done through the Office of Pupil
22 Transportation. I understand other cities in this
23 nation have done so, particularly one, Houston,
24 Texas. So I am hoping that if anyone in this room
25 might be from Houston, Texas uhm they might be able

2 to tell us how we can bring some of the great
3 programs, they may have had something to do with
4 there here. I would also like to thank uhm a Co-
5 Sponsor Council Member Chaim Deutsch who started
6 working on this back in 2000 with then Council Member
7 Mike Nelson. Uhm this was originally drafted by then
8 Education Committee Council Laura Popa and has been
9 updated for today with the help of current Committee
10 Council Beth Golub uh with feedback from our bothers
11 and sisters at ATU and Teamsters who are supportive
12 and with the legal support and advice of the Law
13 Offices of Regina Skyer represented here by Jessie
14 Cohen Cutler one of their parents. Once parents are
15 able to track their childrens' busses we will no
16 longer hear the annual first week of school stories
17 from parents whose kids got lost on a bus and were
18 missing for several hours and this Legislation will
19 go a long way to improve safety and quality of life
20 for children and parents around our city. The second
21 Bill which is considered Introduction Number T8T2018-
22 3003 uhm will force the Office of Pupil
23 Transportation share bus routes with parents with 30
24 days before the school year begins. It will make
25 sure that parents have an opportunity to provide

2 feedback so we can change it far before the students
3 end up on the busses and then we are also hoping for
4 planning and information around trial runs so that
5 the bus drivers can become familiarized and flag
6 trouble routes and additionally requiring DOE to set
7 time limits for bus routes and finally something that
8 I think is incredibly important, having DOE thing
9 thoughtfully about how yellow busses can be used to
10 increase diversity in our schools and expand access
11 to academic opportunity. Thank you.

12 CHAIR MARK TREYGER: Thank you brief
13 remarks, Council Member Deutsch.

14 CHAIM DEUTSCH: Thank you Chair, uhm as a
15 parent I know that terrifying feeling of losing sight
16 of one of my children in a public space even for a
17 moment. Every parent has felt this at one time or
18 another, usually for a few seconds until the child
19 reappears. I could only imagine the terror that I
20 parent must feel when they trust their precious child
21 to the City to transport to and from school only to
22 be left waiting for hours with no idea how to track
23 down the school bus; 5-year-old Listra Lou's (SP?)
24 mom had that experience on Thursday September 15 when
25 her daughter sat on the school bus for 4-1/2 hours

2 being driven, being driven all around Queens before
3 being dropped at the wrong bus stop only blocks away
4 from her home. It wasn't just this one case, last
5 month more than 82,000 calls were logged to the City
6 Schools Bus Hotline as confused and frantic parents
7 attempted to track down their children and school
8 busses. Parents deserve the peace of mind of knowing
9 where their children area. Intro 1099 will require
10 that all school busses used to transport New York
11 City Students be equipped with a two-way radio or
12 cell phone allowing communication with the operator
13 as the school bus as well as a tracking device that
14 allows individuals to track the location of the
15 school bus. I thank my colleague Council Member Ben
16 Kallos for taking the wheel on this as well as
17 Education Chair Mark Treyger and back in 2010 I
18 worked for my predecessor and then my boss, former
19 Council Member Mike Nelson on a Bill, a similar Bill
20 which is being, this was reintroduced without some
21 adjustments back in 2010 and uhm and I believe this
22 is an extremely, extremely important issue and I
23 expect this commonsense Bill to receive widespread
24 support from colleagues and from this Administration.

2 You can't put a price on the safety of our school
3 children, thank you.

4 CHAIR MARK TREYGER: And finally from the
5 office of Public Advocate Leticia James, Joanne
6 Sebrin (SP?).

7 JOANNE SEBRIN (SP?): Good afternoon, my
8 name is Joanne Sebrin (SP?) and I am the Deputy
9 Council for the New York City Public Advocate Leticia
10 James. I would like to thank Chair Treyger, the rest
11 of the Committee on Education and the Committee Staff
12 for holding today's hearing on the City Department of
13 Education's Office of Pupil Transportation and the
14 several Bills that aim to strengthen oversight of the
15 OPT including a resolution sponsored by Public
16 Advocate James including a resolution sponsored by
17 Public Advocate James that calls for the New York
18 State Department of Education to require, implement
19 and enforce more extensive training and tracking of
20 school bus drivers and attendants to transport
21 students with disabilities. The strong interest in
22 today's hearing is a testament to the fact that
23 parents are concerned about the state of school bus
24 transit in New York City and want improved
25 accountability, transparency, training and service.

2 Each day in our City yellow school buses transport
3 approximately 150,000 student, many of whom have
4 disabilities to and from their public schools.
5 Parents and caretakers entrust school bus companies
6 and their employees with their most precious cargo
7 with the expectation that their children will be
8 picked up on time and arrive safely at school or home
9 and that they will driven and supervised by
10 qualified, experienced bus drivers and attendants.
11 On any given day, bus drivers and attendants confront
12 myriad challenges associated with supervising and
13 transporting the City's diverse student population
14 including addressing behavioral problems, bullying
15 and helping our youngest students to feel safe and
16 supported. It is reasonable for parents to want bus
17 drivers and attendants to be trained in dealing with
18 these challenges. Similarly it is also reasonable
19 for all of us to expect transparency with respect to
20 driver training and to hold the companies with school
21 bus contracts to a higher standard. As everyone in
22 this room is aware, the first week of the school year
23 was nothing short of a disaster for the City's yellow
24 busses. There were literally thousands of complaints
25 about drivers failing to pick up kids. One child was

2 left on a bus for over five hours and on top of that
3 allegations surfaced that some 100 drivers were
4 improperly approved, using a fraudulently obtained
5 signature. This is all unacceptable. Unfortunately
6 this is not new. For some time, our office has been
7 concerned about the quality of school bus services,
8 particularly related to students with disabilities.
9 Since 2014, Public Advocate James has worked with
10 families of children with disabilities who attend
11 District 75 schools to ensure that they receive the
12 transportation services that meet their children's
13 needs. We are particularly concerned about these
14 students because their needs are so specific and the
15 failure to address those needs can have serious
16 health and mental health consequences. For example,
17 many such students are nonverbal and cannot
18 communicate their needs or discomfort. Some of the
19 special needs students who ask for the support of our
20 office spend over two and a half hours on a bus each
21 day to get to and from school. For circumstances
22 like this, training, transparency and accountability
23 are essential. One parent of a child with autism who
24 has worked with our office in the past, recently
25 contacted our office to describe yet another bussing

2 problem that their family faced. Bus service for
3 their special needs child was inexplicably withdrawn
4 this year. As strange that this sounds, this was the
5 fourth consecutive year that they discovered that the
6 bus simply would not come to pick up their child.
7 When the parent checked the OPT website, the site did
8 not recognize the child's ID number which seems
9 strange because the child had been receiving bus
10 services for several years. When the parent called
11 the OPT Customer Service Desk they were informed
12 without any explanation that the school removed their
13 child from the computer system. The parent contacted
14 the Bussing Supervisor for their borough but the
15 supervisor failed to respond which has happened in
16 each of the last four years. When this parent shared
17 their issues with our, with other parents at the
18 school and their child, that their child attends,
19 they learned that several other families had
20 experienced a similar problem this year. Hearing
21 stories like this, it is clear that something is not
22 right and though we appreciate the Chancellor's swift
23 action in response to the issues that arose at the
24 beginning of this school year, our office believes
25 based on the issues that we have seen that there must

2 be systemic improvements made to the entire system.
3 For this reason, Public Advocate James introduced
4 Resolution 540 of 2018 calling on the State
5 Department of Education to implement more extensive
6 training of and tracking for school bus drivers and
7 attendants and we strongly support the other Bills
8 that are being heard today. We hope that today's
9 hearing is a sign of renewed attention and
10 opportunities for change in the way we run our school
11 bus system. Thank you for the opportunity to testify
12 before you today and for your attention to this
13 important issue.

14 CHAIR MARK TREYGER: Okay and I want to
15 recognize our first panel. We have been joined and I
16 want to really thank him publicly because originally
17 this was not a hearing that the Chancellor was going
18 to originally attend but decided to attend and I do
19 want to thank him publicly. I do think it sends a
20 very strong important message that the highest levels
21 of the DOE is taking this issue serious so I do want
22 to recognize and welcome uhm Chancellor Carranza. I
23 know we have also been joined by Kevin Moran, Senior
24 Advisor for Transportation and I also see here we
25 have been joined by Alexandra Robinson, Executive

2 Director of OPT (Office of Pupil Transportation) and
3 just before I turn it over, we have also been joined
4 by Council Members Borelli, Ampry-Samuel and Ulrich.
5 Uhm and now I will ask the Committee Counsel to
6 administer the oath.

7 COMMITTEE COUNSEL: Please raise your
8 right hand. Do you agree to tell the truth, the
9 whole truth and nothing but the truth and to respond
10 honestly to Council Member questions in your
11 testimony today.

12 RICHARD CARRANZA: I do.

13 COMMITTEE COUNSEL: You may begin.

14 RICHARD CARRANZA: So good afternoon
15 Speaker Johnson, Chair Treyger and all of the members
16 of the City Council Committee on Education that are
17 here today. My name is Richard Carranza and I am the
18 New York City School's Chancellor. I appreciate the
19 opportunity to be here today to discuss this
20 important topic and I do want to emphasize that my
21 presence here today is indication of the seriousness
22 with which this organization takes the transportation
23 issues that have been raised either today or since
24 the start of the school year. Our fundamental
25 responsibility is to serve the 1.1 million New York

2 City Public School children and their families and
3 this includes getting them to and from school safely
4 and reliably. Students deserve consistently high
5 quality bus service and to be picked up and dropped
6 off on time every single day. The bussing issues and
7 delays families experienced during the first weeks of
8 school, most notably in District 30 in Queens were
9 absolutely unacceptable and I apologize as I have in
10 the past to all students and families that were
11 negatively affected. We worked around the clock to
12 fix those issues including adjusting some bus routes
13 and reassigning others, services improving in our
14 customer call service numbers which were unusually
15 high in the first weeks of the school year are now
16 coming much more into line with the previous years.
17 We are also working to implement a number of
18 structural changes to prevent delays, no shows, and
19 other problems going forward. First and foremost I
20 have changed the senior leadership at the Office of
21 Pupil Transportation (OPT). I would like to
22 introduce to you today by way of his testimony Mr.
23 Kevin Moran, the DOE's newly appointed Senior Advisor
24 to me for Transportation who will be overseeing OPT.
25 Kevin oversees all school bussing operations,

2 contracts, strategy and he reports directly to me. I
3 have made it clear to Mr. Moran that we have a sense
4 of urgency around the issue and he shares my sense of
5 urgency as well. Parents depend on us to get their
6 children, their most prized possessions picked up and
7 safely delivered to school every day. Kevin is the
8 right leader to help me fix the problems in our
9 bussing system and to ensure that it is reliable for
10 our students, our families and educators. He has
11 worked in Operations at every level of our school
12 system with a track record of impeccable results. I
13 am meeting with Kevin at least once daily and usually
14 more as we work to improve bus service both in the
15 short term and within an eye toward the long term.
16 While I will let Kevin share more details on the work
17 ahead I wanted to briefly note what other action I
18 have taken. I have ordered an extensive and
19 impartial audit by Ernst and Young into all
20 components of the Office of Pupil Transportation
21 contract process. Ernst and Young is conducting a
22 process review of how bus contracts are selected, how
23 they are maintained and will evaluate our current
24 practices as well. This is a valuable opportunity to
25 receive external third party feedback on the quality

2 of our bussing contacts and the process by which they
3 are being awarded and maintained. Based on this
4 audit, I expect to be able to implement improvements
5 to strengthen our contracting and to ensure excellent
6 service for our families and for our students. Let
7 me be clear, I will not rest until I am confident
8 that our students are getting the high quality, safe
9 and reliable school bus service they deserve every
10 day. We look forward to looking with the City
11 Council to make that a reality in New York City. I
12 am struck by the testimony I have heard already this
13 morning in which it has been referred to every year
14 at the start of the year like clockwork. I
15 introduced a Resolution in 2010. There are a number
16 of years that this has happened. That is
17 unacceptable and though I have only been here for ix
18 months I guarantee you we are going to get to the
19 root cause and we are going to fix this system. It
20 is unacceptable that at the beginning of the year
21 that there is an acceptance and an acquiescence to
22 the fact that bussing will be horrible for a few
23 days. That's just not okay. So again I want to
24 thank you for this opportunity and I will be happy to
25 answer any questions you may have at the conclusion

2 of Mr. Moran's remarks. At this point, I would like
3 to turn it over to Mr. Kevin Moran.

4 CHAIR MARK TREYGER: Chancellor before
5 you turn it over to Mr. Moran I want to say thank
6 you. Because a lot of times we have Commissioners or
7 Senior Level people come here from different roles in
8 Government when there have been mistakes that are
9 clear mistakes and for whatever reason sometimes
10 those individual do not say the easy words of I'm
11 sorry I apologize to all students and families who
12 are affected, this is unacceptable. I think that is
13 the way to start off a conversation that we are going
14 to have today by acknowledging that and then having
15 us talk about what the plans are. There are too many
16 times that I have to ask people that come here, can
17 you please just say that you are sorry and they never
18 do so for you to come here today and to apologize up
19 front I think starts this hearing off at the right
20 tone for us to hear Mr. Moran and the plans for his
21 responsibilities and for us to get in to how to fix
22 these endemic problems which has plagued this office
23 for far too long so thank you Chancellor Carranza and
24 Mr. Moran.

2 KEVIN MORAN: Thank you Chancellor. Good
3 afternoon, good afternoon Speaker Johnson, Chair
4 Treyger and all members of the Education Committee.
5 My name is Kevin Moran and as the Chancellor just
6 stated on September 21 I was named the Senior Advisor
7 to the Chancellor for Transportation overseeing the
8 Department of Education's Office of Pupil
9 Transportation. Thank you for the opportunity to
10 discuss the department's commitment to provide all
11 New York City students with a safe, reliable
12 transportation to and from school and the proposed
13 Legislation before the Committee today. All New York
14 City families should have the expectations and the
15 reassurance that their child's school bus shows up at
16 the correct stop, has a route that is direct and
17 timely, drops their child off at school on time and
18 returns them home on time. I apologize to the
19 families for whom this common sense expectation was
20 not met during, during the first few weeks of school.

21 CHAIR MARK TREYGER: Thank you Mr. Moran.

22 KEVIN MORAN: And as I said I do take
23 this work very personal uhm and approach it with
24 great humility and respect for you in the work that
25 you are doing and in support of what we are doing.

2 Having taught for two years in self-contained special
3 education program, all my students depended on school
4 busses to travel to and from school, so I understand
5 the importance of this work and I am personally
6 invested in its success. Professionally I've had
7 extensive experience in managing school and district
8 operations, most recently as Executive Director of
9 the Staten Island Field Support Center. Prior to
10 that, I had served as the Department of Education's
11 Executive Director for Field Support including an
12 Executive Director role in the Office of School
13 Support. In these roles, I was charged with
14 monitoring, addressing transportation, safety, health
15 facilities and student support services across our
16 1800 schools. I am proud to have helped in managed
17 the Department of Education's response and recovery
18 to Hurricane Sandy. With that, I want to share w you
19 improvements that are underway and areas that we will
20 be looking toward in the near future. These are
21 steps we are taking in order to deliver better and
22 more reliable transportation to our families and
23 students. To understand these changes, I believe it
24 is helpful to describe the transportation landscape
25 in New York City. The Office of Pupil Transportation

2 provides four types of transportation for our
3 students to and from school. General Education
4 Busses are provided to all New York City Students in
5 grades K to 6 between a predetermined stop and
6 school. Eligibility is based on grade level and
7 distance between a child's residence and school.
8 Students must be at the stop when the bus arrives and
9 based upon enrollment schools may have multiple stops
10 and routes to serve their students. Special
11 education is provided to students with disabilities
12 whose individual education program requires
13 transportation. In most cases, this is door to door
14 transportation. Eligibility and service requirements
15 for students with disabilities are prescribed by New
16 York State Law and within the IEP process. Pre K and
17 early intervention bussing is available for children
18 under the age 5 who are enrolled in a special
19 education pre K or early intervention program whose
20 IEP or individualized family plan provides for
21 transportation. Bus vendors work closely with
22 families to place children on specific routes based
23 upon pickup location, school location and the school
24 session time. Student Metro Cards are provided to
25 all eligible students at the beginning of the

2 semester of each school year depending on a student's
3 grade level and distance from school we issue around
4 660,000 Metro Cards to students each semester. OPT
5 also provides special bussing to all eligible
6 students in grades K to 6 residing in DHS shelters.
7 Nearly 5000 students rely on our busses to get to
8 school each day from our shelter programs. Families
9 who feel their students require transportation that
10 do not otherwise qualify for bussing or Metro cards
11 may request an exception. Last year the Department
12 of Education granted 2000 such exceptions. OPT also
13 manages transportation for our summer programs and
14 provides bussing for school trips. The OPT contracts
15 with 65 private bus companies to provide General
16 Education, Special Education and Special Education
17 Pre K and Early Intervention Bussing. Every school
18 year in partnership with these companies, we serve
19 approximately 150,000 students in over 2700 District
20 schools, charter schools and private schools, up to
21 50 miles outside of City, City limits and each day on
22 8500 bus routes utilizing a fleet of 9000 vehicles
23 staffed by 14,000 bus drivers and attendants. In
24 accordance with Chancellors Regulation A801 OPT is
25 responsible for routing all eligible school aged bus

2 riders in public and non-public schools and
3 determining each rider's mode of transportation. Once
4 OPT obtains student enrollment and address data from
5 schools and other sources OPT determines bussing
6 routes based on eligible, transportation mode,
7 special accommodation and IEP requirements. Peak
8 periods for routing occur immediately before the
9 school year in August and in June for summer
10 programs. Many factors are considered when creating
11 bus routes, number of bussed students in an area,
12 traffic patterns, school session times and a
13 student's special educational, behavioral or medical
14 requirements. Throughout the school year, new
15 students are registered, families move and IEPs are
16 changed so the routing for New York City is adjusting
17 on a daily basis based upon new information. Routes
18 are also adjusted based upon traffic and a route's on
19 time performance. It is important to note that for
20 pre K and early intervention students who are bussed,
21 the Pre K contracted vendors work directly with
22 families to develop and determine routes. These
23 routes are then monitored by OPT which recommends
24 changes based upon on time performance or change in
25 student's requirements. In addition, OPT collects

2 and analyzes student enrollment and address
3 information, receives transportation requirements for
4 students with IEPs, requires background checks for
5 bus drivers and attendants, delivers training to bus
6 companies and schools, manages contracts and
7 implement safety requirements. In addition, the
8 organization also manages a call center to provide
9 customer service to family and schools, to the public
10 and its bus companies. OPT employs 280 individuals
11 in various capacities to deliver transportation
12 services to New York City Students. Since September,
13 we have taken a number of steps to immediately
14 addressing pressing concerns and implement long term
15 structural reforms. We want our communities to know
16 that we take their concerns seriously and with
17 urgency. Over the past few weeks, I have met with
18 families, City agencies, elected officials, advocates
19 and with bus vendors to address specific concerns and
20 look forward to learning more from our stakeholders
21 about the challenges they face and potential
22 opportunities for improving opportunities for
23 students. In cases where a parent has escalated a
24 specific concern, I have asked our teams to reach out
25 directly to the parent and work towards a solution.

2 Each day, I receive calls, I review calls made to the
3 Call Center to determine what additional engagement
4 is necessary. I plan to meet with each CDC by the
5 end of the school year. I am pleased to report that
6 as a part of our efforts to establish more regular
7 communication with families we launched the
8 Transportation Twitter Handle yesterday, NYCC school
9 busses. This will serve as an additional
10 communication channel for families about school
11 closures, weather, holidays, and events that impact
12 bus service. We will also provide this information
13 on our website, twitter provides parents with an
14 easier and faster way to be notified about bus
15 service status.

16 MAN: Be careful what you wish for.

17 KEVIN MORAN: OPTs Call Center is how our
18 families and public communicate with us about their
19 experiences, question and concerns. With school
20 transportation and bussing it is absolutely critical
21 that our families are able to speak with someone and
22 receive quality information or resolution to their
23 issues. We are currently engaged in a review of the
24 Call Center which includes looking at resources, call
25 volumes and current practices. We are adding

2 additional Staff to the Call Center and are
3 determining additional resources needed so that we
4 can have expanded capacity by spring 2019. All
5 school bus drivers in New York State have always been
6 required by the New York State Department of Motor
7 Vehicle to pass employment background checks in order
8 to operate busses. This employment background check
9 conducted by New York State DMV includes fingerprint
10 clearance. Starting last month, we added bus drivers
11 to the same fingerprinting and background check
12 processes as all DOE employees, in addition to the
13 DMV required check. The DOE will pay for this
14 additional fingerprinting for approximately 9000
15 drivers at an approximate cost of \$1.2 million. This
16 means that bus drivers and attendants will undergo
17 the same rigorous review that we perform when hiring
18 teachers, paraprofessionals, counselors and school
19 leaders. This check includes a review of both New
20 York State and FBI criminal history, a background
21 questionnaire, background interviews and a review of
22 any previous Department of Education Employment
23 History. The most important point to note, is that
24 bus drivers will now have two separate background
25 investigations and two separate fingerprint reviews.

2 Every single bus driver currently working has already
3 passed a background check under DMV. We are now
4 ensuring that we are able to review them as well.
5 Allegations of bus driver and bus attendant
6 misconduct will now be investigated by the same
7 office and process as all DOE employees. The
8 Department of Education's Office of Special
9 Investigations or OSI. OSI is part of the Department
10 of Education's Legal Division and is staffed by
11 trained investigators and attorneys and investigates
12 allegations of misconduct against DOE employees. In
13 addition, the DOE does ongoing security review which
14 includes real time electronic notification of arrests
15 or incidents. DOE is using an online system
16 accessible to all bus companies to include whether a
17 driver is eligible to be working with students. This
18 system called PETs provides real time up to the
19 minute status of driver eligibility. Should a
20 driver's eligibility change, the bus company will
21 receive immediate notification. This notification
22 will be in addition to the notification sent by OPT
23 which is currently being sent out. These changes
24 mean that all the allegations of misconduct from the
25 current bus personnel received increased scrutiny.

2 This year, we have created the position of routing
3 manager. A position staffed just last week. The
4 routine manager is an in-house logistic and
5 technology expert who will ensure that all routers
6 and OPT have the newest routing and optimization and
7 technology tools that routing is performed
8 efficiently and that bus routes are designed as well
9 as possible. The position will add an additional
10 layer of consistency to all bus routes citywide.
11 Additionally today, prior to mid September OPT was
12 managed by the Office of School Support Services
13 which also managed the office of school food and the
14 public school athletic league. While this
15 arrangement had its strength, it also obscured the
16 direct line of accountability to the Chancellor and
17 created unrelated OPT or unrelated to transportation
18 created goals. As of my appointment, OPT has been
19 decoupled from this organization and moved directly
20 under the Chancellor ensuring that its resources are
21 fully committed to the delivery of transportation
22 services to students and that it is a line of
23 responsibility to the Chancellor is clear. Now I
24 would like to share with you several areas where we
25 plan to work in the months ahead. Success of our

2 transportation services depends on us receiving
3 regular and meaningful feedback from parents,
4 students, schools, vendors and the community. We
5 will seek to create new ways for all stakeholders to
6 share feedback, concerns and recommendations with us.
7 There are existing mechanisms for feedback from
8 school communities. Next school year we will launch
9 a survey for parents specifically addressing school
10 transportation and bussing. Going forward, our
11 planning and management with school transportation
12 will use community feedback as a starting point.
13 Improving and utilizing the feedback we receive will
14 be our goal. Student transportation is important to
15 all of us that's why even though OPT leads the
16 Department of Education's Transportations efforts it
17 requires work across the agency. Over the next few
18 months, I will be looking for ways to create greater
19 collaboration across offices to support the
20 Department of Education's Transportation Portfolio.
21 We will work with our Executive Superintendants,
22 Field Support Centers, Division of Instructional
23 Information and Technology and other central offices
24 to better distribute responsibilities, bring in their
25 expertise and find efficiencies to improve

2 transportation services. We would also like to make
3 it easier for parents to find information about their
4 child's transportation, we will be making changes to
5 the OPT web pages including moving content over to
6 the main DOE website. This will make an important
7 information available, accessible, easier to find and
8 easier to understand. Technology is an area I will
9 be looking at closely. The right tools can help us
10 become more efficient, more accurate, timelier and
11 more responsible in the delivery of transportation
12 services. We have started a full IT security
13 assessment of all OPT software systems and expect
14 this to be completed by January 2019. One specific
15 features I am interested in exploring further is
16 having GPS on all of our buses to help schools and
17 parents track and locate a bus on a particular route
18 in real time. Currently our Special Education Busses
19 about 1/3 of our fleet are equipped with GPS. I will
20 explore what it takes to expand this to all bus
21 routes. This past summer, we launched a pilot with
22 about 20 families that provided them a mobile app
23 with which they could view the child's route,
24 approximate school GPS location and estimated time of
25 arrival. I will look to expand that program by

2 spring 2019. In order to encourage timely and
3 reliable service to beginning with the first day of
4 school, we are producing an internal vendor
5 performance and review metric in time for spring
6 2019. This enables the DOE to better and more
7 consistently track vendor performance and
8 reliability. We will also assess liquidated damages
9 starting the first day of school. We will no longer
10 provide a two week grace period. Thank you for the
11 opportunity to comment on the proposed Legislation.
12 We share the Council's goal to provide additional
13 transparency and accountability to our families and
14 other stakeholders regarding school bussing and we
15 look forward to further discussions with the Council.
16 Intro number 89, a preconsidered Bill sponsored by
17 Council Member Treyger and the preconsidered Bill
18 sponsored by Council Member Kallos requires the DOE
19 to report and provide information on bus service,
20 policies and procedure. Currently information on the
21 DOE bussing policies can be found on our website. In
22 addition, information on bus routes, vehicle
23 information and bus breakdowns and delays can be
24 found in the City's open data, open data portal. We
25 would like to work with the Council to ensure that

2 reporting requirements in the proposed Legislation
3 align with best practices and information that we
4 currently capture in our data systems and achieve the
5 goal of providing useful information to school
6 communities and advocates without creating an
7 administrative burden. Intros 926 and 929 require
8 DOE to report information on School Bus Employee
9 Investigations and Qualifications. We would like to
10 work with the Council to revise the proposed
11 Legislation to compare with our reforms underway in
12 this area. Intro 451 requires DOE to create a
13 Student Bill of Rights. OPT currently provides
14 schools with printed information for parents
15 regarding General Education and Special Education Bus
16 Policies and Procedures. Information regarding route
17 change, school bus safety drills and emergency contact
18 forms and cards are sent directly to families via
19 email. In addition OPT sends letters to families in
20 backpacks of students in shelters. We are happy to
21 work with the Council to ensure this information is
22 easily accessible for families. Intro 1099 requires
23 each school bus to be equipped with two-way radio or
24 cellular phone as well GPS tracking. Our school bus
25 contracts require two, two-way radios on all busses

2 and GPS technology is equipped on 2/3 of the bussing
3 fleet. We look forward to working with the Council
4 to ensure all school busses are equipped with GPS.
5 Many Administrators have grappled to find solutions
6 that provide every family with quality transportation
7 services to which they rightly expect. I thank the
8 Council for holding this hearing today and commit to
9 partnering with you to ensure that the changes at OPT
10 create a transportation system that meets the needs
11 of every student, parent and employee. I appreciate
12 that the proposed Legislation aims to help improve
13 bussing services. While we support the spirit and
14 attention of much of the Legislation we want to work
15 with the City Council to help streamline the
16 Legislation and codify existing and new best
17 practices. Our goal is to work together to improve
18 services and that ensure OPT staff time is focused on
19 reliable bus service for students and families and
20 that we look forward to working with the Council to
21 perfect this Legislation. Thank you again for this
22 opportunity to testify today, we share the Council's
23 commitment to improving school transportation so that
24 students and families can dedicate their energy to
25 learning and not to getting back and forth to school

2 each day. We will continue to work to improve
3 transportation services and look forward to working
4 with the City Council on this important issue. With
5 that, we would be happy to answer any questions that
6 you may have.

7 SPEAKER COREY JOHNSON: Uhm thank you Mr.
8 Moran and thank you Chancellor Carranza. I just want
9 to reiterate not to uhm, uhm beat a broken down
10 school bus but I want to reiterate you apologizing is
11 actually extraordinarily meaningful. It doesn't
12 solve the problem but I think it is extraordinarily
13 important for us to be able to start off the
14 conversation that way, using the words Chancellor
15 Carranza, describing the situation that parents and
16 students have faced is unacceptable as I think a
17 point of agreement to start off this hearing and Mr.
18 Moran hearing about the detailed plans moving forward
19 I think is very helpful for us to conduct this
20 oversight hearing and talk about the proposed
21 Legislation so I want to thank you for that. I want
22 to go uhm the screen that we have here, if you look
23 up, uhm right here Chancellor Carranza and I want to
24 answer some questions to follow along with some data
25 and analytics that the Council's Data Analytics

2 Division put together for this hearing today. I want
3 to thank that Division for their hard work on this.
4 So on this slide, when we recognize that OPTs yellow
5 bus services expand each year to meet the growing
6 needs of New York City students including students in
7 temporary housing and others, the fact remains again
8 that every September we see a growing number of
9 bussing issues as we have all acknowledged so far in
10 the hearing. Why were there so many more uhm bus
11 delays? No shows? And other complaints at the start
12 of the current school year than previous years? What
13 the DOE, what has the DOE done and what would you do
14 to prevent increased bus delays and no shows that we
15 see in September? And so this right here you see
16 basically uhm throughout every school year year to
17 year how it continues to climb around September and
18 then dip down throughout the school year and then
19 climb back up. But what you are seeing at the end of
20 the chart, the last red line, the last red dot is you
21 are seeing September of this year, which is basically
22 the highest level recorded on data that we can find.
23 What is going to be done to prevent this from
24 happening in the future every September? You believe

2 what you addressed in your testimony will prevent
3 this from happening again?

4 KEVIN MORAN: So it is our responsibility
5 to get students to and from the school on time and we
6 share your concern related to the late busses. One
7 of the things that we are looking at is how we apply
8 what is a breach of contract or liquidated damages to
9 bus companies that fail to provide timely service.
10 Historically uhm bus companies were given a two-week
11 grace period, we are looking to amplify where there
12 are violations in late busses, that process, to make
13 sure that we have our bus inspectors out at yards,
14 making sure busses are doing their dry runs and
15 practicing their dry runs. I think in my
16 conversations with parents, especially in District 30
17 where well if you were watching them doing the routes
18 they wouldn't have encountered X problem and created
19 this delay. So I think there is a great amount of
20 accountability there that we share that we must
21 verify that busses are practicing their dry runs
22 before school starts, servicing any issues or
23 concerns that would contribute to delays, and if
24 there are delays to immediately begin applying our
25 liquidated damages to make sure that the bus

2 companies know that the first day of school as is
3 important as the second or third or fourth week of
4 school, that we have to deliver that timely service.

5 SPEAKER COREY JOHNSON: So if we could go
6 to the next slide. So right there you see a pie
7 chart which details uhm different reasons for school
8 bus delays, heavy traffic, mechanical problems, the
9 bus won't start, there is a flat tire, weather
10 conditions, a late return from a school trip, a
11 problem run, an accident or delayed because of school
12 dismissal so those are a variety of the reasons but
13 one of the things and again I am grateful that you
14 said in your testimony here today you said that while
15 I will let Kevin share more details of the work ahead
16 which he did I want to briefly note one other action
17 that have taken, ordering and extensive and impartial
18 audit by Ernst and Young into all components of the
19 OPT contract process. Ernst and Young is conducting
20 a process review of how bus contracts are selected
21 and maintained and will evaluate our current
22 practice. I would ask you that as part of that with
23 Ernst and Young I'm not sure that for both DOE or for
24 the Council or for the public the parents and the
25 school children that are served, I don't know if the

2 best way for us to analyze data is self-reporting
3 from bus drivers who could be penalized for
4 potentially reporting things that would make them
5 look bad and that is sadly the data that we are
6 operating off of today so I would hope that as part
7 of this uhm impartial thorough audit that will be
8 conducted, Ernst and Young will look at that issue
9 and evaluating how we should move forward. But on
10 this slide, the question that I just wanted to raise
11 and I think you just talked about this Mr. Moran.
12 This year, for example, we were told that OPT
13 provided Special Education bus routes to vendors, the
14 vendors we've talked about, the yellow bus vendors on
15 August 23 is when those route were shared with the
16 vendors. And the General, General Education Bus
17 Routes, eight days later on August 31, the Friday
18 before Labor Day for a school year that began on
19 September 5 which meant that drivers and companies
20 didn't have time to familiarize themselves. So can
21 you again talk about why OPT doesn't currently
22 provide this information to vendors earlier so they
23 can adequately prepare drivers for the start of the
24 school year?

2 KEVIN MORAN: That is the, number one
3 prior for us in terms of looking at routing
4 efficiency and looking at getting our data sooner to
5 the vendors so that when we route we have great
6 specificity early on and you know as you reported we
7 are customarily looking at a 10 to 14 day window
8 where that information is provided. Part of my
9 assessment and my role of serving as Senior Advisor
10 is to talk to the Chancellor directly about what are
11 the current systems and structures that are built
12 right now to give us predictable outcomes and how do
13 we change that. From a systems perspective.

14 SPEAKER COREY JOHNSON: How does OPT
15 determine the routes?

16 KEVIN MORAN: So there is a myriad of
17 factor that basically starts with session time,
18 location of student pickup, number of student pickups
19 on the route, duration if it is a General Education
20 route, they are looking at a five mile window if
21 there is an IP mandate for a special education
22 bussing in borough that's, we are looking at an hour
23 and a half, out of borough we are looking at an hour,
24 I mean 105 minutes, so we are looking at many factors
25 when sitting with routers. I think one of the fresh

2 takeaways from my meetings with families in District
3 was Hey Kevin you know we might have the answers for
4 you. You might want to talk to us, I know this
5 block.

6 SPEAKER COREY JOHNSON: Do you
7 collaborate with the Department of Transportation to
8 identify and avoid construction and other traffic
9 concerns?

10 KEVIN MORAN: Yeah, most notably there is
11 a milling and paving schedule that we get often so if
12 we know if they are ripping up a street and they are
13 doing milling that we know that the busses will be
14 rerouted accordingly and if they are paving and such
15 so that's something that we do regularly so we look
16 to work with if it could be DEP on a project or
17 others that we are getting those notifications in
18 real time.

19 SPEAKER COREY JOHNSON: But it is not
20 just milling and paving.

21 KEVIN MORAN: No I agree.

22 SPEAKER COREY JOHNSON: There are other
23 projects that come up as well that affect traffic and
24 I hope that would be considered as well. Do you
25 collaborate with the bus companies on the routes?

2 KEVIN MORAN: Yes. Uhm in incidences
3 where we've seen problematic service, we have
4 actually gone in, I've met with a couple of vendors
5 myself last just last week and our contracts
6 management unit does meet, unit does meet with the
7 vendors somewhat regularly and discussed violations
8 and discusses what we are doing around the liquidated
9 damages and even in one case we asked for a
10 corrective action plan and we take them to the places
11 we need to around accountability.

12 SPEAKER COREY JOHNSON: So if you look at
13 this slide, we are talking about on this slide
14 traffic delays, if you look at September 2015, three
15 years ago, that's the first red dot on the slide, we
16 were averaging 300 delays uhm per day in September
17 throughout the school year it went down, down, down
18 and it ended almost 100, a 100 delays less at the end
19 of the school year in May of 2015. And then again as
20 we talked about, back up in September with problems
21 because of these issues that we are talking about and
22 then it goes down again when I think bus routes are
23 familiarized uhm by the driver's and the companies.
24 It tics back up and then it ends in May of 2017 uhm
25 in 2017 it ends around the same height as September

2 of the year before. So there was a dip and then it
3 goes back up. Same thing, you keep seeing it
4 throughout the slide and then what you see in
5 September of this year, just a month ago. You see
6 basically the highest level ever recorded, a gigantic
7 increase and jump of 150 additional delays per day
8 and this is what we are trying to get at to
9 understand this.

10 RICHARD CARRANZA: So Mr. Speaker, so
11 I'll let Kevin answer some more details but some of
12 this, some of this issue this is its absolutely
13 unacceptable that you are going have any bus delays.
14 I just want to make sure that we, we level set, if
15 the expectation is that there will be zero delays at
16 the start of the school year we are going to grossly
17 let you down.

18 SPEAKER COREY JOHNSON: I don't think
19 that's the expectation.

20 RICHARD CARRANZA: I just want to make
21 sure that's clear for everybody but this number of.

22 SPEAKER COREY JOHNSON: I think there is
23 preventable delays.

24 RICHARD CARRANZA: There are and this is
25 unacceptable. For example, I know that for example

2 in District 30 this year where we had probably the
3 epicenter of the concerns, uhm some of it has to do
4 with for example one bus company that used to serve
5 as District 30 lost their lease and their bus yard
6 now moved into the Bronx and another bus company that
7 was in the Bronx moved into Queens so you literally
8 had an entire company that was learning brand new bus
9 routes just based on the fact that there were, there
10 were switches in where their bus yards were, now
11 that, that's obviously something we should
12 anticipate, we should work with those companies as
13 much in advance as possible and that we can take that
14 into account. I think what is important or us to
15 understand and Kevin has mentioned it as well as
16 members of this committee, systems and structures and
17 as Kevin has started to really look at what are the
18 systems and structures in OPT it doesn't just rest
19 with the OPT department. So for example, when you
20 are scheduling students with disabilities for their
21 bus routes, the timeliness of those IEPs being
22 validated and redone and that information then being
23 communicated from one department to another
24 department has to happen in real time. When you are
25 also talking about, excuse me, students in temporary

2 housing and this summer we partnered with city
3 agencies to actually move families closer to their
4 school sites, you have to have in real time the
5 ability to transmit that information about the change
6 in the route and one of the systems and structures
7 that we have found is woefully lacking has been the
8 technology to communicate that effortlessly. So when
9 Mr. Moran is talking about technology as one of his
10 areas of focus it is because not only the technology
11 to communicate to parents and to the community but
12 the technology just to transmit the information
13 internally within the DOE as well is something that
14 we are really focusing on so this actually drives the
15 point home for us and it's a it's a great example of
16 what our concern is as well.

17 SPEAKER COREY JOHNSON: Chancellor thank
18 you to dove tail on that, I'm sure some of you are
19 Legal Legislative Staff is here present today.
20 Section 19 606 of the New York City Administrative
21 Code requires the Department of Education to prepare
22 two bus service plans annually. One of the regular
23 school season and one for the summer school prior to
24 the first day of session. Those completed plan and
25 any revised plans must be submitted to the Mayor and

2 the Speaker of the City Council. The DOE has not
3 been complying with this requirement and I want to
4 understand why the DOE has not been complying with
5 that requirement and will you agree to submit the
6 required plans moving forward since you have been out
7 of compliance with the Administrative Code of the
8 City of New York.

9 CHANCELLOR RICHARD CARRANZA: That is
10 something that I am looking out. We have discussed
11 that internally but currently I don't have a
12 response, formal response to you but I would like to
13 get back to you at a later day.

14 SPEAKER COREY JOHNSON: But you are going
15 to comply.

16 CHANCELLOR RICHARGE CARRANZA: But the
17 response is we will comply.

18 SPEAKER COREY JOHNSON: Thank you
19 Chancellor. Okay uhm Chancellor Carranza again your
20 swift response in making personnel changes regarding
21 those responsible for OPT operations is a gigantic
22 step forward and I am again very grateful but clearly
23 many more changes will be needed as Mr. Moran
24 discussed. I want again to understand and we don't
25 have to answer it today but I just want to let you

2 know, we want some very granular understanding and
3 transparency related to bus company accountability,
4 to hiring practices, to again tracking the busses on
5 the roads and other areas as part of transportation
6 that affect children's safety and thinking about
7 future bus contracts and changes that will be made to
8 bus contracts to improve those areas. Uhm I want to
9 uhm just uhm in addition to students missing class
10 time in the morning due to bus delays we understand
11 that many students are dismissed early in the
12 afternoon to accommodate bus schedules. How many
13 students annually or on average every day are
14 dismissed early to accommodate bus routes so they are
15 missing classroom time?

16 CHANCELLOR RICHARD CARRANZA: So we have
17 a policy against, that speaks against that, and that
18 we want to have students in class, not to pulled a
19 half hour early or 15 minutes early. I experienced
20 that as a former teacher, that that was the practice
21 in my self-contained setting where my students were
22 ushered downstairs and out the side a half hour
23 early. That is not a practice that we endorse and if
24 there are instances of that I would like to follow up

2 with them individual where they believe that is
3 happening.

4 SPEAKER COREY JOHNSON: So you are saying
5 here today that that is against DOE and OPT Policy
6 and if that is happening and we hear about it from
7 individual schools, Principals, Assistant Principals,
8 co-located schools that we should let you know so
9 that you can let those school administrators know
10 that they cannot and should not be doing that.

11 CHANCELLOR RICHARD CARRANZA: That's
12 right, student instructional time should not be
13 sacrificed for routing efficiency.

14 SPEAKER COREY JOHNSON: So is there going
15 to be, Chancellor, some type of communication sent
16 out to all schools to let them know if they are in
17 fact doing this right now they are going against
18 Department of Education Policy?

19 CHANCELLOR RICHARD CARRANZA: Absolutely.
20 So what we will do is we will communicate through the
21 First Deputy Chancellor's Office to all schools,
22 reiterating the policy and the prohibition against
23 impacting instruction time and make sure that that is
24 very clearly articulated that is not in alignment

2 with the policy and that is not supported by the
3 Administration.

4 SPEAKER COREY JOHNSON: Thank you. Do
5 accountability protocols exist for a bus company's
6 poor performance?

7 CHANCELLOR RICHARD CARRANZA: They do.

8 SPEAKER COREY JOHNSON: And what are
9 they?

10 CHANCELLOR RICHARD CARRANZA: So we have
11 a contract with our bus vendors and any breach of
12 contract is followed by a signed violation. There is
13 a process to where by which a vendor is informed of
14 this, assigned by or assessed violation and
15 liquidated damages are applied based upon category so
16 it could be from uhm a late route, it could be from a
17 failed inspection, it could be from leaving a student
18 unattended. So these are, these are liquidated
19 damages that we seek to, to gain back as a provision
20 of the contract. How often are those fines enforced?

21 CHANCELLOR RICHARD CARRANZA: Daily.

22 SPEAKER COREY JOHNSON: So we, would you
23 provide us that data so we can analyze that?

24

25

2 CHANCELLOR RICHARD CARRANZA: I will, I
3 will, I could, after this hearing provide last year's
4 summary totals and make sure we get that to you.

5 SPEAKER COREY JOHNSON: Thank you and
6 reports and you talked about this earlier Mr. Moran,
7 reports suggested that DOE Senior Staff were
8 inappropriately approving hires despite incomplete or
9 unapproved background checks. You have made changes
10 to your senior staff as has been acknowledged today.
11 Why is it necessary to also move background checks
12 out of OPT to DOEs HR Division because we don't think
13 there was a problem at OPT actually and going through
14 the background check process. We think the problem
15 was DOE Senior Staff were inappropriately approving
16 hires and that's what we think one of the problems
17 were. So if you can explain why that change was
18 made?

19 CHANCELLOR RICHARD CARRANZA: So Mr.
20 Speaker I would very respectfully would disagree. I
21 do think there was a problem with that. I think that
22 as we've kind of opened the hood and taken a look
23 there are a lot of functions that are most insular
24 within OPT that didn't connect to the broader system,
25 so for example, an IT system that was very specific

2 just to OPT, an HR specific to OPT, an uhm a
3 background check, we have experts that background
4 checks, that background tens of thousands of
5 employees every single year yet they are no
6 connection to the background checks happening in OPT.
7 For me, first, from a systems perspective that is not
8 best practice, so the ability to move those
9 background checks into a department who does this for
10 a living every single day and in addition to include
11 now all of our bus drivers as part of the same
12 fingerprinting and background check process that
13 every other employee that works with children in the
14 DOE goes through is not only best practice, I think
15 we are right now head and shoulders above any
16 practice of any school district in the State of New
17 York. So for me, I do not and I have never seen in
18 my experience where it is good practice that you
19 create your own self-standing services within any
20 department or any division. For us, for me as a
21 Chancellor it is going to give me much more
22 transparency into assuring that the processes are
23 being followed, much more transparency and it is
24 going to allow me to hold people accountable to make
25 sure that no one is approving or overturning a

2 decision that has been made not to verify somebody to
3 be able to drive a bus. The accountability level
4 becomes very clear for me as a Chancellor and that's
5 why I insisted that we move them over.

6 SPEAKER COREY JOHNSON: Thank you uhm so
7 I'm going to turn it back over to Chair Treyger and
8 the other members of this committee but I have one
9 final question uhm for your Chancellor. How should
10 we come back and judge you a year from now? What
11 should we be looking at? And what are you going to
12 be looking at yourself internally and judging
13 significant improvement on preventable delays and not
14 allowing these uhm dangerous incidents to occur
15 across the City which endanger school children in New
16 York City and scare parents. How are you going to
17 judge yourself and how should we judge you 11 months
18 from now?

19 CHANCELLOR RICHARD CARRANZA: So
20 transportation in this City is a tough subject,
21 right, subways, busses, everything. Its.

22 SPEAKER COREY JOHNSON: Do you support
23 congestion pricing? You don't have to answer that.

24 CHANCELLOR RICHARD CARRANZA: Nice try.
25 Look our, our, our mandate is very clear. Children

2 should be picked up on time, they should be delivered
3 to school on time, they should be picked up from
4 school and delivered home as expediently and parents
5 should know at every point of way where their
6 children area. So next year at this time as we re-
7 visit where are we with transportation we should see
8 a much more streamline system, parents should have
9 much clearer information. If there is a concern,
10 parents should not be waiting an inordinate amount of
11 time on the telephone for somebody to answer, parents
12 should have a way to get answers very quickly. We
13 should see that busses and bus routes are moving as
14 expeditiously as possible during the first start of
15 the school year and beyond. We should see that our
16 students in temporary housing are being picked up and
17 are being delivered. We should see that students
18 with disabilities. There is no discernible
19 difference from their experience, from the general
20 education student experiences that have to do with
21 bussing and that all of their experiences are
22 actually a good experience to start the school year.
23 That's what now, it's not going to be perfection but
24 it is going to be a heck of a lot better than that

2 lineup there. So that squiggly line should be much
3 closer to 50 or less by next year.

4 SPEAKER COREY JOHNSON: Uhm Chancellor
5 you are going to be having monthly meetings with Mr.
6 Moran and your senior staff to be analyzing data
7 throughout the school year moving forward?

8 CHANCELLOR RICHARD CARRANZA: Absolutely,
9 at this point we are almost daily, uhm so as and I
10 want to be really clear that Mr. Moran and his staff
11 are definitely in fact finding mode, they are in
12 sense making mode and as we are looking and
13 uncovering and trying to make sense of practices, we
14 are working very hard to make sure that it is going
15 to be a system that makes sense to all of us.

16 SPEAKER COREY JOHNSON: Uhm Chancellor I
17 really want to thank you for being here today. I
18 think your presence is incredibly meaningful and
19 important showing the level of seriousness that you
20 have tak... that you are taking in this regard and I
21 uhm I want to again put on the record uhm for the
22 transcript of this hearing today that we dodged a
23 bullet in Miami and I'm lucky we got Houston instead
24 of the City of Miami. So I'm grateful that you are
25 in this City and things tend to work out the way they

2 are supposed to. I want to turn it back over to
3 Chair Treyger.

4 CHAIR MARK TREYGER: Thank you Speaker
5 Johnson, I just want to know that we've uhm also been
6 joined by Council Members Cornegy, Levine, Barron,
7 Lander and Rodriguez. Uhm so there is a lot to sift
8 through oh and Salamanca. Uhm so there is a lot to
9 sift through about what has been said and the
10 exchange that we have heard. But I do want to also
11 just note a couple of things that I have not heard so
12 far today. I have heard from a variety of
13 stakeholders, that we are experiencing a shortage of
14 school bus driver's in New York City. Is that
15 correct Mr. Moran?

16 KEVIN MORAN: Currently all of our routes
17 are staffed and bus companies are deepening their
18 benches, they are looking now at doing hiring fairs
19 and things so there is no shortage in terms of our
20 route coverage.

21 CHAIR MARK TREYGER: But have you heard
22 from bus companies and from labor that they are
23 having difficult times recruiting school bus drivers?

24 KEVIN MORAN: I heard anecdotally that
25 bus companies would like to recruit with greater

2 frequency and they are doing such and that even a bus
3 company that I met with on Friday had a weekend
4 hiring fair.

5 CHAIR MARK TREYGER: Because one of the
6 things that we heard in the case of District 30, yes
7 I'm aware that a new company had to take over another
8 company's routes, transfer from Bronx to Queens but
9 because of the issue of shortage of drivers and
10 because of the issue and difficulty in recruiting
11 drivers, you had many kind of new inexperienced
12 drivers taking over these routes which contributed to
13 some of the issues, is that correct?

14 KEVIN MORAN: So there was no driver
15 shortage, all of our routes were covered by drivers.
16 Companies desire to deepen their bench is of critical
17 importance to us and we will partner with them where
18 we can.

19 CHAIR MARK TREYGER: Well, this is an
20 area that I think that we are going to, we are going
21 to contest because there were concessions made by
22 labor to the former administration and because of
23 that, the current administration has had to come up
24 with let's just say innovative ways of addressing
25 those concessions year after year after year but I do

2 think that we need to, we need to deal with this
3 labor issue because it will have a long term impact
4 on the delivery of service. Uhm Mr. Moran in your
5 testimony you reference an OPT head count of 280.

6 KEVIN MORAN: That is correct.

7 CHAIR MARK TREYGER: According to our
8 data, OPTs Budget reflects a headcount of 187 and the
9 Budget reflected in actual OPT headcount in September
10 which was 190.

11 KEVIN MORAN: Right.

12 CHAIR MARK TREYGER: So where are these
13 additional folks budgeted?

14 KEVIN MORAN: So when you look at the
15 previous structure, I had mentioned that there was a
16 coupling of, right now of PSAL School Food and the
17 Office of Student Support Services at Vernon so what
18 we are doing is starting to uncouple that and
19 starting to look at our budget in our line so if
20 there is a question distinctly about budget,
21 budgetary count lines I will make sure that I get
22 back to you pointedly after the hearing.

23 CHAIR MARK TREYGER: Right yeah and to be
24 clear, the data that we have is not, because I am
25 familiar with the school support services.

2 KEVIN MORAN: Right.

3 CHAIR MARK TREYGER: This was just for
4 OPT.

5 KEVIN MORAN: Right.

6 CHAIR MARK TREYGER: So it appears to us
7 that we are budgeted for 187 people but when we have
8 190 people working.

9 KEVIN MORAN: Yeah. That's inclusive of
10 our temps that help our call center.

11 CHAIR MARK TREYGER: So that, you are
12 including temps?

13 KEVIN MORAN: Yes.

14 CHAIR MARK TREYGER: Which leads me to my
15 next question, is OPT struggling to hire, to recruit
16 and retain staff and what are the challenging to
17 ensuring adequate staffing?

18 KEVIN MORAN: Part of our call in center
19 assessment is to do that very work, to see that if we
20 have adequate staff levels are we exactly where we
21 need to be. Uhm what are the incentives going
22 forward so that's part of, right now one of the
23 things that I have already instituted in an internal
24 review of staffing model, call categories, call wait

25

2 times, all the logistics around the call in center to
3 see if we are staffed appropriately.

4 CHAIR MARK TREYGER: How are current
5 staff assigned and can you provide a breakdown of
6 actual and current staff by title?

7 KEVIN MORAN: By title and in a chart
8 format?

9 CHAIR MARK TREYGER: Yes.

10 KEVIN MORAN: I can provide that to you.

11 CHAIR MARK TREYGER: Uhm and how many OPT
12 staff work on routing.

13 KEVIN MORAN: We have borough based
14 routers for every borough. They also have assistance
15 and they have a smaller team so we are looking at the
16 best way of doing this. We just hired that routing
17 manager, one of the first jobs that they will
18 undertake is do we have the right amount of people
19 helping with routing. And are we involving parents
20 and constituents and obviously elected officials
21 about things that we know can improve routing
22 operations.

23 CHAIR MARK TREYGER: Right but to help us
24 understand how to make improvements in the future,
25 how many people currently work on routing in OPT?

2 KEVIN MORAN: There is one routing
3 director and one routing assistant so we are looking
4 at 10. There are at least 10 direct point of
5 contacts on routing. Now with the additional there
6 will be 11; however, there are borough directors for
7 each borough that are by defacto responsible,
8 respon... and then there is also the leadership
9 including Alex that they are responsible as well.

10 CHAIR MARK TREYGER: Do you feel?

11 KEVIN MORAN: So all total it rolls up to
12 25.

13 CHAIR MARK TREYGER: Do you feel that
14 that is sufficient?

15 KEVIN MORAN: That's part of my review
16 and I'm looking at that and learning the processes
17 that are in place now.

18 CHAIR MARK TREYGER: I mean the fact that
19 we are relying on temps does not give this committee
20 a lot of confidence.

21 KEVIN MORAN: The temps are for the call
22 center specifically.

23 CHAIR MARK TREYGER: Oh I, I, I think
24 that again I have met with a lot of stakeholders
25 throughout this process and one of the things that

2 everyone seems to agree is that information from OPT
3 did not filter down in a timely way and I also want
4 to note that even when routes are established, there
5 are going to be inevitably changes to routes.

6 KEVIN MORAN: That's right.

7 CHAIR MARK TREYGER: Because even though
8 the school year might start September 5th as the
9 transfer knows new students arrive September 6th and
10 beyond... and beyond and they might require bus, bus
11 routes and so the issue is does OPT in a timely way
12 adjust.

13 KEVIN MORAN: We do.

14 CHAIR MARK TREYGER: For the...

15 KEVIN MORAN: And that's a process that
16 is happening right now and if you spoke to bus
17 companies or our routers. We see the requests for
18 split routes, routes for where there is time, length
19 of time that is not acceptable, we are in the process
20 of doing that.

21 CHAIR MARK TREYGER: In the case of the
22 District 30 situation, it is my understanding that
23 OPT delivered the routes on August 31, is that
24 correct?

25 KEVIN MORAN: August 24th.

2 CHAIR MARK TREYGER: But you separate out
3 Special Education and General Education is that
4 correct?

5 KEVIN MORAN: That is correct.

6 CHAIR MARK TREYGER: Both, both of those
7 routes were delivered?

8 ALEXANDRA ROBINSON: Our Special
9 Education routes were delivered on the 22nd and the
10 General Education routes were given on the 24th.

11 CHAIR MARK TREYGER: So were any routes
12 delivered on the 31st, I heard that earlier?

13 ALEXANDRA ROBINSON: There may have been
14 changes to routes, once dry runs are complete then
15 the companies can come back and say this is, this is
16 a problem route, uhm and then we may have given a
17 change or an additional route because students are
18 continuously enrolling and we are routing any of
19 those students who came in afterwards. But the main
20 pic for Special Education occurred the week of the
21 23rd and then two days later, a week before the 31st
22 actually the Special Edu... the General Education
23 routes were given.

24

25

2 CHAIR MARK TREYGER: So cause it's my
3 understanding that once the routes are, are delivered
4 to the bus company, they do a test run of the route?

5 ALEXANDRA ROBINSON: They do.

6 CHAIR MARK TREYGER: And do they provide
7 you feedback and how fast do you, is the turnaround
8 as far as making adjustments.

9 ALEXANDRA ROBINSON: So because we give
10 them the, uhm, the by the 24th which was a Friday,
11 they were supposed to take the weekend and the
12 following week to do the dry runs. They are supposed
13 to then, per our procedure, supposed to come back and
14 give the borough directors, which we have a borough
15 director in each, in each borough any issues that
16 they would have had uhm everything from a traffic
17 pattern to not enough room to do turns, etc. So that
18 was supposed to be given and then the changes would
19 be given uhm in a perfect world are given right
20 before Labor Day weekend so that we could start on
21 the 6th. We had many schools; however, that did
22 start earlier, uhm several of our Charter schools uhm
23 started earlier.

24 CHAIR MARK TREYGER: Well I'm just
25 letting you know that some stakeholders reported that

2 they did not receive the routes in a timely fashion,
3 did not have enough time to do a test run of the
4 routes and did not get uhm timely responses from OPT
5 as far as making needed adjustments. I'm just
6 letting you know what other stakeholders reported to
7 this committee. Now, Mr. Chancellor I do recognize
8 and do note and I think it was very uhm bold on your
9 part to make some significant changes uhm in the DOE
10 as far as the removal of Mr. Eric Goldstein. It is
11 my understanding that he was the Chief Executive
12 Officer of the DOE's Office of School Support Services
13 as a whole, is that correct?

14 CHANCELLOR RICHARD CARRANZA: Yes that
15 is.

16 CHAIR MARK TREYGER: Right. Uhm and Mr.
17 Moran you are Senior Advisor on the issues of, on the
18 issue of transportation, is that correct?

19 KEVIN MORAN: That is correct.

20 CHAIR MARK TREYGER: So who is there a
21 new Executive Officer for School Support Services?

22 CHANCELLOR RICHARD CARRANZA: So as Mr.
23 Moran had mentioned, there are, there were three
24 divisions that were combined within Mr. Goldstein's
25 previous portfolio of work. One was OPT, one was

2 school food, one was PSAL or athletic league. Uhm I
3 find that problematic, uhm there are huge work
4 strands, so Mr. Moran is our currently our Senior, my
5 Senior Advisor uhm on transportation. Uhm there are
6 plans in the, in the very near future, we will
7 actually advertise for a Senior Executive Director
8 for Transportation. Do a nationwide search for that
9 position. Uhm in School Food it is Chris Trakerril
10 (SP?) uhm so he is stepping in to provide leadership
11 with school food. We have already and by the way we
12 are going to stop calling it school food, its student
13 nutrition. Uhm and so we've already advertised for a
14 Senior Executive Director for School Nutrition, that
15 is a national search we are conducting now and then
16 the PSAL League I have moved to the Deputy Chancellor
17 for School Climate and Wellness, sorry Lashawn
18 Robinson so she has PSAL. Again with PSAL there are
19 some equity questions that we are working through
20 under Deputy Chancellor Robinson's leadership but
21 those three strands now have differentiated leaders
22 which in every organization that I've lead, that is
23 the way it works. I've never seen an organization
24 where you have all three of those divisions under one
25 person, uhm so we've separated them out and we will

2 be conducting leadership uhm searches for all of
3 them, well for two of them.

4 CHAIR MARK TREYGER: And Mr. Chancellor
5 to the extent that you could share with this
6 Committee why was Mr. Goldstein let go?

7 CHANCELLOR RICHARD CARRANZA: I think it
8 is important to note uhm in both Mr. Moran and my
9 testimony that there is a sense of urgency when
10 parents entrust us with their children that we will
11 expeditiously and safely transport those children and
12 that if there is a delay, if there is a hiccup if you
13 will in the system that there will be a sense of
14 urgency in not only identifying what the issue is but
15 working diligently to make sure that that issue is
16 not repeated the next day. Uhm I will just say for
17 myself that I felt it was necessary to make
18 leadership changes because the sense of urgency that
19 I felt was not shared by those directly responsible
20 for leadership in the organization around this
21 particular area uhm and from my perspective I cannot
22 have anyone that does not share that sense of
23 urgency; uhm especially when we are working with
24 people's children.

2 CHAIR MARK TREYGER: I appreciate that.
3 Who is responsible for reporting late busses to
4 parents and guardians? And what is the process for
5 providing this information?

6 KEVIN MORAN: Late busses, we have a
7 contractual obligation for bus vendors to self-report
8 any delays related to traffic, breakdowns, what,
9 whatever it may be. So busses are required to call.
10 If they don't call, that's another breach of contract
11 and could be another assessed liquidated damage. Our
12 call in center does not limit to vendors calling in,
13 family members can call in, our inspectors can call
14 in, our routing managers can call in, school
15 administration, those that welcome our students on
16 the curb are wel... are able to call in and say look
17 route 001 is not here. If again, if we find that a
18 vendor is not complying with our contract oblig...
19 their contract obligation we will cite them again for
20 another liquidated damage. Often times if we find
21 any recurrent behavior we bring the in for a
22 conversation and a meeting.

23 CHAIR MARK TREYGER: So when you say a
24 bus driver is required to self-report, explain that
25 process to me?

2 KEVIN MORAN: So I'm stuck in the yard,
3 there is a flood outside the yard, 250 busses can't
4 get out because there is abandoned vehicles in the
5 roadway, we are flooded out, we can't get out so they
6 are calling in saying routes X through and saying you
7 know.

8 CHAIR MARK TREYGER: They are calling the
9 company?

10 KEVIN MORAN: The company calls, the bus
11 company.

12 CHAIR MARK TREYGER: Right.

13 KEVIN MORAN: Whichever one it may be
14 calls the call in center and says we are delayed.

15 CHAIR MARK TREYGER: But how, does the
16 company know that there is a delay in the bus. The
17 bus driver contacts the company?

18 KEVIN MORAN: That's right. Bus driver.
19 So if it a broad, where, for that example I am using
20 if that actual yard, the dispatcher knows and the
21 dispatcher is calling us directly. If the bus, has a
22 problem, specifically tire is flat or there is a
23 breakdown mechanically they are able to use their two
24 way radio on board to notify dispatch, dispatch can
25 then call it in. But one thing I would like to

2 reinforce is my interest and the collective interest
3 in our administration and your collective interest in
4 GPS is to have real time, authenticated information.
5 I understand you think there is an over reliance on
6 self reporting but I think that once we get a place
7 where GPS is the solution uhm but right now there are
8 multiple inputs into our call center. It is just not
9 the vendor self-reporting.

10 CHAIR MARK TREYGER: Are you aware that
11 some companies have their own GPS devices on the bus?

12 KEVIN MORAN: Yes. I am very interested
13 in the GPS technology. One of our key issues, we are
14 going to focus on that and how we do it in a, in a
15 broad way that would work best for our system, again
16 2/3 of our fleet, 6,000 busses are currently equipped
17 with an Admin Technology on board on the busses now.
18 We are looking at better ways to utilize that and
19 also looking down the road in terms of how do we
20 expand this, the remaining 3,000 busses for Janette
21 and Bricca (SP?).

22 CHAIR MARK TREYGER: Are there uhm, what,
23 what requirements related to GPS and school busses
24 are in the current Pupil Transportation uhm contracts
25 and how does DOE enforce these contract requirements?

2 KEVIN MORAN: So there are no contracts
3 mandating the use of GPS, more broadly in our
4 contracts. That is something that we are putting in
5 each and every contract. Our newly bid routes do
6 carry provisions that they are to use it. That would
7 enable turn by turn, student gets on, student
8 disembarks. We are looking to have that in all
9 future contracts, that is part of our future
10 collective bargaining agreements that we use GPS
11 should we have it installed.

12 CHAIR MARK TREYGER: I'm sure, the Chair
13 of the Contracts Committee will also have some words
14 on this. Calling Council Member Brannan but I just
15 have to say that the City of New York, the DOE
16 particularly as it contains to the legacy contracts
17 has been renewing these contracts over and over and
18 over again and I don't have the exact year when GPS
19 devices first started popping up but I'm pretty sure
20 they didn't pop up in 2018, or 2017 or in the last
21 couple of years. Uhm I find it mindboggling that we
22 are only now starting to really have the conversation
23 about how to enforce GPS devices, not only being
24 installed but actually operated by the bus drivers
25 because it is my understand that there has to be a

2 pin code entered in order for the GPS device to also
3 be turned on by the individual bus driver, so as I
4 mentioned in my opening remarks, the City of New York
5 controls the purse, this is a \$1 billion plus
6 industry that the DOE oversees. We are, the City of
7 New York is the one that prepares and assigns the
8 contracts. I am having a hard time understanding why
9 this, why this is not already happening already. Uhm
10 I have a couple of more questions, I will turn it
11 over to my colleagues in the interest of time and I
12 have some follow up questions. Uhm Section 19-606 of
13 the Administrative Code requires DOE to prepare and
14 provide to each bus company a list of students
15 eligible to ride on company school busses at least 10
16 days prior to the first day of uhm session. Is DOE
17 providing such lists to bus companies at least 10
18 days prior to the first day of school as required and
19 if not, why not?

20 KEVIN MORAN: Yes we are providing that
21 data in real time to bus companies. If there are
22 new, new students added, that is a rolling. As said
23 before, student changes and things like that.

24

25

2 CHAIR MARK TREYGER: So to every single
3 bus company you are providing these lists at least 10
4 days prior to the first day of school?

5 KEVIN MORAN: If there is a route that is
6 split that we referenced earlier, that Alexandra
7 referenced earlier, there is not the capacity to give
8 10 days if we decided on a single day to split a
9 route. So there is a little bit of nuance there, but
10 yes, more broadly bus companies are provided 10 days
11 prior.

12 CHAIR MARK TREYGER: I'm just letting you
13 know that we are hearing different stories from
14 different stakeholders about that issue.

15 KEVIN MORAN: I understand.

16 CHAIR MARK TREYGER: And it speaks to the
17 capacity of OPT. Because already I've heard from you
18 that there are staffing issues at OPT and we are
19 starting to see this puzzle come together. Uhm the
20 lack of urgency as the Chancellor mentioned, the lack
21 of staffing at OPT and the lack of coordination,
22 communication with the variety of stakeholders.

23 KEVIN MORAN: Just for confirmation I
24 didn't state that there was a lack of staffing in
25 OPT.

2 CHAIR MARK TREYGER: When you tell me you
3 are relying on temps, that's how I interpret that, I
4 have to tell you.

5 KEVIN MORAN: The use of temps was to
6 moderate the call volumes as they came in.

7 CHAIR MARK TREYGER: I understand but I'm
8 just telling you how I interpret that. What is the
9 formal process for modifying bus routes in response
10 to concerns from the bus vendor and/or the school
11 community?

12 KEVIN MORAN: So it's in real time. The
13 process is that routers assess, with their
14 relationships with vendors if it is appropriate. If
15 it is meeting the needs of students, if schools are
16 reporting delays, if parents are reporting delays, we
17 are assessing if it is getting there on time and it
18 is providing reliable service. We are in the process
19 now and if you, if you speak with bus companies you
20 will see, we are adding routes as we go, as we
21 realize that we can do better, we can be more
22 efficient and so that's happening. The process is
23 that if we receive a complaint from a driver that the
24 route is too longer, there are too many students,

2 they can't make it in time, we are looking at that in
3 real time.

4 CHAIR MARK TREYGER: Can schools request
5 route changes?

6 KEVIN MORAN: Schools can request based
7 upon a variety of issues. They can report right in
8 to our center and state what their issue is specific
9 to the route, whether it is around timeliness or it
10 is around numbers of students on a route, or if it is
11 on behavior, we have those real time conversations
12 with school based administrators.

13 CHAIR MARK TREYGER: And how long does it
14 take for the DOE to evaluate and respond to the
15 request to modify service.

16 KEVIN MORAN: To split a route, less than
17 10 days.

18 ALEXANDRA ROBINSON: Also I apologize I
19 didn't introduce myself before, I am Alexandra
20 Robinson I'm the Executive Director of OPT. There
21 are different types of changes we make but we are
22 constantly doing routing changes and rerouting
23 students. It could be based on an address change, it
24 is not always based on a complaint certainly but an
25 address change, a change in a location. We had a

2 fire the other day, we had to move students from one
3 place to another, so for things like that, as Kevin
4 said we don't, aren't able to give immediate uhm
5 school bus names of students; however for Special
6 Education all, all drivers and bus companies receive
7 all of that information. For General Education they
8 know when numbers are changing of students uhm and
9 they know that on a daily basis, anytime a school
10 adds students to a stop they let us know and it is
11 usually between two to three days, five to seven days
12 if there is a Special Education change because we
13 also have to notify the bus company as well as notify
14 all of the other students on the route, because now
15 their times are changing in sequence as well.

16 CHAIR MARK TREYGER: Have, has there been
17 cases where you have had to rely on the bus company
18 to provide you with a suggested route? And just you
19 just go with it because in the interest of time.

20 ALEXANDRA ROBINSON: So we work in
21 collaboration with them. We actually do, we request
22 that they give us real time information as well. Our
23 routers and our field inspectors are often behind a
24 computer but they are also in the field but with the
25 way the route looks like on a company certainly isn't

2 the exact same way it might look in traffic so we
3 actually do encourage and request drivers uhm and
4 attendants to come in and tell us what that route is,
5 looks like. We look at that based on information
6 from the school, based on what it says on our
7 computers as well as our real time in the field
8 observation and we, we change it as we can.

9 CHAIR MARK TREYGER: Right. Because
10 again feedback that I've receive, there was a concern
11 that folks at OPT in the case of District 30 were not
12 familiar with the story of Queens. And therefore
13 folks on the ground had to come up with route changes
14 to feed to OPT. I want to just move very quickly to
15 uhm this DOE regulation policy that Mr. Chancellor I
16 do believe needs to be addressed. In the event the
17 school bus arrives at a student's destination and
18 there is no adult at the stop to receive the student,
19 OPT has developed the following procedures: Any
20 student regardless of age or grade will be allowed to
21 get off the bus at the, at the designated stop unless
22 they inform the driver that they want to remain on
23 board. If at the end of the route, students remain
24 on the bus, the driver will return the students to
25 the appropriate stop. If a parent or guardian is

2 still not at the stop and the student chooses not to
3 leave the bus, the driver will radio the dispatcher
4 who will contact OPT to determine if there is a pre-
5 existing agreement to return the student to the
6 school. If there is no agreement, the dispatcher
7 will contact 9-1-1 and the police will determine the
8 best course of action. In light of the fact that we
9 heard before the story of a 4-year-old who basically
10 self-dismissed herself off the bus at official stops
11 and at unofficial stops, what is the mean... and I
12 mean this is an issue that I have raised with the DOE
13 Mr. Chancellor prior to your arrival. I had a very
14 long meeting with the Committee Staff and former
15 Deputy Chancellor Rose where I think this policy is
16 broken and obviously something did happen to
17 Charlotte because a stranger brought her to a
18 hospital, she didn't go home with her family. She
19 ended up in a hospital because they wanted to make,
20 they had nowhere else to bring her. So Mr. Moran are
21 there any plans to change this policy?

22 KEVIN MORAN: We share your concern
23 around students being unaccompanied at pickup. One
24 of the things that we are looking at and partnering
25 with parents and schools is looking at the guidance.

2 Uhm as you know, we partnered with the council on the
3 K to 2 guidance to, to look at this very issue uhm
4 and we have training videos from schools and things
5 that they wan can work with parents on whether a
6 student has a color-coded key chain attached to the
7 bag that is attributed to the stop and that the folks
8 know that they are getting off at the right stop,
9 that we are reuniting parents with students, we are
10 very interested in making sure that we have a
11 parent...

12 CHAIR MARK TREYGER: Mr. Moran,
13 respectfully.

14 KEVIN MORAN: Yes.

15 CHAIR MARK TREYGER: You refer to it as
16 guidance, I have what you have sent out.

17 KEVIN MORAN: Yes.

18 CHAIR MARK TREYGER: It is referred to
19 General Education Bus Dismissal Best Practices.

20 KEVIN MORAN: That's correct.

21 CHAIR MARK TREYGER: For K to 12... K to
22 2 students.

23 KEVIN MORAN: Right.

24 CHAIR MARK TREYGER: That is not listed
25 as guidance. It is also my understanding that it was

2 just sort of thrown into the middle of Principals
3 Notes uhm earlier, this, this school year. The
4 Principal of Charlotte's school took it upon himself,
5 Mr. Chancellor, this is extraordinary, took it upon
6 himself because he didn't, he didn't know that there
7 were unauthorized stops where sometimes there were
8 side agreements made between parents and the bus
9 driver and there was not an understanding from the
10 Principal, and not just this Principal, I think from
11 many Principals that a 4-year-old could self-dismiss
12 off of a bus and just take themselves off of a bus
13 and he took it upon himself to create a color-coded
14 system where each official stop was aligned with a
15 color-coded lanyard so the bus driver would then
16 understand this color goes at this stop, because
17 technically the bud driver doesn't have or isn't
18 required to have an attendance roster, is that
19 correct?

20 KEVIN MORAN: That was included in the
21 best practices and so we will give you our commitment
22 to take a fresh look at this issue. I understand
23 there was some guidance document or best practices
24 produced but I would like to partner with you on, on
25 what we think is the best forward.

2 CHAIR MARK TREYGER: But Mr. Moran.

3 KEVIN MORAN: Making it, but I want to
4 make it clear that we want to establish a compulsory
5 relationship with parents to make sure that they are
6 partners in this process, with our school
7 administrators and our bus vendors. There is, there
8 are things we need to work on together and I would
9 like to partner with you on that.

10 CHAIR MARK TREYGER: Mr. Moran
11 respectfully I heard the same thing last year. I
12 hear from the DOE from the highest levels, we want to
13 work with you and work with the Education Committee.

14 KEVIN MORAN: Right.

15 CHAIR MARK TREYGER: I again point out
16 that something did happen to Charlotte. Something
17 worse could have happened to Charlotte but something
18 did happen to Charlotte and so I need the DOEs
19 commitment that we are going to address this policy
20 once and for all to make sure that we are adequately
21 protecting our children.

22 CHANCELLOR RICHARD CARRANZA: So Mr.
23 Chairman so the people that you had those
24 conversations with are no longer employed with the
25 DOE.

2 CHAIR MARK TREYGER: That's correct.

3 CHANCELLOR RICHARD CARRANZA: I was not
4 here, Mr. Moran was not in this, in this position so
5 you have our word that we are going to move and we
6 not only looking at obviously the operational
7 systems, the financial systems but we are in a
8 process of looking at best practices across the
9 country. Now I have worked in two different school
10 systems, one school system we had a third party
11 vendor system just like we have here in New York
12 City. I worked in another school system in Ladan,
13 that school system where we owned our own busses and
14 our own routes. There is no panacea but there are
15 best practices that we can learn from those systems.
16 Believe me, we are drawing upon all of those best
17 practices to not have the myopic look at what we are
18 doing in New York City but to have much more of a
19 broader look about what can we learn from others that
20 have addressed this issue. I will go on the record
21 as stating as Chancellor it is absolutely
22 unacceptable not have a policy, not to have a process
23 and procedure that guards against that very incident
24 that happened with Charlotte, that is not okay. So
25 we are looking and as Mr., Mr. Moran is kind of

2 looking under the hood as I have described it. This
3 is one of those areas around student safety that we
4 want to make sure that we bring some enlightened
5 practices to but sir, you have my commitment that we
6 are going to address this issue.

7 CHAIR MARK TREYGER: I appreciate that
8 Mr. Chancellor because my frustration with government
9 is that historically we are very much reactionary, we
10 wait for the crisis to occur and then we try to come
11 up, we scramble. Uhm I'm going to be mindful of my
12 colleagues and my time. I know we have also been
13 joined by Council Member Rose and King. The first
14 member to ask questions, Council Member Grodenchik.

15 CHANCELLOR RICHARD CARRANZA: Mr.
16 Chairman I'm sorry to interrupt I just want to say
17 that I apologize, I am already late to get across
18 town but I wanted to make sure that I was here uhm
19 and my colleagues will remain and I will follow up
20 with them.

21 BARRY GRODENCHIK: I had a 20 minute
22 speech praising you but now I don't need to give it
23 right.

24 CHANCELLOR RICHARD CARRANZA: We can
25 still get it on the record.

2 CHAIR MARK TREYGER: And again Mr.
3 Chancellor you being here today was a significant
4 message to this committee. Uhm the recognition of
5 the problems, the own.. taking ownership of the
6 problems that sends a strong message to this
7 committee and to the families of the public and now
8 of course now we have to make sure that they don't
9 happen again. But thank you Mr. Chancellor for being
10 here today.

11 BARRY GRODENCHIK: Thank you Mr. Chair,
12 thank you Chancellor as you leave, I greatly
13 appreciate you being here today. Mr. Chairman uhm I
14 just have a uhm a couple of quick things, one quick
15 question. I am quite shocked to find out previously
16 that all people that drive our children on busses
17 were not fingerprinted. Every City employee as I
18 know gets fingerprinted. I have been fingerprinted
19 on several occasions, fortunately only for job
20 applications uhm the changes that were made uhm are
21 more appreciated. This past Sunday morning as I was
22 looking my phone, a tweet came in from the Department
23 of Sanitation and uhm as they do every fall about
24 this time of year they had an exercise and it will
25 continue for several weeks whereby uhm driver's

2 become acclimated with the snow plow routes
3 throughout the City. Now I will grant you that the
4 streets in New York City rarely change, we do add new
5 streets from time to time as new communities are
6 developed but not nearly as we would have done uhm
7 many decades ago but and and most of the time the
8 sanitation employees because they are civil servants
9 are there for a long time and the do an excellent job
10 cleaning the snow at least to the communities that I
11 represent uhm as far as I know. So my question to
12 you Mr. Moran is do we require any, before, I realize
13 that they are not getting the routes until sometime
14 in August but do we require the companies that are,
15 we are paying \$1 billion Mr. Chairman a year to, to
16 have exercises whereby they drive the route, you know
17 at least a few times before they actually uhm take
18 children on these busses or many busses.

19 KEVIN MORAN: So first thanks for the
20 commentary. I just wanted to clarify one thing, all
21 bus drivers have passed through the Department of
22 Motor Vehicle Fingerprinting processing in order to
23 be behind the wheel. As it relates to dry runs, we
24 do require that, it is a contractual requirement that
25 they actually do that. In our Special Education

2 routes we can verify that through the use of GPS and
3 that, that technology. In terms of the Gen Ed
4 routes, they do send a form to us that attests and
5 affirms that they have done the practice route, so we
6 will be working closely next year to make sure that
7 in those yards, those remaining 3,000 units that we
8 can verify that indeed busses are leaving the yard,
9 practices routes are taking place and having
10 conversations with vendors about the importance
11 because we need the feedback if there is a
12 problematic route that we need to adjust so we are
13 definitely going to talk more about how we make sure
14 those practice runs are taking place.

15 BARRY GRODENCHIK: Yeah I think that is
16 critical because you know as we like to say practice
17 makes perfect and uhm maybe not perfect but certainly
18 far better than what we experienced and I appreciate
19 your willingness to take on this new task. Thank you
20 Mr. Chairman, thank you Mr. Moran. Thank you
21 Chancellor wherever you are.

22 CHAIR MARK TREYGER: Okay next we will
23 hear from Council Member Deutsch.

24 CHAIM DEUTSCH: Uhm thank you Chair,
25 thank you very much. Uhm so first of all I think

2 that number 1, is that DOE should definitely speak
3 with the uhm Department of Sanitation. So for two
4 reasons, number one is that each year before the, the
5 winter months sanitation does a dry run and you see
6 the trucks. As a matter of fact I saw a truck two
7 days ago just driving around, doing a dry run and uhm
8 number two is that the City allows us to track a
9 sanitation truck to see if our streets were plowed.
10 So why is it that when it comes to, it comes to
11 safety and security of our children we currently
12 can't track them but we can definitely track the snow
13 plows but we can't track our children. So that's,
14 that's the first thing. Uhm secondly, uhm I
15 understand that you support the GPS system for yellow
16 busses. Uhm so you mentioned that you currently have
17 6,000 busses, yellow busses that have a tracking
18 system, now does the parents, uhm do they have, is
19 this track... current tracking system allow for a
20 parent to track their yellow bus through an app?

21 KEVIN MORAN: So we do have 20 families
22 that participated in the beginning of July of this
23 summer in interacting with the application, the
24 mobile application so we are going to do more of
25 that. That is in my testimony I spoke about how we

2 are going to expand that and we are, we are really
3 going to talk to parents and electeds about the next
4 best steps on how we expand and how we work with our
5 school based administrator, our Principal and school
6 based folks there to get this right in terms of
7 making sure that we are testing the application for
8 its effectiveness.

9 CHAIM DEUTSCH: So when, when was the
10 6000 busses, when were they GPS systems installed.

11 KEVIN MORAN: Over the past couple o
12 years they were all installed, in just the Special
13 Education routes.

14 CHAIM DEUTSCH: So who had use of it over
15 the last couple of years?

16 KEVIN MORAN: So we do.

17 CHAIM DEUTSCH: And what kind of use did
18 you, accounted to use it.

19 ALEXANDRA ROBINSON: So there's, there's
20 two different methods for the GPS. Uhm the GPS as
21 Kevin said has been installed over the past several
22 years, we started with a 500 bus pilot on that and
23 then expanded to the rest of the 6,000 which is 2/3
24 of our fleet. Uhm we have a passive GPS, as soon as
25 that bus is turned on we have the ability uhm to, to

2 track that bus. What Kevin was almost mentioning was
3 we had a pilot starting in uhm July for a parent
4 mobile application which actually uses the
5 information from the GPS to track the bus. What we
6 were doing uhm on our side on the operation side with
7 the, with the Nav-min Devices with the GPS there is
8 the ability for drivers who log in, that was the pin
9 number I believe you referred to. That is
10 specifically for ridership reporting. Uhm there is
11 no need for a pin however to use just the GPS so that
12 is also based in our customer service and our call
13 center when they pull up a Special Education route,
14 it would indicate whether or not there is GPS on that
15 bus. We can see if that bus has been where they've
16 said they've been or what their ETA will be. And
17 then the parent app although it is still in a proof
18 of concept stage is something where the parents can
19 look to see what the ETA of their bus would be.
20 That's how we plan on using it uhm further in the
21 future.

22 CHAIM DEUTSCH: So for two years you had
23 this in place, and you had this ability but I still
24 don't understand how you use that ability so that is
25 another story for now uhm so you did mention that you

2 support the GPS system. So when do you anticipate
3 uhm that you will be having conversations with the
4 City Council, further conversations that make sure
5 that Intro 1099 passes here in the City Council?

6 KEVIN MORAN: Well we are going, the
7 conversation starts today and we are going to be
8 coming to you in the coming months having discussions
9 about how we feel that this important and how the
10 best ways of doing that based upon the lessons
11 learned for the original pilot and the expansion and
12 also want to talk about the effectiveness of the
13 application so you know we are taking a good hard
14 look at this. This is something that we agree that
15 we would like to do. It is just a matter of coming
16 back to you I'd say in within a matter of weeks about
17 what we think are the next steps.

18 CHAIM DEUTSCH: Okay I'm glad to hear
19 that. Now according to this new system, this new
20 expansion so there will be a pin number for each
21 parent?

22 KEVIN MORAN: Parents will be able to
23 access it through their New York City's School
24 Account much like they do if they want to see their
25 EMLA.

2 CHAIM DEUTSCH: No will the parents have
3 a pin number in order to access that?

4 KEVIN MORAN: It would not be a pin it's
5 a user ID and password, it's protected in our New
6 York City School's Account. So we have the
7 information, the schools have an activation code tied
8 back to a students' OSIS, tied back, they can
9 provision access to a system where this would be
10 directly linking for them so we can safely identify
11 who is the participant using the system.

12 CHAIM DEUTSCH: So this system will be
13 protected from like somebody would like to know if
14 there is a yellow bus that has 40 plus children on it
15 from getting, gaining access to.

16 KEVIN MORAN: Right it would be
17 parent/student specific.

18 CHAIM DEUTSCH: Okay great, alright so I
19 thank you and I want to thank the Education Chair
20 Mark Treyger and Council Member Ben Kallos and also
21 my predecessor for bringing this, introducing this
22 Bill back in 2000 and we just made some additions to
23 it in order to put in the GPS tracking system. Uhm
24 so I am looking forward to this Bill passing in the
25 City Council with the partnership with DOE to ensure

2 that uhm our children, are parents, the parents of
3 all of these children including myself, I have five
4 children and two grandchildren that are going to
5 school, so that we can have access as well to knowing
6 where our children, children is. Also in addition to
7 that I want to think I want to mention for the
8 record, which I also think that it is great for the
9 environment because my grandson gets dropped off at
10 my house every day and by knowing when the school bus
11 will come in front of my house I would know when I
12 could walk outside a few minutes earlier without
13 having the bus to wait or honk the horn in front of,
14 in front of the house so thank you for that.

15 CHAIR MARK TREYGER: Okay next we will
16 hear from Council Member Ulrich.

17 ERIC ULRICH: Thank you Mr. Chair and
18 thank you for your testimony Mr. Moran I'm sorry that
19 the Chancellor could not stay long to hear me because
20 I have a lot to say. I want to first of all I want
21 to say I don't envy your job, you have taken on a
22 very difficult position. I think you know that. I
23 have full faith that you will be able to make the
24 necessary changes that you want to make; hopefully to
25 improve the efficiency for the children that rely on

2 us to get them to school and to get them home safely.
3 I am concerned about children with Special Needs. I
4 know that you are as well and what type of
5 accommodations are being made for their travel needs
6 to and from school each day. I had a constituent, a
7 5-year-old autistic young man. The family could not
8 deal with the fact that the bus was not picking him
9 up on time. They used up all of their vacation time;
10 finally thanks to the Mayor's office and their
11 intervention with OPT, the bus now picks them up on
12 time but they won't be taking a family vacation this
13 year, it's kind of, it's kind of sad. The
14 constituent that I am still trying to help, his name
15 is Edward Gill Martin and we asked his mother Laura
16 if we could use his name in their case so we are not
17 disclosing anything uh you know that they wouldn't
18 want disclosed on the record. He's in his last year
19 of high school but he is also autistic, uhm his bus
20 in the Rockaways has only picked him up on time three
21 times. Even this morning, the bus was there at 8:45
22 a.m. his scheduled pickup time is 6:30 a.m. For
23 parents and caregivers of children with autism and
24 Down Syndrome and other types of situations, they
25 have to get up well in advance of that time, so this

2 family is waking up at 5 a.m. everyday to feed, to
3 get their son dressed, to make sure that he is
4 prepared to go to school. Last week the bus did not
5 get to his house until 9:00 a.m. on one morning and
6 he missed a field trip to Lincoln center. He was
7 devastated and so I just to use those two examples
8 and I'm glad that you wrote his name down his name is
9 Edward Gill Martin, that is the student's name, the
10 mother's name is Laura. OPT has his information but
11 these are just two examples of children with Special
12 Needs in my district. I know that is multiplied many
13 times over throughout the City of New York and it is
14 very frustrating for the parents. It is very
15 frustrating for elected officials, I know it is very
16 frustrating for you but we are not, we are not doing
17 right by these people. We are failing them and this
18 morning, you know for the bus to get there at 8:45
19 a.m. again, whatever we are doing it's not working so
20 it's, it's a great idea to track the, the uhm busses
21 but you know if they are running two hours later, I
22 don't care where they are, they are not picking up
23 the kid on time. It would also be cheaper in my mind
24 and more efficient if we hired like one of these
25 handicapped accessible yellow taxis or something to

2 go and pick up the students. At least we would know
3 that they would get there on time. School starts at
4 8:00 you know what type of accommodations are being
5 made, special for children with special needs and
6 those students.

7 KEVIN MORAN: Specific to Edward I will
8 be calling his parent when I leave here today.

9 ERIC ULRICH: Thank you very much.

10 KEVIN MORAN: I will also be speaking
11 with the router. Any cases where any of the Council
12 or constituents bring to you concerns, absolutely I
13 will be sharing my contact information uhm after the
14 meeting. I will make sure I get back. I think in
15 each case, we will look at it. We want to make sure
16 that kinds are not on the bus for prolonged periods
17 of times especially those with additional needs, so
18 where we hear this, we want to get to it, talk to the
19 router, talk to the family and if there is lateness
20 there will accountability and we will follow up.

21 ERIC ULRICH: Yeah I think it, I think it
22 is important that you know we understand that the one
23 size fits all approach does not work for everything,
24 right? In some cases it does but maybe when it comes
25 to the kids or the students with Special Needs that

2 uhm we need to look at those routes, how those st...
3 how and when those students are being picked up in
4 relation to where they live and where they go to
5 school. I understand some of them have very highly
6 specific IEPs that require specialized instructions
7 or a far distance from their home, for instance,
8 depending on what their IEP is but I think that maybe
9 smaller busses or, or we have to figure our something
10 for these families because we are not doing a very
11 good job. The last, this is a recommendation that I
12 gave to Mayor de Blasio. I think that he was going
13 to speak to Commissioner Trottenberg about it people
14 may have different options but in my District,
15 District 27, School District 27 Woodhaven and Cross
16 Bay Boulevard you know through the heart of my
17 community, right through my district whether you live
18 in Howard Beach or Ozone Park or the Rockaways or
19 Richmond Hill you have to get on Woodhaven and Cross
20 Bay Boulevard and in the morning it is severely
21 congested, it is a traffic nightmare, and in the
22 evening rush hour it is a severely congested during
23 rush hour. Why aren't yellow school busses that take
24 our children to and from school everyday why aren't
25 the yellow school busses during those times permitted

2 to use the SBS lane is beyond me. We would be able
3 to cut the commute time for students probably in
4 half. The fact that there are just hundreds and
5 hundreds of busses that are clogged in traffic
6 congestion when they could be using the bus lanes,
7 the same busses that MTA busses use, only during
8 those you know school dismissal time or on their way
9 to school I think makes absolutely sense. I don't
10 know what came of that but that is something that I
11 think the City should explore.

12 KEVIN MORAN: We are going to take that
13 back again and get back to you with a personal
14 response.

15 ERIC ULRICH: Mr. Moran thank you very
16 much and Mr. Chairman thank you very much for holding
17 this hearing it is a very important issue that
18 affects all of our districts and all of our
19 constituents and we want to work together to find
20 solutions that really work so thank you very much.

21 CHAIR MARK TREYGER: Thank you very much
22 Council Member and next we will hear from Council
23 Member Brannan.

24 JUSTIN BRANNAN: Thank you Chair. Uhm I
25 don't want to take up too much time because I do want

2 to uhm hopefully some of your folks will stay behind
3 to hear from the parents that are giving testimony, I
4 think that is super important not only us as elected
5 channeling their frustration but actually hearing
6 what they have been through. Uhm Kevin I had the
7 pleasure of working alongside you when I was at DOE.
8 I think you are a rock star, I think you are the guy
9 who can turn the ship around, no pressure. Uhm but I
10 know it's tough to sort of face the sins of your
11 father so to speak uhm but it is what it is. Uhm
12 really quickly I know even since I was a kid in
13 school 100 years ago that there were times in the
14 morning and the afternoon where delays were sort of
15 almost baked into the day where it was like oh the
16 bus kids get here at 8:30 you know or the kids that
17 are taking the bus home today start lining up now you
18 know before the day is even over. What is, what do
19 you think is the best plan to fix that? I mean as
20 far vendors that are paid for route, are there
21 penalties for lateness? Are there penalties for
22 poor service? That kind of stuff, because I worry
23 that some of this dysfunction has sort of been
24 codified in the way that you just expect that certain
25 kinds who are on certain bus routes have a shorter

2 school day, sort of educational day because they have
3 to make up for their, their long commute.

4 KEVIN MORAN: Yeah I would think very
5 broadly one of the things that I focused on or the
6 Chancellor talked about earlier is finding efficiency
7 in the organization. I think to the extent we can
8 get the Office of Pupil Transportation's fundamental
9 focus on bussing and routing and there were a lot of
10 things over time that were, were being done there
11 that potentially could be done elsewhere. Uhm hiring
12 a new routing manager that will oversee all of the
13 routers and look at technologies to look at historic
14 problems in routes and where folks potentially
15 accepted this is the way it is at 3:10 at this
16 location. We need to be really strategic, use data,
17 I think the use in the future of GPS technology will
18 allow us to be a bit more analytical in how we
19 service and provide routes. So I would say we really
20 have to get back to the basics of routing with our
21 staff that they are focusing not on things that were
22 put in their portfolio that potentially could be put
23 elsewhere in the department so I am looking at a more
24 broader efficiency of focused support to making sure
25 that the fundamental day is focused around students

2 being picked up on time and being delivered to school
3 and and brought home.

4 JUSTIN BRANNAN: Uhm and the last thing,
5 I mean Alexandra too you have been great, I mean
6 anytime that it arises to the level where you know
7 folks, I sort of, what keeps me up at night is the
8 folks that don't know to reach out to their local
9 elected if they have a problem. So you guys have
10 been great anytime that there has been these issues
11 to try to work us through it but I worry about the
12 folks who are suffering in silence and don't know how
13 to go to and sort of just deal with it. Uhm quickly
14 as far as contracts, I know the DOE is using
15 emergency contract extensions; uhm how long do we
16 anticipate having to use these emergency contracts
17 and when do you guys anticipate issuing uhm a new
18 RFP.

19 KEVIN MORAN: That is tied to a much
20 broader collective bargaining strategy. We are going
21 to use the monthly extensions as we need in terms of
22 the capacity of it being an emergency providing
23 central service to students, so we do have a lenience
24 toward permanency.

2 JUSTIN BRANNAN: Okay maybe it is
3 something that we should schedule a meeting to
4 discuss just so I can get a better picture of what
5 the plan is.

6 KEVIN MORAN: We would be happy to join
7 you.

8 JUSTIN BRANNAN: Thank you Chair.

9 CHAIR MARK TREYGER: Thank you Council
10 Member Brannan and thank you for the leadership as
11 the contracts chair I know your office has been
12 following this issue very closely so I appreciate
13 your leadership as well. Next I would like to
14 recognize Council Member Kallos.

15 BEN KALLOS: I want to start by just
16 thanking the advocates and parents in the room who
17 have taken the day off to, to be here. Uhm two hours
18 and 15 minutes in the attention from our speaker,
19 from Education Chair, the detailed questions that
20 came in and this is, this is a good thing so I
21 appreciate all of the patience. I can't wait to hear
22 from you but this all goes well to the numbers of
23 members here at this point also shows how big an
24 issue this is in all five boroughs. Uhm I had a
25 first question for Chancellor Carranza. I, I

2 strongly hinted that I was referring to him in my
3 opening statement but I guess Kevin Moran if you
4 could answer, has Chancellor Carranza brought up his
5 experience as Superintendent over at the House and
6 Independent Schools District, referenced their app
7 called Here Comes the Bus which was available through
8 their parent app called Silver Linings and the fact
9 that it launched way back when in 2014. So has he
10 brought to this to your attention, is it something
11 that you are aware of?

12 KEVIN MORAN: The conversations with the
13 Chancellor around opportunities to explore have went
14 into technologies. We haven't spent a lot of time
15 talking about that specific app but he has spoken
16 about the bigger, the very concept of are we looking
17 at technology in the right way.

18 BEN KALLOS: So it's good to hear that
19 OPT had already started to move forward with the
20 pilot. I am concerned that this pilot has only
21 included 20 families so far. Now it is also good to
22 hear that 2/3 of your fleet, some 6,000 busses
23 touching and probably several hundred thousand
24 students already have the GPS. Can we make the GPS

2 on all of those busses available to parents this
3 month?

4 KEVIN MORAN: No, so it wasn't a pilot.

5 BEN KALLOS: So what is the time line
6 that parents could see the GPS on those busses that
7 are currently already there?

8 KEVIN MORAN: So it was a proof of
9 concept, so there was a distinction between was it a
10 small pilot, 20 family members, we are looking at
11 that now, I don't have a deliverable timeline to
12 share with you but I promise that in the spring we
13 are going to look to expand that. Absolutely so you
14 have that commitment on timeline. If you would like
15 to volunteer a group of schools that you would like
16 to be included I would love to partner with you
17 there.

18 BEN KALLOS: So I will, so let's just
19 take a step back. So you have a proof of concept on
20 something that has been happening in Houston where
21 the Chancellor comes from for four years.

22 KEVIN MORAN: Right.

23 BEN KALLOS: I guess you already have the
24 busses so is the commitment that in 2019 prior to the
25 next school year we can have all of those busses live

2 and available? What is, what is the commitment that
3 you are willing to make?

4 KEVIN MORAN: Our commitment is to.

5 BEN KALLOS: Because doubling, tripling
6 or quadrupling the existing proof of concept doesn't
7 do it for me. I am looking for a measureable goal
8 that we can hold you to 11 months from today?

9 KEVIN MORAN: So we are going to expand
10 in the spring, you can hold me to that. The numbers
11 is something that we should partner on and talk
12 about. We have to look at our, the availa... the
13 availability. We have to look at the scope of what
14 we can commit to. So I hear what you are saying and
15 so this is something that we will take a good hard
16 look it. Uhm it's important to know that we want to
17 do it right. We want to do it in a controlled way
18 where we have actionable feedback in real time. I do
19 not want to put something out to our public and to
20 our families and to our students to say we have their
21 reliability for you and then we didn't necessarily
22 work through what we needed to work through as an
23 organization. Put timeline aside in another
24 organization across the country, what we are hearing
25 now is we had a proof of concept in July 2018. We

2 are going to take the responsible next steps to make
3 sure we deliver this service to our families.

4 ALEXANDRA ROBINSON: The other thing that
5 we wanted to make sure of as we piloted this was
6 everything to do with the privacy and security as one
7 of the other Council Members had mentioned. In order
8 just to log in and to get a password we need to make
9 sure that parents are aligned with our NIXA site
10 currently so we don't have noncustodial parents
11 receiving this information so that information was
12 started this past July. So we want to make sure it
13 works.

14 BEN KALLOS: Just to be clear, so we are
15 talking about 9,000 vehicles, a smart phone is like
16 \$50 at this point, we could just hand 9,000 smart
17 phones to the drivers and I've had, I've had vendors
18 come into my office. We do something called First
19 Friday, if you live in my District you can come meet
20 with me 8:00 a.m. to 10:00 a.m. first Friday of every
21 month and they are like we can we can go live
22 tomorrow.

23 KEVIN MORAN: You have our assurance we
24 are looking at the expansion and we, we have a proof

2 of concept from July that we are using to expand to
3 families and yes we have ...

4 BEN KALLOS: When will you have the
5 details of your proof of concept available.

6 KEVIN MORAN: So we have feedback from
7 families from the summer, we are looking at that now
8 and so yeah in the spring we are going to have
9 something where we are expanding out to more
10 families, and so we will give you a timeline as we
11 move forward, I apologize currently that I don't have
12 a timeline that satisfies your expectation, I mean
13 that sincerely.

14 BEN KALLOS: Okay.

15 KEVIN MORAN: But I will get to a place
16 where I can show you.

17 BEN KALLOS: For this spring, will you
18 prioritize that every school that has children with
19 special needs, I'm sorry Special Education IEPs, if
20 you could prioritize those schools, children being
21 bussed to schools for children who have needs.

22 KEVIN MORAN: The expansion will include
23 IEP students 100%.

24

25

2 BEN KALLOS: Okay how many busses remain
3 without GPS and what is your timeline to get those to
4 have GPS on board?

5 KEVIN MORAN: There is 3,000 remaining in
6 the fleet and that's what we are looking at, we are
7 studying that right now. So I don't have a timeline
8 to share with you on the actual procurement and
9 installation of those 3,000 but it is something that
10 we are looking at and at a later date I will circle
11 back with you personally.

12 BEN KALLOS: Your, your predecessors
13 assured my office that this was already negotiated
14 into the contracts from last summer?

15 KEVIN MORAN: That's true.

16 BEN KALLOS: Based that.

17 KEVIN MORAN: That was the, the
18 contracts, that was in the bid that we were looking
19 to put out. The actual contract language for the
20 extension to was include that if we were going with a
21 5 year contract extension. We are not at that place
22 right now.

23 BEN KALLOS: That is helpful to know that
24 OP, that, now I, that helps. My also understanding
25 is that there has also been money allocated in the

2 Budget to fund these GPS devices? If not, how much
3 would it.

4 KEVIN MORAN: That was for the 6,000,
5 correct, that money was there and those, those were
6 taken care of. What in looking.

7 BEN KALLOS: So it's already funded and
8 so just to clarify your intent is to use GPS data on
9 the existing vehicles and on the future vehicles to
10 manage and monitor, manage and maintain quality of
11 service in real time?

12 KEVIN MORAN: That is the plan.

13 BEN KALLOS: That is, that is good to
14 hear. I've done it with MTA, I used their bus data
15 and I worked with NYU CUSP. I now have a real time
16 map monitoring the speed, choke points and everything
17 on every single bus in the City of New York at every
18 single moment. Emissions is really cool sometimes.
19 Uhm would you set a time limit for bus trips?

20 KEVIN MORAN: Set a time limit for bus
21 trips in terms of how far they go? Or?

22 BEN KALLOS: How long the max on bus trip
23 that you can run. So it is, I am willing to accept it
24 in terms of a percentage of the child's direct route.

2 KEVIN MORAN: Right for the current time
3 limits we have the five mile for General Education
4 and we have the 90 minute for IEP mandated students
5 in borough. Outside of borough we are looking at 105
6 minutes so if there are questions related to that we
7 can talk.

8 BEN KALLOS: Sure would you be open to as
9 part of the Legislation we are asking you to set to
10 setting a lower goal than 105 minutes, 210 minutes of
11 commuting is quite a lot to expect of small children.

12 KEVIN MORAN: We will look at the routing
13 efficiency again. That's one of our overarching we
14 do as an agency share the desire to get down travel
15 times. Uhm I also again wish that the Chancellor had
16 stayed. He has been very focused on diversity. I am
17 also somewhat focused on diversity. Do you think
18 that bussing and the office while we are doing this
19 overhaul could look at using bussing to address
20 diversity and academic opportunity. One example is I
21 went to a specialized high school. I have a lot of
22 friends from all five boroughs who got into the same
23 specialized high schools and they would have
24 represented a diversity that may have been missing
25 from the schools but a lot of those friends said I

2 don't want to spend two hours on public
3 transportation if there is no delays each way just to
4 go here, I'm better off at my local school. We could
5 use bussing which is not currently provided for most
6 high school students to expand diversity so.

7 BEN KALLOS: So bussing.

8 KEVIN MORAN: And academic opportunity.

9 BEN KALLOS: Bussing will not be used as
10 a sole vehicle to drive our diversity efforts in
11 schools. What we will be doing is working with
12 Community Education Council, school based
13 administrators and families around opportunities for
14 equity and diversity across our school system. That
15 is work that we are deeply involved in but we
16 wouldn't put out bussing as the driver of that
17 mechanism. We are working with school based
18 communities.

19 KEVIN MORAN: But not as a driver but if,
20 if for instance.

21 BEN KALLOS: Yes to your point if if the
22 specialized high schools tomorrow said we are, we
23 would love to bus kids from all five boroughs to the
24 schools to increase academic opportunity and
25 diversity would you be open to it.

2 KEVIN MORAN: So we would look, if your
3 question is would we look at eligibility, bussing
4 eligibility requirements as is something to foster
5 school's intent or community's intent around
6 diversity is that more agg... we would take a fresh
7 look at that knowing that we have responsibilities
8 within our current system with bussing eligibility,
9 just want to be really careful up front that, that
10 changing thousands of routes is something that we
11 really have to look at.

12 BEN KALLOS: How much do bus routes
13 change year to year? And do you think that bus
14 routes could be made public for bus companies for
15 drivers and for parents? Maybe 30 days before the
16 school year so that drivers could flag. And they
17 actually have a word for this, they call it a trouble
18 route.

19 KEVIN MORAN: Right.

20 BEN KALLOS: Parents could say hey there
21 is something wrong. We would rely on the expertise
22 of people who have been doing this for 30, 40, 50
23 years for parents, for families to improve the busses
24 so that on day one that is not first day we are
25 dealing with it but we are dealing with it a month

2 out so that if there is, if there is a crisis or if
3 there is controversy it doesn't have the impact of
4 hurting our children.

5 KEVIN MORAN: Yeah so from the beginning
6 of your question, every bus route changes year over
7 year based upon students and the length in travel
8 time so for us it is, you know we have to be open for
9 feedback in terms of listening to folks about what
10 makes the most sense.

11 BEN KALLOS: I guess I've heard anecdotal
12 story after story of the bus driver who has known the
13 student and the student knows the bus driver for
14 their entire career, so it seems like there is enough
15 consistency for some of those routes to be
16 information. I understand there may be changes. I
17 think the last piece is can you clarify who
18 determines routing of busses so in pre K I understand
19 it is one way, in grade school it may be another, so
20 what are the differences, what methods do folks use
21 and and what, how are, how are delays and no shows
22 dealt with in those two different context? And
23 that's my final question. I want to thank the Chair
24 for his indulgence.

2 KEVIN MORAN: So Pre K is the is, is the
3 vendors work to work with families to make sure they
4 establish a route that is beneficial to the family
5 and the student. Uhm in all their instances we have
6 routing managers, staff and open to, that works with
7 bus companies and works with schools to make sure we
8 have the right route. What I did recently was I
9 actually met with two parents uhm who came in to me
10 at OPT from District 30 and basically said look this
11 is, this is our operation, this is where this group
12 sit, this is where that. Let's meet your router,
13 let's meet the assistants on the team, let's look at
14 the borough team to give parents a lens into what
15 happens there but also to, to humble ourselves as an
16 organization and say there are experts in the field
17 and those field members are our parents, right and so
18 they know the block, they know the neighborhood, they
19 know the history, they potentially know the driver,
20 uhm so, so we are very open to that process but right
21 now we have routing managers and like I said we are
22 going to be putting a new thought process around how
23 we use technology and the latest technology to give
24 us those efficiencies that we need for families.

2 BEN KALLOS: So on the latest
3 technologies, if, if you could identify for the
4 record the name of your new routing manager and I
5 would love to review the algorithms and and even I
6 would be willing to lend you a line of code or two.

7 KEVIN MORAN: Believe it or not the
8 problem of having too many people to pick up is
9 something that computers, it takes a lot of computing
10 times. Bumblebees believe it or not are able to do
11 this with much less computer power as it was but they
12 always use the most efficient route. It is something
13 fascinating to me as a computer scientist so. Jorge
14 has no idea this is coming but I will ask you his
15 information and I would invite you in to our center.
16 I am extremely appreciative of any supportive you can
17 give or experiences you have for us in this regard.

18 BEN KALLOS: Thank you.

19 CHAIR MARK TREYGER: Thank you and we
20 will hear from Council Member King.

21 ANDY KING: Good afternoon. I want to
22 thank both of you and the third amigo who is gone
23 now. Our Chancellor for today's conversation, excuse
24 my tardiness today as we are celebrating people who
25 are suffering with breast cancer so I was with the

2 police department, so, uhm what I was listening to
3 your conversation uhm and in Intro 98 that we have,
4 89, 89 proposed with Council Member Rivera, it is to
5 take a look at and managing times, recording times it
6 takes a child to get from house to school. I know
7 for myself, I get annoyed sometimes, I get annoyed, I
8 will have to take an hour, an hour and a half to get
9 to work can you imagine a child who is traveling an
10 hour a day and then we have some that learn fractions
11 and sit during the class. It's just not going to
12 happen, whether you are General Education or Special
13 Education so we as adults have to be that much more
14 conscious and better and responding for in that,
15 taking care of our children. So I had a couple of
16 questions but I want to calculate human component,
17 not so much the technical aspect of the system and I
18 want to know as far as you drivers, you talked about
19 the routes and you just recently talked about you let
20 some of the stakeholders in the past, know the routes
21 and you know. I would like to know are they at the
22 table when you started, even one or two advisors who
23 can help you with what makes sense and then where you
24 busses can actually fit because every street can't
25 fit a bus. Uhm secondly I would like to know for the

2 drivers that you are putting on these routes, have
3 they had test runs on these routes to get familiar,
4 to get comfortable before day one because now if I am
5 used to knowing where my hard and my heavy spots are
6 I might be able to figure out how to manage my times
7 better so I don't get stuck uhm in bad traffic and
8 especially during rush hour. Thirdly I would like to
9 know uhm are there any uhm language barriers between
10 your drivers and the children or the attendants on
11 that coriander moving through a neighborhood to get
12 those students to school on time. And if there is a
13 way to shorten routes, is it doable by and my
14 colleague Ben Kallos uhm talked about specialized
15 schools, traveling kids from across one side of the
16 City to another side but if you are identifying that
17 some of these routes are just too long how are we
18 making an adjustment to say whether we put more
19 busses on uhm how do we shorten it and that goes back
20 having parents in partner with conversation and that
21 would be another question that I know (INAUDIBLE)
22 uhm how are they being counseled or advised at the
23 start of the school year, uhm but their, their
24 participation in response to building if we do need
25 to make an adjustment to how they have to make an

2 adjustment because if it takes 45 minutes for me to
3 get your child to school maybe we should think of
4 another plan so you don't have to be up there 45
5 minutes and getting frustrated with your child
6 getting to school and the last question is more of a
7 statement, I heard the Chancellor say it and I've
8 said this to the Parks Department over and over you
9 manage it and taking hold of this part of the system
10 so you are not contracting out. You are not trying
11 to manage other companies and contracts but you
12 having your own bus system that falls under the
13 Department of Education where the Union Workers they
14 still partner in your system so this way the buck
15 starts with you and it ends with you, you don't have
16 to go after anybody else to fight, argue, beat, plead
17 to make they do what you need to them to do.

18 KEVIN MORAN: So I will go in reverse
19 order, uhm thank you by the way. In-sourcing is
20 something that is extremely complicated in terms of
21 procurement of bus yards, procurement of busses and
22 such. Right now we are extremely focused on the day
23 to day service and getting that right and delivering
24 for parents. I would say more broadly we are looking
25 at every option to improve service. Uhm that is

2 important to us. Uhm as it relates to the shortening
3 of the routes, it's a daily opportunity for us to
4 work with schools and route managers to say if this
5 is too long and we are expanding routes, I personally
6 spoke to a bus company potentially Monday night
7 regarding hey look we are getting more people
8 through, we are ready to break routes, let's make
9 sure we have that, if you need to expand routes we
10 are here for you. So those things do happen uhm as,
11 as we learn the route and if for any reason it is
12 that route. Uhm language barriers, we don't have
13 current issues identified of language barriers but if
14 there is an issue we will be, we will be certain to
15 work towards making sure we have somebody there that
16 can support that need. Uhm expanding entry points
17 for parents to serve as partners is a, is a
18 fundamental goal for me and this process because you
19 know in the end as a parent of three children in the
20 public school system I know how important it is to
21 entrust my three children with the public education
22 department and I am none to proud to say that they
23 are a part of the system and but I also know that
24 there is a great responsibility of school based
25 administrators, teachers, bus drivers, attendants and

2 such so if we can capture the realtime voice of
3 parents in a different way and I said I want to
4 expand entry points I mean it. My first day
5 appointed to this job I went right to District 30 and
6 I met with families at the school. And the following
7 Monday I went to District 30 and I met with another
8 set of families and invited families to come uhm,
9 last Friday I had a meeting with elected officials in
10 the area, so I am serious about the need to hear from
11 other people, uhm to get this right and so if it's a
12 matter of coming in once a year to sit and maybe just
13 have a coffee and talk about what we know is
14 happening in the neighborhood, what is happening on
15 the landscape, that, that would prove beneficial to
16 us. It already has proved beneficial.

17 ALEXANDRA ROBINSON: The other thing that
18 we have done just in terms of the routing itself and
19 I know it was one of the first things that you said
20 had to do with the knowledge of the people. Uhm we
21 take the interviews of routers, not only the borough
22 directors but also the people in my office very
23 seriously in terms of what their knowledge is so if
24 there is somebody who is working as a router and they
25 are from the Bronx I am more than likely going to

2 make them a router in the Bronx. We want them to
3 have hands on, on the street knowledge of the routes
4 that they, that they are creating. It doesn't do me
5 any good to have somebody from Queens doing something
6 in Manhattan if they are from Queens. So we actually
7 staff that way, uhm whenever possible.

8 ANDY KING: Okay thank you for the input.
9 So my follow ups would be to that one, I look forward
10 to hearing maybe the next time we get back together
11 or you send a report to the chair in regards to when
12 you do a reporting time. I would like to know, know
13 are we hiring from, the driving, because even though
14 I'm from the Bronx I might not be too familiar with
15 Southern Boulevard because I live in Edenwol uhm so
16 it is almost like me coming from Queens. So how do
17 we you know our personnel reflects the communities
18 that are being driven in, uhm an I want to add
19 another question to that in regards to our children
20 who have special needs, the drivers who are driving
21 those busses are they I'm going to say trained in
22 Special Needs. I just want to know if the driver's
23 are sensitive to the, the precious cargo that they
24 are moving around every day and if they are not you
25 know that could be a breakdown in communication, a

2 breakdown in travel time because I've gotten calls
3 you know a bus driver didn't show up but you got to
4 be sensitive to know that a child that is going
5 through something you can't leave them out there or
6 decide to just zoom past it and call and say no one
7 was ever... I've gotten calls from parents the bus
8 just drove past us and then when the parents calls in
9 the driver says there was nobody there when they got
10 there. So you know if the somebody who is a Special
11 Needs trainer who knows how to deal with that
12 properly, be more sensitive to not look for
13 themselves and making sure that their first
14 obligation is making sure they take care of their
15 child.

16 KEVIN MORAN: Yeah so drivers are
17 required to have training and if there is a need to
18 redirect and retrain we will. If we find out that
19 there is no supportive environments for our students
20 with addition needs. If there is an issue we will
21 get to it. As it relates to hiring practices, we
22 work with our vendors, they are contracted with us
23 obviously to perform the service and we work with
24 them and things that they need around recruitment and
25 retention of drivers, so if there is something that

2 we could do to make sure that it is reflective of the
3 neighborhood or areas that they serve. I will
4 continue to have, we will have that conversation.

5 ALEXANDRA ROBINSON: We also work very
6 closely with the schools, so especially in District
7 75 when there are issues with students with severe
8 behavioral issues or students who are deaf and hard
9 of hearing, we uhm the schools bring drivers and
10 attendants into schools. We learn about what sort of
11 behavioral issues and uhm maybe reward systems are
12 working in the classroom, they can work on the bus.
13 Uhm we also have specific training of wheelchair
14 securement, child passenger safety, car seats for our
15 pre K and early intervention and then as Kevin said
16 we also do retraining if necessary if there is a
17 specific issue uhm surrounding a student or their
18 specific uhm IEP and often times we often have
19 transportation amendments and transportation plans
20 that are also included and amended to the IEP and are
21 a part of that.

22 ANDY KING: I'll, I'll wrap up with this.
23 Uhm I personally want to, I want to thank you all
24 again because you have taken on a difficult task to
25 take something that is broken and figure it out so I

2 ask you, I ask Chair Treyger, if you can provide us
3 if you have a staff here that has done a wonderful
4 job here over the years but some of the suggestions
5 that you have heard today from the committee, I would
6 ask if you can give us a report back of some of the
7 things that you heard today that make sense that you
8 might be able to apply and imple... and if there is
9 something that you think doesn't make sense let us
10 know as well because we want to be a team here as
11 helping you out so we don't just want to have
12 committee hearings for two and three hours in the
13 office and then nothing every gets addressed and then
14 we back out in the same conversation like you know,
15 you heard them say, that question was last year.
16 Even though you are not responsible for what happened
17 last year but the, the system is still the same
18 system, so I'm asking us if we see something that is
19 difficult that you are going to do that doesn't work,
20 let us know that you are kicking it out and if there
21 are individuals who can't get it right I ask you to
22 just continue to reorganize people too. Because at
23 the end of the day, we cannot sacrifice the lives of
24 our children trying to protect an adult who doesn't
25 want to do the right thing and again I give, I give

2 my hats off to the men and women got get our children
3 to school safely but those who mess it up need to go
4 get a different job. I want to say Mr. Chair thank
5 you again for hosting this hearing and I'm looking
6 forward to getting our Legislation passed.

7 CHAIR MARK TREYGER: Thank you Council
8 Member and uhm lastly we will hear from Council
9 Member Levin.

10 STEPHEN LEVIN: Thank you Chair. I want
11 to thank you very much for your testimony, I want to
12 apologize if somebody has asked these questions, I've
13 been running in and out. So my name is Stephen
14 Levin, Council Member, Chair of the General Welfare
15 Committee in the Council. We oversee the Welfare
16 Shelter System, Welfare Committee and we applaud DOE
17 for revising its bussing policy with regard to
18 students in shelter as you have seen this just in the
19 last couple of days with New York Times story on the
20 increase in the number of, of children that are
21 deemed uhm homeless under the Conventio (SP?) Act as
22 it increase by 3% this year. Its an, its an
23 increasing problem every year and in the MMR, the
24 Mayor's Management Report you will see as a metric
25 that the percentage of children that are placed or

2 families that are placed according to the youngest
3 child's home borough has been declining over the last
4 10 years or five years significantly where it once
5 was over 80%, now hovers a little bit over 50%
6 meaning that more children are in need of bussing in
7 order to maintain enrollment at their original
8 school. Uhm so if you want to speak to that policy
9 change uhm specifically there is, when uhm, the
10 policy right now is, the revised policy is that a
11 child is entitled to bussing when they are found
12 eligible for shelter; however, there is a temporary
13 conditional placement period where the family goes
14 into PATH in the Bronx and they are placed into
15 temporary conditional placement for it could be up to
16 a month. Uhm when their case is being evaluated.
17 Uhm is there any plan to expand bussing availability
18 to children that are in conditional placement? And
19 the second question is with regard to, the new policy
20 is for K-12 I believe and K-6 and uhm is there any
21 plan to expand that to Pre K or 3K students as well
22 living in shelter?

23 KEVIN MORAN: So we are absolutely
24 committed to providing transportation support to
25 students that are in temporary housing. As a former

2 supervisor, one of the first roles that I took after
3 being a, a classroom teacher, a self-contained
4 teacher was working on making on an event when
5 students in temporary housing coordinator along with
6 attendance improvement dropout prevention so I know
7 personally the experience of family workers at the
8 shelter, working with the families and students and
9 how things move and how students are so unfairly
10 impacted, impacted by the fact that they're, they're
11 in a homeless situation or a transitional situation
12 so I am looking at it I was happy, uhm with the
13 ability to provide K to 6 uhm and adding the
14 condition when they are in you know for a months time
15 that's something that we are eager to do more of it's
16 just a matter of operationalizing that work so that's
17 a take away for us in terms of can we do it for pre K
18 and are we able to do it for a more conditional basis
19 whether, whether in the Bronx if they have to
20 relocate, you know getting relocated so that's
21 definitely something to definitely look at.

22 STEPHEN LEVIN: Okay uhm one of the thing
23 to flag and uhm this is something that I'm not sure
24 if you are aware of uhm that I, students that are in
25 temporary housing may not be able to participate in

2 after school programs because they don't have
3 transportation home after afterschool, particularly
4 if they are placed in one borough and you know as 47%
5 of families are placed in one borough and going, you
6 know going to maybe going to school in another. They
7 don't get to participate then in after school
8 programming which puts an additional strain and
9 stress on families that are already feeling a lot of
10 strain and stress. How does the Department of
11 Education approach that and are there any plans in
12 place to explore ways to expand transportation
13 options to those families.

14 ALEXANDRA ROBINSON: So currently across
15 the City uhm and it's a great question, because
16 currently across the City we uhm have only been able
17 to provide some after school programming for students
18 with disabilities. Uhm we certainly have looked at
19 it as you know when a child enters uhm shelter or
20 they are in temporary housing we do provide metro
21 card support immediately so they do have
22 transportation it just may not be a yellow school
23 bus. I think it's something that we need to, we need
24 to look at. We do have to be very mindful though of
25 the circumstances for all, for all of the students

2 which currently we would not have bussing to provide
3 to all students after school but certainly something
4 that we could, we could take a look at.

5 STEPHEN LEVIN: Right because these kids,
6 we are talking you know at this point over 100,000
7 children and again that, that metric is the most
8 alarming uhm metric to go by which is that you know
9 five years ago at the beginning of this
10 administration it was probably about 70 some odd
11 percent and that number went, really plummeted, you
12 know six to seven years ago it was over 80% and that
13 is a function of the shelter system being at capacity
14 and not having places to place them. Uhm speaking of
15 metro cards, uhm the my understanding is that parents
16 are currently required to, to get a metro card you
17 have to pick it up at the borough office and like on
18 Brooklyn on Livingston Street and you get weekly
19 metro cards. That is, you know if you are in a
20 placement in Kenarsy (SP?) and you have to go to 131
21 Livingston Street to pick up a weekly metro card
22 wouldn't it make more sense to give those families
23 monthly metro cards. Now chance... there is a
24 possibility that they might get placed sometime
25 during the month in permanent housing and therefore

2 really wouldn't be qualifying for a portion of a
3 month but when you have a length of stay right now
4 that I think exceeds 400 days, uhm for families uh
5 you know chances are that you know, that's 14 months
6 so chances are that more than 15 months that they are
7 going to be staying the whole month in shelter so can
8 we explore looking at monthly metro cards instead of
9 weekly metro cards?

10 KEVIN MORAN: I'm going to take that back
11 to the program office that supervises uhm the
12 students temporary housing contact experts. I have
13 been at work with them in the past, uhm so there, we
14 will look at it if there is another way to do this.
15 Uhm that is something I will take back to that
16 specific office.

17 STEPHEN LEVIN: Okay and then uhm lastly
18 students in foster care, so Federal Law requires that
19 the City provides transportation so that the students
20 can remain in their original school while placed in
21 foster care or will they switch foster homes. Uhm
22 but the City does not currently guarantee bus service
23 to students in foster care only a metro card and
24 while students, students in foster care can apply for
25 bussing through an emergency exception request, we

2 understand that many students in foster care who need
3 bussing are not applying for that and even when they
4 do their requests are often denied. There's uhm I
5 mean you might not have this information at the tip
6 of your fingers right now but during the 2017 to 2018
7 school year, we would like to know how many students
8 in foster care requested bus service through the
9 Emergency Request process? How many students in
10 foster care received bus service as a result of that
11 request? How many students have had the request for
12 bus service denied and how many or how long uhm
13 should a student in foster care expect to wait for a
14 decision on bussing?

15 ALEXANDRA ROBINSON: So I can tell you
16 that that we uh obviously want to make sure that we
17 are meeting the spirit of the Law for ESS or for
18 Every Student Succeeds Act which is where foster care
19 is covered. This past year, well, to start with OPT
20 does not designate specifically this child is in
21 foster care or this child is not. When a parent
22 gives us they are the parent or the guardian we don't
23 ask more. When somebody does ask for an emergency
24 exception or if they let us know through ACS or
25 through a foster, or a foster care agency that there

2 is a need for bussing. I am happy to say that this
3 past year we have actually accommodated almost
4 everybody who, who requested that. Having said that
5 many schools are requesting that metro card or that
6 bussing on behalf of the students without designating
7 that they are in foster care. They are designated
8 just on behalf of their students, so a lot of these
9 requests come in from the schools, we wouldn't know
10 if they were in a foster care placement or not.
11 Certainly I can take a look at the actual numbers for
12 those who have let us know that they are in foster
13 care, but I don't know of many that have been denied
14 and when you say denied, what we do is we take a look
15 at what is currently available. There may not be a
16 bus available right now in October, we will give you
17 a metro card until a bus becomes available and then
18 maybe three weeks from now there is and there is many
19 of these situations where it's turned around based on
20 when there was transportation available.

21 STEPHEN LEVIN: And then my last question
22 is uhm do we have an assessment or have you done an
23 assessment of the approximate number of K to 6
24 children in foster care who need bus service or other

2 appropriate transportation so that they can stay in
3 their original schools?

4 KEVIN MORAN: So specific to foster care
5 students, no.

6 STEPHEN LEVIN: It might take some
7 coordination and you have confidentiality issues and
8 a social service district you know the private
9 education is not part of it but we would love to work
10 with you and uhm the ACS and the foster care
11 agencies. This is something that we looked at. We
12 have a Foster Care Task Force that DOE was part of.
13 Uhm and we would like to explore having to get a
14 better handle on this. So that we are keeping kids
15 in there, uhm in their schools where they are
16 comfortable and where they have support systems in
17 place.

18 ALEXANDRA ROBINSON: We will, we will.

19 KEVIN MORAN: Especially, especially with
20 children in foster care that have uhm that you know,
21 that have all their support systems taken away from
22 them all at once, it is really challenging for them.

23 ALEXANDRA ROBINSON: And we've worked
24 very closely, just so you know with the advocates and
25 ACS on this. Several of us have sat on some of the

2 committees once ESSA was authorized to see what we
3 can do. So we would be happy to do that.

4 STEPHEN LEVIN: Thank you very much.
5 Thank you.

6 CHAIR MARK TREYGER: Okay thank you I
7 just have a few rap, wrap up questions and I will
8 return to our uhm to our families and advocates in
9 the audience. The DOE provided Council staff with a
10 list of 50 vendors they contract with for bussing
11 services; however, many of these vendors are owned by
12 the same company. How many discrete entities does
13 DOE work with uhm for people transportation? And is
14 there a concern that the school bus industry in the
15 City is small making contracts less competitive?

16 KEVIN MORAN: So is your question how many
17 parent organizations are there or how many vendors
18 are we contracted with?

19 CHAIR MARK TREYGER: Yeah because we have
20 a list from you that has 50 vendors but we have also
21 learned that many of them are owned by the same
22 company.

23 KEVIN MORAN: Okay alright so rephrase
24 the question, what was the question?

2 CHAIR MARK TREYGER: So the question is
3 how many entities does the DOE work with for pupil
4 transportation, how many of these umbrella companies
5 and is there a concern that the school bus industry
6 is small making contracts less competitive?

7 KEVIN MORAN: Yeah I have a breakdown
8 I'll ema... I can send it to you off line but what I
9 would say is that is partial to the work that we are
10 doing with the contract audit, so there are, I have
11 clear lines of where they are actually, I might be
12 able to pull it up for you here, the amount of
13 companies versus parent companies versus but if I
14 don't have it at my fingertips I promise to send it
15 to you it is something that, that we have.

16 CHAIR MARK TREYGER: You could certainly
17 send that to the committee.

18 KEVIN MORAN: Yes.

19 CHAIR MARK TREYGER: And do you have with
20 you the average number of routes per contractor and
21 the largest and smallest contractors in terms of
22 number of routes?

23 KEVIN MORAN: Yeah it's a lengthy
24 spreadsheet but I have it. Yes we would like we
25 would like to have that. Because one of the things

2 that again we haven't heard, we touched on some labor
3 issues but it does have an impact on this discussion
4 is that, correct me if I'm wrong but there is
5 currently a law suit that has been filed by a
6 coalition of bus companies?

7 KEVIN MORAN: Is this related to employee
8 provisions?

9 CHAIR MARK TREYGER: Correct.

10 KEVIN MORAN: Okay yes.

11 CHAIR MARK TREYGER: Is that correct?

12 KEVIN MORAN: Yes.

13 CHAIR MARK TREYGER: Yes because the City
14 released a request for bids, in that request for
15 bids, contained the EPP, is that correct?

16 KEVIN MORAN: That is correct.

17 CHAIR MARK TREYGER: And there was a
18 coalition of bus companies that have challenged it.
19 Now what we heard from labor is that there were
20 concessions made back in 2013 during the Bloomberg
21 Administration which impacted newer drivers, the
22 ability to recruit newer drivers. Uhm what we have
23 also heard from companies and I would like for you to
24 comment Mr. Moran is are you hearing or are you
25 seeing on the ground, uhm turnover of bus drivers?

2 KEVIN MORAN: Currently this is I'm not
3 seeing, personally seeing turnover, the bus companies
4 may be reporting uhm personally I'm not seeing it
5 yet. I mean this is something that I'm looking at.
6 This is something about more broadly about the
7 contract discussions we are having.

8 CHAIR MARK TREYGER: But that is not, no
9 one has relayed to you, not one company has relayed
10 to you that there is frequent turnover particularly
11 of newer bus drivers in their company.

12 KEVIN MORAN: I think there is anecdotal
13 evidence to support frustration with retention if
14 there is a bus company that shares it I don't have
15 anything in the spreadsheet version to say like X
16 company has reported that they have reported that
17 they have recruitment and retention.

18 CHAIR MARK TREYGER: See that has an
19 impact on the delivery and the quality and delivery
20 of service. Because experienced bus drivers and
21 those who have been in the system get more familiar
22 with certain routes, get more familiar with certain
23 areas, get familiar with families and that could
24 potentially uhm make things somewhat more smooth. I
25 think not perfect but more smooth but when you are

2 having a new bus driver and having constant turn over
3 then it becomes very difficult to build a sense of
4 familiarity with a neighborhood with a bus route,
5 with families. And so I'll, I'll close with this,
6 with you just by saying that we do have to deal with
7 this issue that I do think that it has long term
8 impacts on the stability of the system. I appreciate
9 the internal audits. I again remind the City of New
10 York that you control the purse, you uhm have the
11 power of the contract. I appreciate, I do support
12 the the provision of EPP I thin it is critical but we
13 have to make sure that we have fair playing field
14 across the board and we are because one of the things
15 that I just wanted to share with the public as well
16 is that the same license that's required to be a
17 school bus driver is the same license that other
18 industries also could require where they could pull
19 that driver into a new job that could pay more.
20 Because the starting salary for a new bus driver in
21 New York City is somewhere between \$18 and \$18.50 an
22 hour and in some other industries it is way more and
23 that is what is pulling some driver's away. So this
24 is something that I did, I know this was not a main
25 focus of the hearing but does have an impact and I

2 will also say as a former teacher uhm the impact that
3 these delays or no shows have on students is also
4 traumatizing particularly to our most vulnerable
5 students. It could ruin their entire school day, it
6 will actually ruin their entire school day. Uhm so
7 and that is what this is all about. At the end of
8 the day this is about our kids, our children and
9 making sure that we are getting them to school,
10 getting them to school in a timely manner and
11 communicating with families should any issues arise
12 and making sure that OPT is adequately staffed with
13 competent people, qualified people that know what
14 they are doing and also holding companies accountable
15 at the same time. And Mr. Moran I appreciate you
16 staying the entire hiring and I look forward to
17 working with you to making sure that we see these
18 improvements actually take shape. Thank you very
19 much.

20 KEVIN MORAN: Thank you for the
21 opportunity.

22 CHAIR MARK TREYGER: Okay I would like to
23 call us our first, our next panel, Lisa Cox, David
24 Cox, Robin Lockwood, Nichole Cable and Matthew Cable.
25 (long pause). I guess you would start while they are

2 working this way if that's alright. Sure. Alright.
3 Yeah. There will be a three minute clock that the
4 Sargeant at Arms will set up. Alright thank you
5 Sargeant you may begin. Make sure your mic is on.

6 LISA COX: Okay can you hear me. Thank
7 you, Hi. First thank you so much for having us here
8 and giving us this opportunity to share our story
9 with you. Uhm I'm going to read from this in the
10 interest of time so we can get it all in. Uhm we've
11 discussed today, you have mentioned our daughter
12 several times, Charlotte and regarding Charlotte we
13 just want to share our story with you. Uhm one of
14 the specific incidents involving our family's
15 experience in the bus are quite upsetting. The
16 response of failure to act for the DOE and OPT is
17 beyond reproach. To provide some background, last
18 fall in 2017, we had three very disturbing incidents
19 that took place involving our 4-year-old daughter
20 Charlotte and the bus with the most serious resulting
21 in Charlotte being abandoned at the wrong bus stop.
22 Fortunately, Charlotte was found by a Good Samaritan
23 who ultimately delivered her into the custody at
24 NYPD. At that time, Charlotte, a 4-year-old was
25 wondering the streets. I received a hysterical call

2 from our babysitter that Charlotte was not on the bus
3 when it arrived at our designated stop. When the bus
4 driver, when we asked the bus driver if he had any
5 idea if she even got on the bus he didn't know. As
6 you can imagine being told that your daughter is
7 missing, who at this point was now unaccounted for
8 for what was close to an hour can be anywhere between
9 1st Avenue where the stop is and 8th Avenue is
10 something I would not wish upon anyone. Needless to
11 say, our experience highlighted a number of
12 meaningful safety issues involving school busses.
13 For example, bus drivers have zero responsibility for
14 where the children would exit the bus. The bus
15 driver did not even have a list of children on the
16 bus. There was no system in place for the bus driver
17 to contact the parents or guardians of the child on
18 the bus in case or in the event of an emergency.
19 Since then, in working with the PS11 which is the
20 school Charlotte attends administration, the PS11,
21 PTA and the President of District 2 CEC we have been
22 advocating for a number of basic safety protocols to
23 be implemented for school bus safety citywide. We
24 should point out; however, that we have received a
25 ton of support from the PS11 community as well as

2 various City Council Members, many of whom are here
3 today. The response from the DOE and OPT could only
4 be described as a combination of gross negligence,
5 resistance and quite frankly a blatant sickening
6 disregard for child safety. For example, after
7 describing what happened to us, we were told that it
8 is not possible to communicate accurate information
9 about our bus stop location, bus drivers have zero
10 responsibility for where children exit the bus and
11 that it was the fault that our 4-year-old that she
12 got off at the wrong stop. In our research, it seems
13 that this is not the first time that this has
14 happened. To further our concerns, when your leader,
15 no one can answer to the direct question who is
16 responsible for my child on the bus. At this point,
17 we can only assume that no one is and if that is in
18 fact the case, parents should be allowed before they
19 place their child in danger. This is why we are
20 here, this needs to change. After a great deal of
21 well spent blood, sweat and tears, working with the
22 DOE, the OPT and the contract of bus companies, we
23 were able to enact a set of policies and procedures
24 of PS11 to material improve the safety of our

2 children. For example, children now wear lanyards,
3 I'm sorry.

4 CHAIR MARK TREYGER: No you could, you
5 could wrap up your comments.

6 LISA COX: Dave, Dave do you want me to
7 finish? Dave can finish it.

8 CHAIR MARK TREYGER: Sure.

9 LISA COX: There you go.

10 DAVID COX: Uhm while we've made a great
11 progress around improving the safety of children in
12 PS11 we would like to continue our work with the
13 powers that be to improve the safety of children on a
14 citywide basis, specifically, it remains unclear to
15 us whether similar, similar systems to what have been
16 adopted in PS11 have been mandated for other schools.
17 Who is ultimately responsible for the safety of
18 children from the time they leave the school to the
19 time they are delivered to a parent or guardian?
20 And who is responsible for ensuring that children are
21 ultimately delivered to a parent or guardian. Uhm
22 although we do feel better about the safety of our
23 daughter and other children in PS11 who ride the bus,
24 we are here to advocate for the safety of children on
25 a citywide basis. Given our experience, we know with

2 certainty that the current policies and procedures
3 are putting the lives of children at risk. We are
4 the adults in the room and it is our responsibility
5 for the safety of these children. At this time we
6 would like to turn it over to Robin Lockwood, co-
7 President of the PS11 PTA to review the bus policy
8 that we have created for PS11.

9 ROBIN LOCKWOOD: Thank you for providing
10 the opportunity for us to speak. We are demanding
11 change and we are here to do anything and everything
12 to help support this cause. Our principal stepped in
13 immediately when we found out about Charlotte and
14 created a policy just for our school to make sure
15 that we knew that the kids were on the bus and that
16 the drivers knew who they were and that they got to
17 their stop safely. We realize this isn't a policy
18 that needs to be for everyone, it needs to be bigger
19 and better as we have been discussing but we just
20 wanted to share it with you today. Uhm each bus
21 route has been assigned a color at PS11 and each
22 numbered stop has been assigned a color. Students
23 receive a lanyard like this one, an ID badge that is
24 color coded to match the child's bus stop. The badge
25 also matches the bus stop number. This badge has the

2 student's first initial and last name as well as the
3 bus stop and the address. Students have to be
4 wearing this badge at PS11 before they are allowed to
5 get on the bus. The bus has uhm a recording sheet
6 that we have created for each bus route. This is
7 created on two carbonless papers, the sheet contains
8 the student's names, group ride, bus stop and the bus
9 stops are numbered in the order that they appear in
10 the route guide. As each student is placed on the
11 bus, the PS11 staff member takes attendance. Once
12 all the students are in the bus, the bus driver
13 receives a copy of this attendance. As the students
14 are dismissed, they show they lanyard to the bus
15 driver and the driver checks them off the dismissal
16 box. The students are not permitted to exit the bus
17 unless they are at the designed stop with the
18 designated stop number and address. Students are
19 never permitted to get off the bus at a nondesigned
20 stop. Children are reminded to wear this lanyards
21 every day or on the backpack and if an adult is not
22 present at the designated stop the student will
23 notify the bus driver and may choose to stay on the
24 bus, after the route is completed, the driver will
25 return to the stop. If an adult is still not

2 present, the driver will contact 9-1-1. All of our
3 families are encouraged to watch the DOE safety video
4 and all of our families have been aware of this
5 policy.

6 CHAIR MARK TREYGER: I will have some
7 follow up items after we hear from the entire first
8 panel but thank you very much.

9 NICHOLE CABLE: Thank you very much.

10 CHAIR MARK TREGYER: In the mic.

11 NICHOLE CABLE: I am Nichole Cable, I am
12 here today to talk about my daughter Sally. Uhm she
13 has a complex medical history including infant
14 leukemia at the age of 10 months old where she had 2
15 years of very intense treatment. She lead into
16 seizures, she had several broken bones and she had a
17 weak immune system. Sally was able to attend pre K
18 in 2016 followed by her treatment. She developed
19 epilepsy. She also had three cases of pneumonia that
20 year which lead her into continued oxygen support via
21 nasal cannula. In July of 2017, after her last
22 pneumonia with a nasal cannula she was cleared to go
23 back to school. She was engaging, running around,
24 very active, uhm and ready to do her summer portion
25 of school and we were informed by the school that she

2 needed a one to one nurse now that she needed oxygen
3 support which we fully understood. Unfortunately
4 after we spoke to our District 20, they told us that
5 there was no way to have the paperwork done and the
6 bussing needs changed in order for her to go back to
7 school that summer. They said that it would be done
8 for September. Uhm at this time I didn't understand
9 why that could not be possible, now I do after having
10 spent a whole another year. All the paperwork was
11 approved by August 14, 2017 and Sally was assigned a
12 nurse. Sally would attend Manhattan Star Academy on
13 the upper west side and would begin school at 9 a.m.
14 on September 7, the first day of school, she was
15 sick. I called and notified the bus and the nurse.
16 I left a message for the nurse. On September 8th,
17 the bus arrived at 6:45 and the nurse did not. I
18 called OPT that day because I knew eventhough the bus
19 did not arrive that the bus was there entirely too
20 early for her limited time travel and especially
21 given her medical fragility it was not an okay
22 situation. On September 8th, later that day I was
23 given another phone call by another nursing agency
24 that notified me that Sally had been reassigned to
25 their case. On September 11th, 2017 I received a

2 voice mail from the first nurse letting me know that
3 she had been reassigned. That was very confusing.
4 It is still very confusing. Nobody talks to anybody,
5 especially the parents who are left there with a
6 fragile child on a sidewalk. It took until September
7 25th, 2017 for Sally to be reassigned a nurse. I
8 called OPT again and I had been calling them several
9 times about the limited time travel issue that I knew
10 that we would have. I had previous phone calls gone
11 through to transportation needs about limited time.
12 I explained that she needed oxygen, she needed air
13 conditioning, she had a nurse on her bus. This time,
14 do you mind? This time OPT notified me that Sally
15 could not get on the bus. She could not get on the
16 bus because even though I had had already made
17 several previous phone calls there was not an
18 additional code that would allow the nurse to get on
19 the bus with her. They told me that she could get on
20 the bus even though it is completely illegal to leave
21 a minor on oxygen on the bus. They would accept her
22 which is a horrifying thing but they would not accept
23 her nurse. They told me I need to talk to the
24 Department of Education, have it fixed and it would
25 take at least two weeks to be adjusted. My husband

2 and I began transporting her to the upper west side,
3 we have two other kids who are also in school. Uhm
4 so that she could finally begin school because at
5 this point she had missed 8 weeks of school. I just
6 want to point out that I received this in my local
7 public school for my kids and it talks about how
8 important attendance is. She missed 8 weeks of
9 school so far. Under this, I just want to point
10 after everyone had spoke and I had listened to
11 carefully today that it is so important for parents
12 to make medical appointments around school. I have
13 been in a very compliant parent, I make appointments
14 at the end of the day, on days off wherever possible.
15 I make sure to try and make sure that she can get to
16 school whenever she can get to school. I am not
17 getting, I never got that in return. Uhm, on October
18 10th, 2017 the bus finally arrived to pick up Sally.
19 There was no car seat, I followed up with the DOE to
20 fix the safety issue but the coding for it was never
21 fixed. The bus company thankfully because the bus
22 matron had five children of her own and given the
23 state of seeing my daughter with her oxygen equipment
24 and her CPAP machine convinced them to put it on the
25 bus for her safety. I did continue this issue but

2 never was able to get a car seat on her bus. Uhm
3 legally. Over the next year I tried to address the
4 long commute which I was not able to be successful
5 with. She had many illnesses and hospitalizations
6 and she left to go to school. She was so excited to
7 get on that bus and was really actually very upset to
8 get home at the end of the day. The importance of
9 her having a limited a more limited time travel and
10 one that was more understood as far as whether it
11 should have really been under 90 minutes or 75
12 because she was inter-borough or if we could have the
13 60 put on there was because she would nap for about
14 an hour at the end of the day. And had I been able
15 to get on the bus a little bit later she probably
16 would have made it through the entire school day and
17 thus at least making up on some of those hours. When
18 the summer came and the car seat issue had not been
19 fixed we had a new summer came and the car seat issue
20 had not been fixed we had a new summer team, new bus.
21 New bus entered, new matron and there was no car
22 seat. They told us we could use our own. We put
23 our own. Two weeks later they told us we could not
24 use our own because it was not legal with the bussing
25 department and the OPT. So Sally's nurse who was a

2 wonderful woman said that she would prop her up with
3 pillows and such and when she fell asleep with her
4 equipment on the bus as she often did out put her
5 oxygen monitor on there and hold her head up so that
6 she would not be comprising her breathing. She
7 should never have to do that. She is a nurse. She
8 will do whatever it takes. It's her oath. And she
9 knew how much Sally loves school from being with her
10 and so she made it happen or her. It is challenging
11 for me to try and figure out who would receive uhm
12 her 2018 paperwork when we had received her packet in
13 June. She had now entered private school she was
14 previously in a turning 5 situation. In a private
15 school situation there is no point person is what I
16 have found. I made several phone calls and emails and
17 during the summer it is really impossible to get a
18 human being to respond to you. But having through
19 this before I stayed with it and on August 15th I
20 actually was able to submit her paperwork. On August
21 30th, I was able to see where her bussing was and
22 again saw that the coding was wrong. I emailed, I
23 called, I was ensure that I was in fact wrong and I
24 said I have already been through this. I can tell
25 you you are going to require that second seat. I

2 believe it may be a C code or they will not let my
3 daughter on that bus. No they would not listen to
4 me, uhm so again when the first day of school came
5 she could not go to school. We also had again yet
6 another nursing shortage so I had no nurse and I had
7 no bus. The bus was wonderful I do have to give them
8 credit uhm many of the bus had called on the route
9 was really raring and ready to go and prepared,
10 unfortunately they could not pick up my child. On
11 September 11th, Sally turned six years old and she
12 should have been off to school to celebrate with her
13 friends, she was ready, her friends were ready, her
14 teacher had been prepared for a speciality for her
15 special diet, everything that we had thought that we
16 had worked really hard for. Uhm she was actually
17 doing quite well that well and much better than we
18 had seen her in well over a year. She was off oxygen
19 for the first time in 16 months for hours of a day.
20 On an unfortunate turn on September 15th we brought
21 her in to NYU and realized that she was in septic
22 shock. On the morning of September 19th her school
23 which is a beautiful place sent us this because Sally
24 had been sick so many times and had already
25 recovered, she was just a really incredible child.

2 They sent us this this morning to encourage her to
3 come back to school because they knew that it was her
4 happy place and it was the place that gave her the
5 fight to keep on going all the time. An hour later,
6 our daughter died. The doctors at NYU did everything
7 and anything that they could within medical science.
8 They gave their hearts, that gave their hours. They
9 supported us in every way, shape and form and
10 although they could not save her life, I have no
11 anger to them whatsoever. I do in fact have anger
12 toward the Department of Education and Office of
13 Pupil Transportation. That should have been the
14 hardest part of our journey and it was not. It should
15 not be so hard to send your child to school. I
16 should not have to figure out that I have to give
17 this person in the DOE something then we will have to
18 wait two weeks for someone else to get something to
19 then look at that paper and say you know what, now
20 you did it wrong and this is how it is. This is not
21 my job. I am actually a massage therapist, I work
22 four days a week and I have two other children. This
23 takes away from their time. When we talk about
24 achieving our students, it's all of our students, the
25 other two children are also affected greatly and

2 their schools are affected because they know how hard
3 I am battling that they are picking up the slack for
4 the other two that I cannot get to. There are some
5 things very specifically that I would like to see
6 changed. If your child attends a public school, I
7 mean a private school, they should be provided the
8 same access I was given when I was in and so do my
9 other children, at the end of the year there is a
10 school psychologist who goes over paperwork with you,
11 who makes sure that things are being submitted, when
12 you leave that you don't get that, you are on your
13 own and these are children who are obviously and
14 going to these schools because they are on the ones
15 who are most fragile which means that they need the
16 most support and not the least support as well as the
17 parents. A code that I entered today should never,
18 ever take two weeks to show up in another system.
19 Not, not in 2018, I can't possibly imagine that and I
20 know that that has been happening for decades. Uhm
21 the medical paperwork that I give the doctors,
22 doesn't even have room or the ability to work through
23 her issues nor does anybody often on the other side
24 understand what it is that they have to do, paperwork
25 needs to be overhauled. Uhm as a parent I should

2 never have to educate anybody at the DOE nor the
3 Office of Pupil Transportation who what the
4 guidelines are, I should not have to spend 10 calls
5 and still question well if it is inter-borough and
6 she is Special Education is it 75 minutes or is it 90
7 minutes because it says that on an IEP, do I need it
8 to have 60. There is no place to even find this
9 information as a parent. You get a run around and
10 someone will eventually ask you to get an advocate.
11 You shouldn't need a team to figure out how to get
12 your child to school. I spent hours on the phone
13 with routing and timing issues. Hours. And I
14 entrusted the well-being the safety of my child to
15 you. You failed her. And in failing her, you failed
16 us because I cannot get those hours back. And that
17 hurts me gravely. There are ours that I cannot get
18 back that I did not take her outside because I had to
19 make phone calls and I had to do paperwork. I wish I
20 could tell you that I am the only person that I have
21 ever heard this from, but I am not, if I was I
22 wouldn't be sitting here if I thought I was the only
23 case in this City that is struggling so hard. Or the
24 only person over these decades that has been here but
25 because of her situation I have met so many

2 therapists, advocates and I know that I am not alone,
3 I know that she wasn't alone. I am pleading with you
4 for change. I may not ever forgive that this
5 situation was even allowed to happen and that is with
6 me reaching out and doing everything that I can with
7 the people even before here at the panel. It is a
8 very, very broken system. And it needs to be
9 addressed. I hope to not see this in the future.
10 Thank you.

11 CHAIR MARK TREYGER: Matt do you have
12 anything to.

13 MATTHEW CABLE: No. I do.

14 CHAIR MARK TREYGER: I have to say
15 probably the most emotional powerful testimony I
16 think I have ever heard. I am deeply sorry. Uhm we
17 we knew Sally through events. I know my colleague
18 Council Member Brannan and I worked with the family
19 to raise awareness about childhood cancer but I, did
20 not know the depths of what you went through as far
21 as the torture from the bureaucracy to get something
22 as basic as getting your child to school because that
23 to me is one of the basic functions of our local
24 government. You know fix pot holes, make sure your
25 parks and schools are okay and get kids to school,

2 that is basic 101 government. And if we can't get
3 that basic thing right, we are failing in many
4 regards. So I uhm, I would, so we, do you deal with
5 the same person at OPT or.

6 NICHOLE CABLE: Anyone who calls OPT
7 knows you only get who you get when you call OPT.
8 You can't even get the same router, sometimes it's
9 from 7 to 3, it's from 8 to 4, whose got what hours.

10 CHAIR MARK TREYGER: So you have to
11 repeat your story over and over again to people is
12 that right?

13 NICHOLE CABLE: You repeat your story
14 over and over again after about the 9th call maybe
15 you get someone who luckily tells you that you need
16 to actually start uhm submitting what's it called, I
17 can't think of it. Basically where they, where they
18 take down your case and your complaint number and
19 then they tell you that eventually your complaint
20 gets elevated. You know eventually I got lucky after
21 so many phone calls and I found somebody who gave me
22 more information. If you finally find someone who
23 gives you more information and elevates you,
24 realizing that this is not okay. But not okay can
25 take two to three weeks, especially in the beginning

2 of the school year when everybody is calling because
3 there are so many problems. So it takes two or three
4 weeks before all the phone calls start to die down.
5 Most of the kids get picked up so that you can
6 actually get a person who can give you to another
7 person who can try and figure out what is happening.

8 CHAIR MARK TREYGER: Yeah and as we heard
9 earlier from OP, from the DOE, first of all this call
10 center sounds like just an intake center or just
11 complaints. It's not a, it's not a place where they
12 process the complaint to say oh I could figure out a
13 solution and help you solve it. They just intake and
14 pass it along to someone else and that someone else
15 probably works in an office that is understaffed
16 because as we have heard there are many temps, temps
17 working in this office. There are not a lot of
18 problem solvers that I am hearing in this office. I
19 am also hearing that there is just not many, whether
20 qualified or competent people. So what happened here
21 was gross negligence and certainly gross incompetence
22 and it should have never happened at all and again I
23 am deeply sorry. Uhm that is just unacceptable and
24 uhm but I would like to follow up with you, in that
25 as we, as you have heard there were commitments to

2 make adjustments and improvements to the system, I
3 would like to, work with you on making sure that
4 these improvements are adequate and actually address
5 the issue that you unfortunately went through.

6 NICHOLE CABLE: Thank you.

7 CHAIR MARK TREYGER: As far as the case
8 with Charlotte, uhm I noted as you heard me speak
9 with the Chancellor that the principal took it upon
10 himself to make the system. Uhm and I credit him
11 greatly and I credit the family and the school
12 community there, uhm but there is something
13 systemically wrong with allowing a 4-year-old to just
14 self-dismiss off of a bus and I am not sure that many
15 school communities were even aware of this, I doubt
16 they were and after we met we had met with the former
17 Deputy Chancellor who she is no longer there, which
18 is true but they basically shared a document that is
19 not guidance, it's just know, oh this something that
20 some school is doing so just think about it. Uhm
21 it's not acceptable. But we heard a commitment today
22 from the Chancellor that he will revisit his
23 regulation, revisit this policy, changes do have to
24 be made uhm there is also the issue that there should
25 be no secret side agreements about unauthorized stops

2 that puts everyone in jeopardy uhm and the DOE cannot
3 accept the policy of just allowing very young
4 children just to decide well I want to get up and
5 leave because my friend is leaving or I just want to
6 leave. That's the current policy. A 4-year-old can
7 just walk off a bus and with regards to the rosters
8 that you talked about. The current, there is nothing
9 that requires the bus driver from even adhering to
10 that. So if you have a bus driver that is doing that
11 they are doing that because they are choosing to do
12 that and that should be appreciated. My only concern
13 would be is what if that bus driver leaves and you
14 have a new bus driver and there is nothing in the
15 system that requires them to work and as you heard in
16 my testimony I think we need more matrons and more
17 assistants on busses. Because there are some busses
18 with only 50 kids and one bus driver. And their
19 focus is on the road and trying to make sure that
20 they are driving safely. They need help. They can't
21 do this alone. Now for special education routes,
22 that's a regular policy but for GED it's not and so
23 there are a lot of tweaks that have to happen here in
24 the system in addition to basic GPS systems but I
25 cannot thank you enough for your consistent powerful

2 advocacy and I, I am confident more after hearing the
3 Chancellor's remarks today that there will be changes
4 made and we will follow up with you about that as
5 well. And if any of my colleagues have any comments
6 or questions, I Council Member Kallos.

7 BEN KALLOS: Thank you for being here so
8 soon after with everything that you are going
9 through, an 8-month-old at home and I can't even
10 imagine what you are dealing with and what you have
11 been dealing with. Uhm I think something that you've
12 brought to the attention and I want to thank
13 Alexandra Robinson who is the Executive Director at
14 OPT who stayed for the hearing because what I didn't
15 see in their testimony which it sounds like they need
16 is a position just focused on Special Education so
17 that instead of getting bounced around to however
18 many people that somebody who is dealing with as much
19 as you are can just have one person they are able to
20 deal with who is your assigned person who is going to
21 just deal with all the problems and if paperwork is
22 an obstacle they are just going to fill it out for
23 you and just get it done so you can just pick up the
24 phone, they know you are and they know who you are
25 for now and they keep knowing who you are because

2 they are going to want to have institutional memory
3 there that they have enough of these people so that
4 their cases aren't overloaded and they can give
5 everyone the attention that they deserve so that all
6 you have to worry about is getting to the right
7 school and taking care of your kids and getting them
8 to where they need to be so you don't have to deal
9 with the bureaucracy. So that's just, is there any
10 other big thing in terms of if we have that magic
11 wand and we could just give, is that, what is the?

12 NICHOLE CABLE: You sound like the
13 computer guy. So how do you get them to all actually
14 to, all those systems to communicate?

15 BEN KALLOS: Okay.

16 NICHOLE CABLE: That should be something
17 to me that is very simplistic, you know finding the
18 DOE and I upload a document, it shouldn't have to, it
19 should be able to be seen in the other agencies not
20 as needed or there should at least be an alternate
21 for certain cases where you don't have to wait two
22 weeks in limbo.

23 BEN KALLOS: I might have a Bill on that.
24 So I think just one, just having individuals to
25 assist families with Special Education needs and the

2 other piece would be just intraoperability with and
3 DOE for the different departments to share that
4 information and now that OPT is within DOE that
5 should be even easier to accomplish. Thank you for
6 being here today.

7 MATTHEW CABLE: The one, the reason that
8 we are here and so soon is you know, within minutes
9 of Sally passing, Nichole looked at me when it was
10 just the two of us alone with her in the room and
11 said, a very thing, we can't let another parent,
12 especially a Special Needs parent go through what we
13 did, ever again. So that's, that's why we are here.
14 We just want to make sure that it was taken serious
15 and that action comes from this, that is all we ask.
16 Thank you.

17 BEN KALLOS: Thank you very much and we
18 are as you heard from our Speaker and from this
19 committee we are not going to stop until significant
20 changes are made to this system. Thank you very
21 much.

22 CHAIR MARK TREYGER: The next panel,
23 Justin Wood, Paula Martinez-Boone, Nina Trumbo, and
24 Heather Beers-Dimetriates (SP?). Whoever wants to go
25 first.

2 JUSTIN WOOD: Okay thanks. Hello my name
3 is Justin Wood, I am the Director of Organizing and
4 Research at New York Lawyers for the Public Interest.
5 Uhm thank you Chair Treyger for holding this critical
6 hearing on Pupil Transportation. Like many here we
7 believe the current Pupil Transportation System needs
8 fundamental reform and that the private bus companies
9 need to be held accountable to families, particularly
10 students with disabilities who make up a
11 disproportionate share of the bus population but also
12 to the communities that host the thousands of diesel
13 busses and the drivers and attendants who want to
14 provide the best, safe, and efficient possible
15 service. Uhm so there are so many issues as we are
16 hearing about this broken system and so many things,
17 uhm to reform. We wanted to draw your attention uhm
18 from an environmental justice perspective and an
19 environmental perspective to something that we
20 haven't heard a lot about so far today. Uhm which is
21 the problem of the emissions that the diesel engines
22 and thousands and thousands of vehicle uhm also cause
23 within the communities that are hosting the bus
24 depots and bus systems and then I know my colleague
25 and others are also going to testify about the impact

2 on students with disabilities in particular. We took
3 the liberty of looking up where the bus contractors
4 depots are actually located and printed out this
5 handy map earlier and as you can see these have a
6 disproportionate impact on a number of outer borough
7 communities that are considered environmental justice
8 communities, uhm historically burdened with a lot of
9 cumulative pollution. Some of these bus depots have
10 500 or more vehicles traveling in and out every
11 morning and possibly again between shifts uhm we are
12 told and so uhm some of these I believe are in, are
13 in your District uhm Council Member Treyger, other
14 historically burdened communities like the south
15 Bronx, Red Hook, Brownsville in East New York uhm and
16 these are of course the same communities that have a
17 lot of cumulative pollution and among the highest
18 asthma rates in New York State. So along with the
19 other reforms, uhm that we are talking about and
20 which we support, we really hope the Council will
21 take up the environmental and environmental justice
22 impact of this system as well. And we can look at
23 things like uhm building into the contracts and the
24 procurement contracts, electric bus procurement, low
25 emissions engines, uhm other things I know some of

2 our allies uhm from the Environmental and
3 Environmental Justice Communities are going to
4 testify about and that in addition to all of this
5 sort of individual Bills that we really look at a
6 wholesale reform of this system that benefits the
7 workers, students, families, and communities that are
8 all impacted by the Pupil Transportation System.
9 Thank you.

10 PAOLA MARTINEZ-BOONE (SP?): Good
11 afternoon, my name is Paula Martinez-Boone. I am
12 representing the New York Lawyers for the Public
13 Interest and specifically our Disability Justice
14 Program. I work with the families, parents and legal
15 guardians of the students with disabilities.
16 Representing them to try to get the best education
17 possible and transportation is definitely one of
18 their biggest, one of the biggest issues among other
19 issues that are going to focus on the transportation.
20 The parents that we serve report to us that the
21 Department of Education fails constantly to provide
22 students with disabilities with things that they need
23 such as small busses, shorter routes, busses with air
24 conditioning, nurses, paraprofessionals that we have
25 heard for our, or parents that they were providing

2 testimony before. Uhm the process of obtaining
3 specialized busses is complicated, uhm as we already
4 heard. It is not parent friendly, it is a tremendous
5 amount of paperwork. Uhm once another issue is that
6 if the student uhm needs accommodations this
7 accommodations could take from 7 to 10 days so while
8 every other student is studying in school the first
9 day, these children are home. Parents need to take
10 the day off to stay with their children or take the
11 kids to their school themselves because 7 to 10 days
12 is a lot of time for a child to be at home, for a
13 parent to miss work. Uhm we also heard that, that
14 long routes make students very sick. We have
15 students who has Attention Deficit Hyperactivity
16 Disorders and being in on for long period of time
17 busses make them sick. Uhm some of them, some of the
18 parents reports that the children have been come home
19 wet and even soiled for being long, long time in
20 these busses. Uhm many times the bus does not show
21 up. Parents call OPT, there is no answer. There is,
22 the call gets put on hold for long periods of time
23 and god forbid you don't speak English, your call
24 will never be answered. They will hang up the minute
25 that you need any uhm language services. Uhm, uhm

2 let me see what else. Oh a big one also is that a
3 lot of students, the parents reported that they came
4 home with bruises, scratches, something obviously did
5 happen to this student. The students were not verbal
6 and not able to report to the parents what happened
7 to them. You call the school, the school says it
8 happened on the bus, you call the bus and the bus
9 says that happened at school and it is, and the
10 parent needs to make several calls trying to get an
11 investigation process that goes nowhere. The case,
12 the case gets closed and nobody know what happened.
13 Some of the solutions that we proposed is creating an
14 oversight office and also a liaison. I think you
15 mentioned earlier and we also have in our uhm, in our
16 testimony that they need people assigned that will be
17 able to work with this family. Thank you.

18 HEATHER BEERS-DIMETRIATES (SP?): Good
19 afternoon, my name is Heather Beers-Dimetriates
20 (SP?). I currently serve on School Leadership Team
21 as a parent member at J JES 190 and previously I was
22 the SLT Parent Member at 184. I live in City Council
23 District 29 where my twin daughters attend Russel
24 Sage Middle School but for six years they took the
25 bus to PS174. I have a child on an IEP. I had, I am

2 not going to go into my full testimony because it is
3 kind of redundant so I am going to do some altering
4 here. At the beginning of the year, yes, we would
5 see all the typical things, you would see parents who
6 were running anywhere from 25 to 45 minutes late to
7 work because the busses weren't on time. Non-English
8 speaking grandparents not knowing what is going on.
9 You even had older siblings with younger siblings
10 waiting at the bus stop, they were not going to be
11 late to school and this has become very much the
12 normal at our bus stop. Our bus stop is around the
13 corner, a very exposed corner, outside as most bus
14 stops are. Uhm I want to take you through a scenario
15 that happens in January. Because what has happened
16 in our neighborhood, routinely in January is we get
17 new drivers. Just when you think everything is going
18 smooth and groovy, you get to January and you've got
19 new drivers because they have the prerogative to
20 change at that time of year. I am going to walk you
21 through a story that happened. It is the first Monday
22 in January and overnight we got six inches of snow
23 and it's 20 degrees outside. Families are gathered
24 outside on the corner. The first bus is already
25 about 10 minutes late. One parent has called OPT and

2 another parent has called, one parent has called OPT
3 and another parent has called the school, both trying
4 to find the buss. The school must call OPT, OPT must
5 call the bus company and then the bus company must
6 call the school bus driver. Thankfully the
7 laundromat has allowed the children to shelter
8 inside. Now the first bus is 20 minute late and the
9 second bus has pulled up. It only has room for half
10 of the children. The driver, mind you, both drivers
11 are from the same bus company has no idea where the
12 first bus is and is unable to comply with our request
13 to loop back to get the remaining children after he
14 has completed school drop offs. Our school was the
15 last stop uhm prior to getting to the school. So
16 parents then had to decide, wait or walk their child
17 to school? Was the bus late because it is broken
18 down and stuff in traffic, whatever the reason may be
19 parents aren't concerned because they just want to
20 get their child to school safely. Now our bus stop
21 had to your point before about matrons, uhm I didn't
22 initially have a semi-statement but one of the thing
23 that would have helped us is that we had on that
24 first bus, the bus driver was so occupied that he
25 literally was using a student as the bouncer,

2 counting up to so many kids and then now allowing
3 others on. Is not quite a good position to put a 4th
4 grader in. Uhm we know uhm so basically week one
5 successes at the bus stop relies on how often parents
6 reach out to OPT. The OPT does not initiate outreach
7 to parents. Parents must check in for the route
8 information the day before school and in my case one
9 year I had to check every day for over a week and a
10 half as departure and arrival times kept changing day
11 upon day. The information isn't provided proactively
12 and at times, the drivers do do their best to try to
13 update you if they are aware of a change for the
14 morning. I had a mother contact me just this
15 afternoon that for fourth time this year she has had
16 to take the kids from the bus stop, load them into
17 her caravan and drive them to school because the bus
18 is an absolute no show and this is October. Real
19 time bus information and location information will
20 finally give parents and caregivers control over
21 their morning routines. They can choose whether to
22 take the bus or make the necessary alternate
23 arrangements and or kindergarten parents who don't
24 normally get route information until several days
25 after the first day of school, could have one less

2 thing to worry about. Being here today will not
3 directly help my family. My children are thrilled to
4 be at an age where their parents no longer walk them
5 to school but it will help every family they pass as
6 they walk past their old bus stop in the way to
7 school each morning. Thank you for your time and
8 your serious consideration on something that is just
9 so common sense.

10 CHAIR MARK TREYGER: And how uncommon
11 common sense is but I really thank all of you for
12 your very powerful testimony. Thank you for your
13 advocacy for our most vulnerable children as well I
14 appreciate this information and data I will actually
15 very sobering information about my District to thank
16 you very much, I appreciate it. Thank you all. Next
17 panel, Randy Levine, uhm Liana Keiser (SP?), Jessie
18 Cutler, and Thomas Russville (SP?).

19 RANDY LEVINE: Thank you for the
20 opportunity to speak with you. I am Randy Levine and
21 I am Policy Director at Advocates for Children of New
22 York. Since mid August, Advocates for Children has
23 heard from more than 50 parents with complaints about
24 the school bus system. A written testimony lists
25 what a number of those complaints are, but the

2 parents who spoke spoke much more powerfully than we
3 can about what parents experience. As such, we
4 appreciate what the DOE and the City Council are
5 focusing increased attention on addressing long
6 standing challenges with school bus service. We have
7 several recommendations, first we strongly support
8 Intro 1099 which would give parents and schools
9 access to GPS data in realtime allowing parents to
10 know when the bus is coming, how long the bus is
11 taking to get to school and where their children
12 area. We thank Council Member Kallos for his
13 leadership on this Bill. Second for Students with
14 Disabilities the DOE must develop a transparent and
15 streamlined process for recommending transportation
16 accommodations on students IEPs and must ensure
17 coordination between schools, OPT, the Office of
18 School Health and the Special Education Office to
19 implement specialized transportation recommendations.
20 Too often we see parents going back and forth with
21 various DOE offices regarding documentation needed
22 for transportation accommodations. We hear from
23 parents that the DOE improperly made decisions
24 regarding IEP Transportation Accommodations outside
25 of IEP meetings without the parents participation and

1 once Transportation Accommodations are recommended we
2 hear from parents that the DOE has not implemented
3 them. Third, as the DOE makes changes to school
4 transportation, the DOE must address the
5 transportation needs of students in foster care.
6 Federal Law requires the City to provide
7 transportation to students in foster care so they can
8 remain in their original schools. Despite this legal
9 obligation, New York City guarantees bus service only
10 to students in foster care who have special
11 transportation recommended on their IEPs. You will
12 hear more from some other advocates today about this
13 issue but it is vital that as the City revamps the
14 system of transportation it focuses on students in
15 Foster Care and guarantees kindergarten through 6th
16 grade students in foster care yellow bus service just
17 like it guarantees that service to students living in
18 shelter. Fourth the DOE must continue to improve
19 transportation for students living in shelters. We
20 are very pleased that City provides yellow bus
21 service to kindergarten through 6th grade students
22 living in shelters. Our written testimony provides
23 recommendations of the next steps that are needed
24 including providing bussing for students in
25

2 conditional shelter placements so that students don't
3 miss weeks of school when they are first placed in
4 shelter pending a final shelter eligibility
5 determination. Fifth we often hear from parents who
6 are very frustrated by OPTs customer service and that
7 must be revamped. And finally in our written
8 testimony we have some recommendations to strengthen
9 the reporting Bills in order to include that the
10 reporting Bills and the Bills about students rights
11 include disaggregated information by students living
12 in shelter, students in temporary housing other than
13 shelters and students in foster care so that we can
14 learn important information about the transportation
15 of each of these student populations in addition to
16 transportation for students with disabilities and
17 general education. Thank you very much for the
18 opportunity to speak with you and I am happy to
19 answer any questions that you may have.

20 JESSIE COLE CUTLER: My name is Jessie
21 Cole Cutler and I am a partner in the Law Offices of
22 Virginia Skyer and Associates LLP. A Special
23 Education Law Firm that represents thousands of
24 families of students with special education needs.
25 Thank you for the opportunity to speak today. My

2 firm supports the passage of Introduction 1099 which
3 would provide parents, schools and other authorized
4 individuals access to real time GPS location data for
5 school busses. We are significantly behind the
6 times. Dozens of school districts across the country
7 such as the City of Houston during Chancellor
8 Carranza's turn there have successfully developed GPS
9 bus location apps for parents or have contracted with
10 existing third party developers to provide this
11 service. Right now, some of our clients actually buy
12 an extra cellphone and they provide it to their child
13 and they use it as a makeshift GPS tracker. This is
14 an inequitable situation though and it is an
15 inequitable solution to a problem that impacts
16 families with more limited means and it doesn't help
17 the parent to know where the bus is before the child
18 boards that bus and how they can plan that morning.
19 Instead too many parents decide not to put their
20 child in the bus at all, coming to the conclusion
21 that it is not safe, reliable, or good for the
22 child's educational progress. These parents incur
23 significant transportation costs and limit their
24 abilities to work and care for their other students.
25 It is troubling that we have normalized the idea that

2 disabled students as young as 3 should endure long
3 waits for busses that do not show up, that they
4 should engage in trips to school in excess of 2-3
5 hours in each direction, that these students should
6 chronically arrive late to school, that the student's
7 medical coding that was agreed to at the IEP meeting
8 somehow doesn't transition. It doesn't make it
9 through the three different computer systems that are
10 needed to go from the Committee on Special Education
11 IEP meeting until this child is routed at the Office
12 of Pupil Transportation and a calloused disregard for
13 the kinds of basic comfort that any adult here would
14 expect for themselves like air conditioning on a hot
15 summer day when 12 month Special Education Programs
16 are still in session. Providing parents and schools
17 access to real time GPS location will not solve all
18 of our problems. It will not even come close to
19 solving all the problems that we have heard about
20 today but OPT must learn to welcome greater
21 transparency. This is a simple tangible way to ease
22 the stress of families with Special Needs Children
23 and I urge you to adopt this Legislation. Thank you.

24 LIANA KEISER (SP?): Thanks Jessie.

25 Thank you to the Chair and Speaker of holding today's

2 hearing, my name is Liana Keiser (SP?) and I am the
3 parent the 6-year-old autistic twins who take the bus
4 to school every day. I live in Manhattan. I am
5 privileged enough to have been able to arrange for a
6 family member to meet the bus today so I could
7 testify. The vast majority of my friends, who also
8 have Special Education children would have liked to
9 have been here but, but just can't, just because the
10 fact that now is the time to meet the bus. Uhm
11 dealing with OPT is one of the most stressful things
12 in my life. Because of my children's autism and
13 their behaviors, it is very difficult and often very
14 dangerous for them to wait for long periods of time
15 near busy traffic and that is where I live, Hell's
16 Kitchen. One of my sons has elopement issues and
17 needs one to one support at school. I have often
18 found myself physically holding him down if he is
19 forced to wait for a longer period of time which
20 means that he departs for school having had an
21 unpleasant aversive experience and at times
22 completely melting down. Not a good way to start the
23 school day. My other son because extremely
24 disregulated and sensory seeking if he waits too long
25 and on days when the bus is late, which is most of

2 the time he leaves for school unable to respond to
3 his name or follow simple directions and these are
4 things that he has worked very hard to learn how to
5 do. Also not a good way to start the school day. In
6 some ways I know I am lucky. I know parents whose
7 children has not had AC in July and August. I have
8 read stories about physical abuse in the press
9 recently. A personal friend of mine whose son
10 attends school in one of my boys classes has stopped
11 using the bus because of chronic lateness. She
12 dropped hours at work and she takes her son to son on
13 her own. This, she does not have a lot of money.
14 This is not a good situation for her family. If I
15 had money I might also buy GPS trackers for my sons
16 which you mentioned many people do but it's not
17 something that I can afford to do. Uhm I had one
18 situation in July where my children were on a bus for
19 over 3 hours, uhm going from 45th Street in Manhattan
20 to 95th Street in Manhattan. I don't understand how
21 that is possibly. I was lucky enough to be on an
22 airplane when that happened and so I didn't know
23 about it until I got off the airplane and I was
24 spared the terror that my wife and the school uhm
25 experienced trying to figure out where that bus had

2 disappeared into the Bermuda Triangle between 45th
3 and 95th Street. Uhm I've heard today from OPT that
4 they are announcing a pilot program uhm for a GPS app
5 for parents but I don't trust them to implement that.
6 They have not earned my trust, I don't care who they
7 fired, I don't care who is new, who is not new, this
8 is an agency that has not earned the trust of parents
9 and I urge you to adopt this legislation. They need
10 a clear mandate. They need rules to follow. Their
11 word is not good enough and regardless of how
12 impressed some people here were with their apologies
13 actions speak a lot louder than words, I'm not
14 interested in their story. Thank you.

15 CHAIR MARK TREYGER: I really appreciate
16 that testimony and we are aggressively advancing and
17 pushing these Bills. Uhm first of all, as I
18 mentioned in my, in the opening remarks, I am shocked
19 that it is not already on contracts already. The
20 City of New York has been renewing contracts since
21 the 70s. It is a \$1 billion plus industry. We
22 control the purse, we control the contracts and yet
23 we can't enforce this, so we are going to ... we are
24 going to push to mandate this.

25 LIANA KEISER (SP?): Thank you.

2 CHAIR MARK TREYGER: But it should have
3 been already put in contract years ago so I, I, uhm
4 cannot agree with you more about the outrage. Uhm
5 Randy very quick question, can you elaborate on the
6 lack of collaboration between, you mentioned with
7 regards to students whose, whose IEPs might require
8 transportation but yet somehow it is not filtering
9 through. Can you just elaborate more on that, what
10 are you hearing on the ground?

11 RANDY LEVINE: Sure I mean I think that
12 the parents who testified earlier will do a much more
13 compelling job than I can ever do but their story is
14 not unique. We hear from parents whose, who are
15 given documentation that is very confusing, uhm when
16 their children need certain medical accommodations,
17 whether that be a paraprofessional or a nurse on the
18 bus, whether that be a wheelchair lift bus or air
19 conditions, or limited time travel. We had one case
20 where a child missed 2 years of school because the
21 parent's primarily language was a language other than
22 English was going back and forth between doctors and
23 various Department of Education offices with these
24 forms and there was always something wrong with the
25 form, but it wasn't communicated to the parent and

2 then there would finally be a realization that this
3 was the part of the form that was filled out wrong
4 and then trying to get a doctor to uh pay attention
5 to that and fill it out the way that the DOE office
6 wanted was, was very complicated and then after that,
7 where these decisions are made is very confusing.
8 Decisions about a child's IEP are supposed to be made
9 at a child's IEP meeting with participation from the
10 parent, from the school and from anyone else who
11 needs to be there including a medical professional or
12 someone from the office of Pupil Transportation but
13 parents are routinely told almost as DOE policy that
14 decisions about specialized transportation can't be
15 made at an IEP meeting because all of these documents
16 have to be filled out and then reviewed and then a
17 decision is made and to wrap up, finally we then hear
18 about a lot of difficulties with implementing the
19 mandated accommodations so once a child has on their
20 IEP that they need limited travel time and a
21 wheelchair lift bus and a nurse, a little different
22 offices within the DOE are setting up those different
23 provisions and we often hear from families that a
24 piece of that or multiple pieces of that slip through
25 the cracks the bus shows up but the nurse isn't there

2 or the bus shows up but it doesn't have the
3 wheelchair lift that the child need to get on the bus
4 and resolving these challenges has been very
5 difficult, very frustrating for parents and even when
6 these cases come to our attention take a lot of time
7 and effort to resolve.

8 CHAIR MARK TREYGER: This is one of the
9 reasons why I requested an organizational chart of
10 OPT, uhm currently we heard today that they are short
11 staffed, understaffed, I question how many people
12 there are even knowledgeable about the things they
13 should be knowledgeable about but uhm there is, there
14 is a real, there is a lack of, there is a crisis in
15 confidence but I, we need to know who is in charge of
16 what and whose in. Now last week, Randy do you have.
17 I don't know if your organization heard about what I
18 pointed out earlier for Gen Ed busses a child at any
19 age and the case that heard a 4-year-old can self-
20 dismiss off of a bus. Do you have any comments or
21 thoughts on that?

22 RANDY LEVINE: That is certainly very
23 troubling. I am not as familiar with that, policy or
24 that area but it's definitely something that we would
25 like to partner with you on.

2 CHAIR MARK TREYGER: Yes, I, I was
3 shocked and appalled by this case. And when we
4 looked up the Chancellor's Regulation it actually
5 says child at any age can just get of the bus.

6 RANDY LEVINE: We think that there is a
7 clear need to update the Chancellor's Regulation.

8 CHAIR MARK TREYGER: I think so too.

9 RANDY LEVINE: For students without
10 disabilities for students with disabilities for
11 students living in shelter including codifying the
12 DOEs policy of providing yellow bus for K to 6 grade
13 students.

14 CHAIR MARK TREYGER: Absolutely.

15 RANDY LEVINE: And for students in foster
16 care.

17 CHAIR MARK TREYGER: Thank you. Thanks
18 for, Council Member Kallos.

19 BEN KALLOS: So one question that we got
20 asked earlier today is what impact would actually
21 having this GPS information have that some have put
22 it so okay you know the bus is never showing up or
23 you know that the uhm that there some are far away.
24 What impacts would it have on what could have,

2 advocates such as yourself for parents use that
3 information for?

4 RANDY LEVINE: We certainly. There are a
5 number of ways in which having GPS data would be very
6 valuable to parents. So first is just knowing when
7 the bus is coming, we hear about parents who have
8 young children with disabilities and are standing
9 outside on a corner in the sweltering heat, in the
10 pouring rain, in the snow and so knowing where the
11 bus is and what time they actually need to be
12 downstairs is very helpful there. In terms of
13 students who have limited time travel on their IEPs
14 or even those you don't, we hear from parents who
15 have very long bus rides but they don't know what
16 route the bus is taking. Uhm we have heard about
17 parents who tried to follow the bus one day to see
18 what happens. Uhm but they don't know what happens
19 the next day but in that case. So having that
20 information both tells parents what bus the route is
21 taking, how long it is actually taking and will allow
22 for the parent and OPT to be more of equals as they
23 are having a conversation about changes that need to
24 be made. Parents will report to us my child's bus is
25 taking too long and the question we know they are

2 going to be asked is how do you know that? Are you
3 keeping track of what time exactly the bus comes
4 every morning? Well how do you know what time they
5 are getting off at school? Well can the parent find
6 someone to keep track of that, everytime the child
7 gets off the bus at school and it becomes a very
8 complicated situation when we should just know how
9 long it is taking a child to get to school, and
10 finally for the situations when the bus doesn't show
11 up in the afternoon uhm having a parent be able to
12 know where their child is and where that bus is is
13 really critical.

14 LIANA KEISER (SP?): May I add something?

15 CHAIR MARK TREYGER: Of course.

16 LIANA KEISER (SP?): I talked about what
17 happens with my children in the morning but thinking
18 about the schools as Randy was saying, my children's
19 school there are quite a number of busses because
20 kids are coming from all over the City to attend that
21 school because it is a highly specialized school.
22 Uhm and so they have to have a staff person available
23 to meet every bus and they have to have a staff
24 person available to accompany each individual child
25 off of the bus because these children often have very

2 significant autism, severe autism, moderate autism
3 and just can't, can't have one person handling the
4 children coming off the bus. Uhm when the schools,
5 when my school doesn't know where the busses are for
6 long periods of time, if it is an hour late, if it is
7 two hours late, the staff are standing on the corner.
8 They are standing outside the school on the sidewalk
9 waiting for that bus. As clueless as the parents are
10 on the other end and what that means is that those
11 staff are not in the classrooms they are supposed to
12 be in teaching or being an assistant or a
13 paraprofessional assigned to a child and so you know
14 we have all of these kids with IEPs that say that
15 their ratio is supposed to be 6 to 1, 8 to 1 to 3,
16 whatever that ratio is and that is the appropriate
17 level of service that that child needs but sometimes
18 and I think it is most mornings there is a, just a
19 guaranteed chunk of the morning every morning where
20 that is not the ratio in the classroom because those
21 teachers have all been along the sidewalk waiting for
22 those busses that haven't shown up yet. So knowing
23 where the busses are for the schools, I think would
24 really benefit not just the kids who are on those

2 busses but all the kids that attend those Specialized
3 Schools.

4 CHAIR MARK TREYGER: That's just a follow
5 up. My understanding Mr. Cutler is that your
6 practice relates specifically to a right for children
7 to have a free and appropriate public education. How
8 would having this GPS information uhm that having it
9 be archived, having it be disclosed upon request, how
10 would that empower you to ensure that your client's
11 children are getting access to that right?

12 JESSIE COLE CUTLER: Thank you. As you
13 have heard the accommodations can be mandated on a
14 student's IEP; however, just because a parent leaves
15 the IEP meeting that says we agree, we are mandating
16 that your child have a limited travel time, that your
17 child will be transported from the home to his public
18 school where he will receive special education
19 instruction within 60 minutes. Parents have no way
20 of actually knowing that at this point. There is no
21 transparency. Unless the bus company self reports
22 that they were late, unless the parents know each and
23 every day that the child was actually on time and
24 there is no record that a parent is otherwise able to
25 access. There is no data. We walk into court and to

2 hearings and make this allegation that the child was
3 denied educational opportunity that she was denied
4 the opportunity to go to first period and second
5 period every day because the bus was late everyday or
6 because it took too long to get there and so the
7 child was in crisis by the time that they got there.
8 They had soiled themselves and needed to spend the
9 first 30 minutes of 45 minutes of the day being
10 changed and reregulated so that they were available
11 for instruction. All of these things go into a
12 child's ability to attend school in the first
13 instance, to walk in in a humane fashion, in a
14 dignified fashion and when the child was not able to
15 do so because the bus took too long to get there and
16 because there was no way for the parents to know
17 without this tracking that this was going on or that
18 this was an epidemic that it occurred over the
19 entirety of the school year until somebody slips and
20 says oh well Johnny wasn't here for first period for
21 the entire school year, uhm having the GPS data
22 allows the parent to report it both to OPT, to the
23 school and to go higher if need be and go through the
24 administrative process to force OPT and the
25 Department of Education to comply with a legal

2 obligation to transport the child. It also allows
3 the parents again to understand where the child is
4 and to allow for replanning for things like related
5 services that some students require after school
6 because the Department of Education is unable to
7 fulfill related service mandates in a public school
8 program. Having that GPS data would allow the
9 parents to know whether it is reasonable for the
10 child to actually get to location X at the
11 afterschool program so that he or she can receive
12 speech or language therapy or occupational therapy
13 and it allows the parents to understand the routes
14 and to take a look at those routes. Often times our
15 clients are telling us that the current routes
16 require that a child be picked up on 90th Street on
17 the upper east side and then travel down to Battery
18 Park before traveling back up to the upper west side
19 with the children on board. There is no reason for
20 this except that it routing for some reason decided
21 that this was a better way to go because one child
22 had a mandate on their IEP that specifies a limited
23 travel time. So having that GPS data allows parents
24 to understand where the child is and whether these
25 decisions are being made appropriately.

2 CHAIR MARK TREYGER: And so to be clear
3 we've heard from Kevin Moran that he intends to start
4 using the data to audit and monitor and improve
5 quality of service in real time but if we pass this
6 Legislation and they are unable to deliver on quality
7 of service, is it, is it accurate to say that you
8 will be able to go to court and get court orders
9 forcing the Office of Pupil Transportation to deliver
10 on this service that they are required to?

11 JESSIE COLE CUTLER: Yes we often go to
12 court, we often go to impartial hearings and evoke
13 the Office of Pupil Transportation or bring them in
14 and they send a representative who often times
15 addresses the issue and then in that instance it
16 happens, but it is unfortunately like a game of whack
17 a mole because we are taking one route and they are
18 doing a route split which we heard about and so now
19 every child on that route or on two routes is being
20 inconvenienced through students. So yes we do have a
21 process where that can occur but it shouldn't have to
22 go that far, there is a mandatory 30 day cooling off
23 period after we file that impartial hearing request
24 before we can actually get in front of a hearing
25 officer or before we can even scheduled that and so

2 that's taking months of this child's education uhm
3 and it's completely denying them the opportunities
4 that they are guaranteed under federal and state law.
5 Thank you for your partnership in drafting this
6 Legislation.

7 CHAIR MARK TREYGER: Thank you. Thank
8 you all very much. The next panel, Meghan Cerrito
9 (SP?), Lori from Include NYC, Celia Green, Sarah
10 Catawenatto (SP?), Justin Wood, and Paula Martinez-
11 Boone. There were two that were already called, so I
12 would like to call up two new witnesses, Maria Jamie,
13 and Nelson Marr. You can start.

14 LORI PODVESKER (SP?): Okay I would like
15 to thank the Education Committee and Chairman Treyger
16 for holding this important Oversight Hearing. The
17 New York City Department of Education Office of Pupil
18 Transportation. My name is Lori Podvesker and I lead
19 the policy work at Include NYC. I am also the mom to
20 an almost 16-year-old who is nonverbal with cerebral
21 palsy who attends a District 75 program who started
22 taking the bus, I realized 14-1/2 years ago and
23 crawled the first few years getting on the bus. Uhm
24 we testify today to highlight the need for better
25 quality and delivery for service of school

2 transportation services for more than 100,000
3 students with disabilities in New York City. We
4 believe that there is a direct relationship between
5 students with disabilities safely getting to school
6 and home each day with the extent in which they make
7 educational progress. Include NYC formerly Resources
8 for Children with Special Needs has worked with
9 hundreds of thousands of individuals since our
10 founding 35 years ago, helping them navigate the
11 complex special education service and support systems
12 so that young people with disabilities can be
13 included in all aspects of New York City Life. We
14 commend Mayor de Blasio and the Department of
15 Education on their recent efforts to address
16 administrative issues including insuring that bus
17 drivers undergo the same background checks and
18 investigations as other school staff members. While
19 this is progress it is insufficient and we fully
20 support the Council's proposed resolution and Bills
21 that would provide more transparency and oversight of
22 transportation services. Furthermore we believe the
23 creation and distribution of a School Bus of Right is
24 long overdue. Parents and students have a right to
25 clear and understandable information about the school

2 transportation process and ways to resolve issues.

3 The current available information is totally

4 incomprehensible. Every year parents call Include

5 NYC for help with resolving transportation issues and

6 during the September we had a 44% increase with the

7 number of bussing calls; however, none of the

8 problems we heard is new. Persistent issues include

9 busses not showing up in the morning, busses arriving

10 late in the morning and/or afternoon, students

11 missing instruction and related services, parents

12 feeling overwhelmed by bus problems and how to

13 resolve them, the delay in assigning school routes,

14 safety concerns, the temperatures on the busses. A

15 lack of sensitivity by school bus personnel and the

16 inability of parents to communicate directly with

17 their child's bus. One father whose first language

18 is not English and who immigrated to this country,

19 recently called Include NYC for help. He told us

20 that he is still waiting for a bus route to be

21 assigned to his physically disabled son, 7 weeks into

22 the school year. OPT told them that they are waiting

23 to receive his medical paperwork from the Office of

24 Student Health. As a result, his son has only

25 attended five days of school this year. The father's

2 work schedule prevents him from taking his son to and
3 from school each day. A student's ability to be
4 educated should not be dependent on whether or not
5 parents are able to take their child to school. As a
6 result of these persistent issues, we recommend the
7 following. For the purpose of not being redundant
8 for what others have said, uhm I would like to
9 highlight some additional issues. Allocate funds to
10 invest in technology that would allow school based
11 data management systems to communicate stronger with
12 OPT. Require the Department of Education's Divisions
13 of Contracts to include quality criteria such as
14 safety records, vehicle inspection and timely service
15 delivery and RFPS and describe a way to them in the
16 formula to awards contracts. Update the Chancellor'
17 Regulations which Randy was talking about earlier
18 which was last updated in 1990, that's almost 30
19 years ago and we fully support uhm mandating
20 disability training for all bus personnel and we
21 would like to see that that training is conducted by
22 disability experts and not solely by operational or
23 administrative people within the Department of
24 Education but those who know about the
25 characteristics of different types of disabilities

2 and what they look like. Uhm thank you or taking the
3 time to consider this important mater and we look
4 forward to continuing to collaborate with you.

5 CELIA GREEN: Good afternoon, my name is
6 Celia Green and I am the President of District 75
7 President's Council as well as being the President
8 for CCHS which is the Citywide Council on High
9 Schools. I have been a parent in the DOE since 1994
10 with continuous children, I have six young man, four
11 of whom are in the spectrum, three of whom are still
12 in school and all three are D75 children. Uhm two of
13 whom are inclusion children so they are in a Gen ED
14 setting primarily and with D75 supports. Bussing has
15 been an issue since 1994 and it's one of the few
16 things that has gotten progressive worse in the years
17 that have spanned. But one of the things that I
18 think don't take into consideration is all children
19 have the right to be, especially disabled children to
20 be educated alongside their nondisabled peers so the
21 bussing, definitely contributes to them not being
22 able to be, uhm integrated alongside their
23 nondisabled peers because timing is a factor. I had
24 one bus for one son when he was originally in
25 inclusion many years ago that would show up

2 consistently at my house at 9:30 or 10 o'clock. It
3 showed up for one week on time and that was it. For
4 the entire year, for the entire school year to the
5 point that I finally said I have to pull him off of
6 this bus and took the rest of the year to take him to
7 school because of that. Uhm fast forward many years
8 hence, uhm my children are now teenagers, now my
9 youngest is 14 and this summer because they have 12
10 month programming, the first day of school, the bus
11 decided to not come, not calling, no one called me,
12 no one called the school you know so it's a shock for
13 everyone. I am hoping though and I think one of the
14 main problems in bussing lies in how you are able to
15 get a contract. There are no real parameters around
16 bus companies in the sense that if you have the land
17 to park a bus and you can park multiple busses on a
18 piece of land that you know, then you can have a bus
19 company and you can bid for a contract, there is not
20 a whole lot to it. A lot of companies have 27
21 different names because the mother owned it first and
22 it got 7 violations and then the father owned it and
23 the child of the child owns it. It will never change
24 unless we put parameters around these busses and
25 these companies that provide this service. Uhm you

2 know I am all for everyone making a living but a lot
3 of parents during the bus strike couldn't make a
4 living. A lot of parents lost their jobs because
5 they had to take their children to and from. So I
6 think I believe in fairness and I think in bussing we
7 really have to do a better job in demanding things
8 because if we are going to pay somebody for something
9 we can't pay somebody to hurt because we have to pay
10 somebody that is going to do the job that's required
11 and get our kids to where they have to go because we
12 don't get a second chance to educate or kids. Thank
13 you.

14 SARAH CATAWENATTO: We help parents
15 improve school transportation. We also thank the
16 Education Committee and all of the parents and people
17 who have to wait for the last minute, uhm this is
18 great effort. The disability rights movement slogan
19 has nothing about is without us so we hope you keep
20 seeking input from self-advocates who were school bus
21 riders themselves. As for young children riding the
22 bus, the others who grapple with the issues are their
23 families, educators and experienced school bus crews.
24 These advocates all have organizations that are easy
25 to find as well. Regarding Into 4501 we are glad

2 Council Member Dromm agrees with us about sending

3 home regulations and how to in various languages.

4 School staff could also benefit from that info.

5 However, one has to be refined by the organizations

6 named about who know the frequently asked questions

7 about how bussing is done now and two we would rather

8 not call it a Bill of Rights since we already have a

9 document by the name to show how bussing should be

10 done uhm which we will intend to get on the ballot

11 one day. Uhm enclosed in our testimony is our School

12 Bus Bill of Rights, its endorsed by other bus parent

13 groups and School Bus Unions. We have also included

14 a few of the Better Bussing Ideas that have gone

15 ignored in just the last five years or some excerpts

16 there from 2016 report on a DOE study three years

17 prior "Existing Processes for Bus Scheduling and

18 Routing did not draw on the day to day experiences of

19 bus operators or families and so were much less

20 efficient. The field research was distilled into a

21 report recommending three service prototypes to test;

22 however, the prototypes were never implemented." In

23 there is a 2013 letter to the outgoing and incoming

24 administrations by Civil Rights Attorney, Norman

25 Seagull which recommended better training standards,

2 sensible contracting and routing and an independent
3 bussing liaison such as the MTA now has or its riders
4 with disabilities. There are some notes from a 2015
5 series of meetings between OPT Directors and Parent
6 Council Leaders. Those also mention training,
7 climate control and "change the routing system to
8 make it more efficient, consider one program, one bus
9 to cut down on length of transport time, number of
10 buses idling at the school." We generally support
11 any Intros that address or measure the problem but we
12 urge that those closest to the situation have the
13 biggest say in making the solutions meaningful.

14 Oddly if you would, three sound boards, one GPS is
15 only as good as the heart that goes into it. Drivers
16 are stuck with parameters set by the same corner
17 cutters who think all kids can go from stop to
18 seatbelt in 30 seconds and that a bus can be at three
19 schools in the same minute. Please read the letter
20 from a pissed mom, Nichole from Inwood and listen to
21 the workers on this. Two, we know parents and the
22 driver trainer who themselves have become real car
23 seat experts and it is important in the advent of
24 PreK and 3K to hear from them. I trust them more
25 than researches up in an office. Three, all of these

2 solutions will fail if we don't have a stable
3 workforce. We are running school bussing based on
4 low bids and high profits has left us with a real
5 driver shortage. The comment all routes are staffed,
6 they are doubled up routes. So they are staffed but
7 they are doubled up. And there are many workers
8 today ready to strike or even quit. We ask this body
9 for support in seeking a meeting between the
10 Chancellor, Bus parents and bus unions ASAP. Thank
11 you.

12 MARIA JAMIE: Hi good afternoon, my name
13 is Maria Jamie. Uhm my English is not so good but I
14 will try to do my best this afternoon. I just would
15 need an extra little more minutes. It's hard to come
16 from DR and to not speak the language and have a
17 premature baby. I have a student who is 5 years, her
18 name is Serena Gonzalo and uhm imagine that as a
19 mother we deal with disabled child like 16 weeks of
20 pregnancy and then you got a, you are suppose to have
21 a nice experience to try to go to the school. I have
22 two years fighting back and forth, back and forth and
23 I have an amazing attorney that together they are
24 helping me with, trying to get limited travel time
25 because my daughter gets motion sickness, global

2 developmental delay. Full details why Giovinni has
3 right now for surgery, shunt, AV fistula. She has a
4 lot of things that you can't imagine but thank God I
5 don't work every day with. One of the main things
6 that I want to mention here before going into details
7 is how teachers us as parents, Oh Marie, are you
8 Maria Jamie, they already know my name. I got 25
9 reference numbers that I can mention to you right not
10 because I have to go almost every day for different
11 things. I don't understand why in OPT is not in
12 compliance, who is taking care of our when they are
13 not in compliance. I heard this morning or this
14 afternoon to try to understand in my best English as
15 possible that they said to take it takes to 10 to 15
16 days to resolve, that's not true. They call me pain
17 in the ass, they call me annoying mommy, they call me
18 by my name, they say oh you again, they say oh no I
19 can't talk to you I need to speak with your attorney
20 and I would like to let you know that this case is
21 going forward to the New York City with my attorney.
22 We try to be really polite. Its the main thing, I
23 try to do my best as possible. Something else that I
24 want to add is that I put my own life at risk one day
25 at 6:20 a.m. to try to following the bus to try to

2 prove in the trial as an exhibit like I need a
3 limited travel time. I don't think that's fair that
4 the system puts us to loose our job. We got blessed
5 with a home but we deal every day with the hard times
6 like caring of a baby, dealing with tuition,
7 different developmental disability that even when out
8 of psychology, we parents, we mom and deal with
9 people on the phone that call you annoying or what
10 else do you need or say, give me one second let me
11 read your newspaper here. Because they got more than
12 20 reports and then OPT takes the case, they close
13 the case, they don't let you know, they don't follow
14 with procedures, the don't respect you when you ask
15 to speak with a supervisor, they don't transfer you,
16 they don't let you go and one of the things that I
17 have to do and I hope my attorney is not getting mad
18 at me is buy my own car seat, go by myself to the OPT
19 office, may ready to call 9-1-1 if police just in
20 case they want to take me and make sure they approve
21 my car seat because beside the severity that my
22 daughter has she has behaviors that she is scared to
23 be bussed and it is really hard and painful that you
24 need to crying and request specific favor when you
25 got documentation of the medical paper request and

2 deal with the language sometimes they don't
3 understand you. Sometimes the supervisor is not
4 allowed to use a translation person over the phone.
5 My attorney has not only my case, he has another case
6 on the, and other patterns and I don't think that
7 it's fair that they limit as the parent, they not
8 respect us, they don't listen to us, they don't take
9 time for us, they close the case, they don't contact
10 you, they don't follow with you and it is right now
11 that we go with this situation like it's two years
12 and we have it over and over and over limited travel
13 time, parents at the bus, uhm, uhm what else, climate
14 and the car seat was the last thing and the other
15 behavioral issues that we already have and requesting
16 that they send an investigator. They investigator
17 didn't do like they were supposed to do. My
18 attorney, we talked about it and I'm forwarding any
19 information because the language is really hard to me
20 due to. This is a really a nightmare, I just say I
21 will if in my country we had the, the services that
22 my daughter needs I would not be here because this is
23 really a nightmare for me. I, my daughter has a lot
24 of sleeping disorders, hearing disorders, eating
25 disorders, and you can't imagine how hard it is to

2 have a special needs child and then you with the
3 system is the only thing that you want is that you
4 daughter needs and they come in, they say do you want
5 a limousine for your daughter? Or why don't you
6 bring you daughter by yourself? It's a lot of this
7 going on about my case and I don't want to get all
8 the attention, not only in my case but I need please
9 Council people for us as parents that we really have
10 cases with a special needs child, how we please to
11 request attention? I've been in the emergency room
12 because they got panic attack when I be in the CSE,
13 CSE office, sometimes they need to expedite cases for
14 the meaning. When (INAUDIBLE) or they need an ASAP
15 meeting. If there would be (INAUDIBLE) they need to a
16 special meeting, ASAP meeting, they need to do
17 exceptions and sometimes they don't do it. And they
18 cause us as a privilege it's not this is about child
19 needs. They need to respect our and I feel that at
20 OPT they didn't do it. They are not support to touch
21 my daughter without my consent. Without letting me
22 know, even over the phone. Even in a letter or even
23 in the meeting so all the procedures and I don't want
24 to go on to details and name because I got to follow
25 my attorney's instruction but I please, we not

2 thinking about doing the lawsuit. We are not
3 thinking about to go to the news but we need this
4 case to be resolve as the other cases, the other
5 parents just came over and they got no boys they got
6 to go worry. If the other parents they are not able
7 to come over here today I just get a phone call three
8 times when I've been here, I've been outside crying
9 because **(INAUDIBLE)** and then it's a lot of things
10 going on, it's a lot of sacrifice. We understand and
11 I want to say thank you so much for the time. This
12 is more than anything that I can, I can't imagine and
13 the main thing that is going on right now, my
14 attorney is going to go on to details and please
15 thank you for the time and don't ignore our
16 situations, thank you so much.

17 NELSON MANN: Good afternoon, uhm thank
18 you Council Member Treyger and the rest of the City
19 Council and those in attendance. I don't want to
20 take up much more of the time you know as Ms. Jaime
21 uhm you know clearly expressed there has been a lot
22 of difficulties with OPT and and as some the
23 panelists have talked about. It is nothing new, this
24 is uhm, chronic, systemic and unfortunately has
25 significant impacts, you know not only for the parent

2 but obviously for the student as well. We have been
3 fighting this case with her daughter's transportation
4 needs now for over two years and uhm at the beginning
5 of every school year it's the same difficulties, uhm
6 so I definitely reiterate the recommendations of
7 those that have uhm testified before me. I want to
8 just highlight potentially one issue uhm that I think
9 you know goes towards some of the safety concerns
10 that uhm Ms. Jaime is talking about. Uhm her
11 daughter is, is not very verbal you know and so it is
12 very difficult for her to express herself. So if
13 something happens on that bus, it is very difficult
14 for her to get that information, to understand what
15 exactly happened and then figure out steps to address
16 it and I know that this is something that has been
17 uhm I guess suggested before but I think certainly
18 uhm having video recording devices on busses is is
19 somewhat important especially for at risk students
20 and students with severe disabilities like Ms.
21 Jaime's daughter, especially those who are nonverbal.
22 Uhm and I think much like the call for GPS tracking,
23 I think this is uhm a lost cost thing that could
24 provide significant you know assurances both to the
25 parent and to uhm to actually bus drivers too that

2 there is some accountability for for what happens on
3 that bus and uhm so I just want to leave it at that.
4 If something could be done to address that because
5 I've had too many situations, too many clients come
6 forward you know discussing issues where they left
7 school with no bruises but then once they get off the
8 bus there is you know bruises and marks either on
9 their face or on their body, uhm school claims that
10 they put them on the bus with no problems, no issues,
11 but then once they get off and then the bus matron
12 and and the bus driver said they didn't see anything
13 and and in some ways that's understandable because if
14 you, if you are working with a bus with multiple
15 students with disabilities it's hard to keep track of
16 what's happening with each individual child. So I
17 think it would be important for the City Council to
18 consider this issue. Thank you.

19 CHAIR MARK TREYGER: Thank you and I
20 thank the entire panel for your powerful advocacy and
21 we are not going to stop until changes are made.
22 Thank you very much. Elizabeth Van Horn, Rebecca
23 Green, Adrianna Espinosa, Kuen Anatin (SP?) and
24 Maggie Moore. We will add a couple more since I

2 think some folks might have left. Uhm Gloria Garcina
3 and Chris Treiber. You may begin.

4 ADRIANNA ESPINOSA: Good afternoon my
5 name is Adrianna Espinosa. I'm the Director of the
6 New York City Program at the New York League of
7 Conservation Voters. I would like to thank Chair
8 Treyger for holding this hearing and giving me an
9 opportunity to testify before the Committee on
10 Education. Uhm with almost 70,000 complaints in the
11 beginning of school it's clear that these mishaps are
12 not a fluke but evidence of a broken system. While
13 attempts to improve transparency between people,
14 transportation and families is a positive step
15 forward it is not enough. Clearly the City's Pupils
16 Transportation system is failing to adequately serve
17 students, we've heard countless stories here today.
18 However, instead of a reactive approach to policy I
19 think we have an opportunity to be innovative and
20 completely reimagine Pupil Transportation in New York
21 City. It is no long acceptable or sustainable for
22 DOE to allow bus companies to pollute our air with
23 their fleets of diesel busses, uhm especially given
24 the circuitous routes, uhm according to new school
25 year, same dirty buses. A research paper published

2 by NYLCDs Education Fund, we estimate that the school
3 bus fleet of New York City emits an average of
4 113,000 tons of greenhouse gases per year. Over 16
5 years, a typical lifetime of a school bus this
6 equates to 1.8 million tons of greenhouses gases and
7 to contextualize if we remove these busses and
8 replace them with zero emissions vehicles that would
9 be the equivalent of removing just under 350,000
10 passenger vehicles off the road per year. Uhm so the
11 Environmental Economic and Public Health impacts from
12 that pollution has had a detrimental impact on our
13 City, particularly in environmental justice
14 communities where these bus depots are sited as
15 Justin pointed out earlier today. Uhm long term
16 exposure to diesel pollution has lead to chronic,
17 cardiovascular and respiratory illnesses, higher
18 mortality, higher cancer rates, incentive lung
19 function. The School Bus Industry has remained
20 stubbornly unchanged and this is because the vendors
21 operate in a consolidated market where there is
22 limited incentive to improve services, adopt new
23 technologies and communicate with families and
24 workers. A Cooperatively owned and operated Electric
25 School Bus Company could be part of the solution to

2 the current state of bussing. An Electric School Bus
3 Coop would be controlled by the workers of the
4 company with representation on the board from
5 families as well as advocates in the transportation
6 environment and education space. Overall this
7 initiative is a way to re-imagine bus contracting and
8 the bus ride itself could be more appealing and
9 healthy for workers, students and their families. In
10 regards to the Bills being heard today, NYLCB
11 supports the pre-considered Bills by both Council
12 Members Kallos and Treyger. In regards to reporting
13 on Pupil Transportation Policy, Procedures and
14 Operations. However, I respectfully recommend the
15 inclusion of these additional requirements for the
16 reports. One vehicle miles traveled for busses,
17 reporting annually. Two the age and fuel type of
18 each vehicle used by a school bus contractor for
19 transporting students and three, a further breakdown
20 of students, time spent on busses, disaggregated to
21 include the percentage specifically of students 30
22 minutes and under, 30 minutes in an hour and an hour
23 and above on school busses. And inclusion of these
24 items will allow for a better understanding of the
25 environmental and public health consequences of

2 diesel fuel school bussing in New York City. Uhm so
3 thank you again for the opportunity to testify.

4 CHRIS TREIBER: Hi good afternoon, my
5 name is Chris Treiber I'm the Associate Executive
6 Director from the Interagency Council for Children
7 with Developmental Disabilities. We have a
8 membership of about 45 Preschool Special Education
9 Program and about another 30 School Aged Programs and
10 our programs serve children with the highest levels
11 of need in the City. We have about 75 school sites
12 that our program serve and the transportation has
13 always been a challenge for them. Consistently you
14 know in the beginning of the year. But this year it
15 has been much more significant. We have been hearing
16 reports even as of today that busses are still
17 arriving late at school uhm and I think one of the
18 most frustrating things is that when we do call OPT
19 they do respond but then we find out that another
20 school then has problems and so we find these kind o
21 pervasive sort of problems that don't sort of get
22 solved uhm we have a number of buses that are still
23 arriving late, 30 minutes or more and just to put it
24 into into context, one bus 16 kids, 30 minutes late,
25 that means those kids lose 8 hours a day, times that

2 by an entire 25 days of school and that's 200 hours,
3 just one bus, just one school uhm and it is really
4 very difficult for the schools to provide the therapy
5 services that the kids need because basically the
6 therapists have very clear schedules, when the kid
7 isn't there, they can't make it it is really a
8 significant challenge. The other problem that people
9 have talked about is busses not showing up in the
10 morning, uhm we have parents who are threatening
11 losing their jobs because the buses aren't there uhm
12 and uhm GPS would really help we believe because at
13 least parents would know was the bus there, when it
14 was there, uhm it would give some idea. Uhm also we
15 have schools that have real numbers of children still
16 traveling hours on the bus going home every day; 3-
17 year-old children on the bus three and four hours,
18 uhm children who end up home hungry, soiled and
19 parents you know parents take them off the bus
20 crying and they are so upset. We had one parent who
21 actually told the school that she was calling the
22 police to find out where her child was because she
23 felt the bus driver was stranger and she put this
24 child on a bus for four hours and nobody could
25 explain where it was and when it was going to arrive

2 home. Uhm and then the last thing that is most
3 concerning to us is that we have had examples of
4 children who have come home with unexplained injuries
5 and like has been said uhm when the parent asks the
6 bus driver and the matron first told the parent oh I
7 don't know what happened and then later they said oh
8 no, no the child did it themselves and we are talking
9 about a 3-year-old child with a gash on her eye,
10 taken to the hospital and the hospital basically
11 described it as traumatic uhm brain uhm I mean a
12 traumatic head injury so those are the kinds of
13 things that we are struggling with. Uhm we do have a
14 series of recommendations uhm in here we certainly
15 support the DOEs recommendations there should be a
16 survey. Uhm you know they survey parents at the
17 schools all the time in terms of that, certainly
18 parents should have an opportunity as well as the
19 schools to comment on the, on the quality of the
20 services and we also do believe that there should be
21 efforts given to families and especially the schools
22 to know what is required from these bus companies so
23 that the schools who really are holding accountable a
24 lot of these bus companies have some basis by which
25 to file complaints. Thank you.

2 MAGGIE MOORE: I'm Maggie Moore and I'm
3 here today to speak on behalf of the Arise Coalition.
4 One of the advantages of going later in the day is
5 that you can short cut, can shortcut your testimony a
6 lot. So I am here on here behalf of Arise. We are
7 parents, advocates, educators, academics and other
8 stakeholders who have been working together for over
9 10 years now to provide a collective and powerful
10 voice in support of students with disabilities and
11 learning differences here in the City. Uhm you have
12 actually heard already from a number of our members,
13 my written, my written testimony has a lot more
14 substance than what I am about to say but in the
15 interest of time and in thanks to all of the people
16 who have testified before me including some very,
17 very brave parents I am just going to outline briefly
18 a number of the issues that we see again and again.
19 Uhm they will sound familiar to you so no fussing at
20 all. Missed instructional time and missed time for
21 various other services, extended often dangerously so
22 periods of time on the bus, unhelpful customer
23 service, staffing at OPT so that when families call
24 OPT they sometimes find themselves dealing with staff
25 who either dismissing the concerns outright or the

2 conversation starts off well but then there is no
3 follow up. Uhm hostile staff on the busses so
4 families tell us of indifferent or belligerent bus
5 staff with insufficient training and support to
6 comfortably and safely transport their students with
7 complicated health and behavioral needs and then this
8 is one that a few people have hinted at but lack of
9 coordination between DOE offices so we are
10 recommending specifically that the DOE develop a
11 clear and coordinated process for recommending and
12 implementing transportation accommodations on
13 student's IEPs, OPT, the Office of Student Health and
14 Special Education all need to work together to
15 arrange specialized transportation and not leave it
16 to the parents to facilitate. When transportation
17 doesn't work, students miss school, they arrive late,
18 they leave early and they experience emotional and
19 physical trauma. When parents of students with
20 disabilities reach out to advocate on behalf of their
21 children, they shouldn't face the bureaucratic wall
22 or defiant staff. They should never be left feeling
23 alone, unsupported and powerless as so many of the
24 empowered parents that you have heard from today.
25 Uhm while I am up here Arise Members support each of

2 the Transportation Bills before the Committee uhm in
3 particularly Bill number 1099, which would provide
4 families with real time information about where their
5 children are while riding to and from school, thank
6 you.

7 REBECCA GREEN: Hi my name is Rebecca
8 Green and I am a parent of a Special Needs 9-year-old
9 with ADHD and I wanted to come and testify today to
10 give you an inside case study view of a parent
11 dealing with OPT and also just you know it is my
12 experience that it is actually the problems with OPT
13 as trying to put it off on the busing companies. It
14 is really just a people problem, a communication
15 problem and a process problems. Uhm we, this summer
16 we changed to private school, a Special Needs Private
17 School for my son and when you do that you become
18 solely responsible basically for organizing your
19 son's bussing and I had five years of public school
20 experience and advocating for my son so I knew it was
21 going to be, a deal, a big deal so I had to you know
22 roll up my sleeves and start working on it. So I
23 have joint custody with my ex-husband, 50/50 custody
24 so what that is called at OPT it's called dual
25 custody transportation. The way you organize that is

2 you go through the Emergency Transportation Process
3 which I heard Alexandra talking about previously.
4 Uhm so this was in the summer. I filled out my form,
5 got all my little paperwork together and I submitted
6 it, uhm a week before we had just changed schools.
7 The school was going to start a week and a half later
8 so I had submitted it on Friday and then on Tuesday I
9 called to follow up and what I encountered was, Bumen
10 Martelli (SP?) who is head of the Exceptions
11 Department and which is also by the way oversees
12 foster care, bussing and oversees homeless bussing
13 uhm well nobody checked the inbox yet I'm going to
14 wait here until they check it, when they check it,
15 you know I will you know look at it and uhm okay well
16 I asked who does that well it doesn't matter when
17 they check it, I will and okay and did I call back
18 the next day and she said well I have it, I was on
19 vacation yesterday. Robert Carney, Chief of Staff
20 was on vacation yesterday. We are trying to get to
21 it. Something, this is crazy. This is Emergency
22 Bussing Transportation so I had done a lot of
23 advocating on behalf of Special Education so I went
24 to the Deputy Chancellor of Special Education cause I
25 didn't know who else to go to because it is a new

2 process. She sent me to Elizabeth Rose and Elizabeth
3 Rose then via email then she connected me with Robert
4 Carney. Then I get a call from Robert Carney and
5 Robert Carney said oh I'm so sorry you know and then
6 he worked out the bussing. Okay this was in the
7 summer then we went to the fall, so I you know they
8 had told me that I don't need to submit paperwork if
9 I don't need to change the schedule, the alternating
10 week custody schedule so I uhm still submitted the
11 paperwork and I went to someone in Robert Carney's
12 office, I checked back every other week to make sure
13 that they had received it did they need anything
14 else. At the beginning of the week right before
15 school starts, I only have one bussing. Not from his
16 dad's house. So okay I'm calling okay. This is what
17 you have to do, you have to call OPT every single
18 day, several times a day, get your incident number,
19 okay and then you have to have, then I had the
20 privilege of emailing anyway so it goes down. They
21 try to get me to bussing then they finally got
22 bussing from my son's dad's house and then they
23 brought him to the wrong school and then I had to you
24 know go pick him up and then they changed the bus
25 company again and then we had the bussing from our

2 own, from my house but then from his dad's house the
3 bus didn't show up. They didn't have their system
4 updated, it was like a piece of paper, one person
5 writes and then they have to go you know the system
6 says something else so you have to keep repeating
7 yourself to OPT and then you had to you know do these
8 emails. On the email it is Alexandra sitting right
9 here, Elizabeth Rose, Robert Carney, the Quality
10 Assurance person, Deputy Chancellor of Special
11 Education and then they are all who is on first base,
12 they still couldn't get it right and then it ends up,
13 I actually even then had to you know call the bus
14 company, then I have to make a connection with the
15 bus driver and then I have, it ends up I have to also
16 you know had to email the direct communication with
17 the General Manager of Reliant Bus Company, which is
18 the worst bus company. I think you also should look
19 at who are the individual bus companies these people
20 are complaining about. YNS has been awesome. Like
21 the bus driver is amazing, the matron is amazing but
22 Reliant is like their people are rude when you call.
23 The you know whoever is supposed to be managing the
24 bus driver couldn't put the little piece of paper in
25 his box, uhm the bus driver you know he couldn't,

2 although he had the address for my son to drop him
3 off, the first day to drop him off he is asking my
4 son, where do you live? You know what is your cross
5 streets? My son is 9 years old. So I think it is
6 also this is a people problem and when I called
7 Reliant Bus Company I am on the phone with the
8 General Manager and he's like oh I see what the
9 problem is. You know Peter who is the Quality
10 Assurance person handed us a piece of paper that we
11 don't even know what that is. I had to sit there on
12 the phone and explain it to the General Manager at
13 the Reliant Bus Company what is this and how to read
14 it. It's like hello? This is like a people problem.
15 That's my testimony.

16 CHAIR MARK TREYGER: I, I appreciate that
17 and just as you, if you noted during the hearing.
18 The City provided us, the DOE gave us over 50
19 vendors. We noted that many of them are owned by the
20 same company. So we are going to get information
21 about who owns what to hold these folks accountable
22 so I, I appreciate that feedback, thank you very
23 much. Next please.

24 GLORIA GARCINO (SP?): Good afternoon,
25 good afternoon Chairman Treyger and all the members

2 of the New York City Council Education Committee. My
3 name is Gloria Garcino, and I am apart from being a
4 part of two District 75 students, I am one of the co-
5 Chair of the Citywide Council for Special Education.
6 I want to make a statement before I read the
7 testimony of a fellow Council Member who do the
8 bussing issues, but Little Ritchie cannot attend but
9 I wanted to ensure that said bus company would be
10 dropping off Matthew and she couldn't be here to
11 ensure that. So I wanted to put it on the record for
12 her. I wanted to also share that as an advocate I
13 have had very little issues with bussing and they
14 have been resolved quite quickly which has been a
15 great experience and I've had very candid
16 conversations with OPT including with Ms. Robison and
17 they have always been respectful. They have always
18 been you know taken care of and I wish everybody
19 could say the same thing and I was, I had the
20 pleasure of being part of a group to promote the act
21 that Mr. Moran was speaking about earlier and Ms.
22 Robinson and her team invited me to be, to give
23 feedback and I thought that was very helpful to
24 making sure that that works because it was parental
25 feedback. With that being said, uhm I also wanted to

2 thank Ms. Robinson and her team for staying. Uhm I
3 don't see anybody else in the DOE sitting here and if
4 they heard half of the testimonies that were said by
5 parents he would be in tears, Chancellor Carranza,
6 and he should listen to that. It shouldn't just be
7 something that he reads on a transcript. There is a
8 different between testimony that is read and
9 testimony that is seen. With that being said I will
10 read the testimony of my friend and colleague Patricia
11 Bermudez but I also wanted to share with you uhm
12 Chairman Treyger that, 2, 2-1/2, three years ago I
13 had a conversation with the Special Education Team
14 and with Deputy Chancellor Rose and we had discussed
15 having a pilot program for cameras on school busses
16 and we were sure that it would be considered, after
17 many conversations back and forth they agreed to a
18 pilot program from 2016-2017. I have that email.
19 She is now gone, we still don't have the pilot
20 program and I don't want to hold OPT accountable
21 because the DOE makes that decision. And we are
22 still waiting for that. So I will forward it to you
23 so that you can, we can have conversations and maybe
24 we can get that ball rolling again, fair enough? So.
25 This is Ms. Bermudez's testimony "I thought the worst

2 experience I have ever had was a doctor telling me
3 that I should abort my pregnancy because my son would
4 be severely retarded, sorry. With the unknown head,
5 every day he continues to beat the odds and thrives
6 when a doctor had counted him he succeeds. Matthew
7 Bartholomew is an unique child, my child, a child
8 smaller than every other his age. A nonverbal child
9 who is fragile at best. One of the many children
10 that must suffer at the services provided by bus
11 companies that don't care about them. We live in
12 Rockaway Queens and his school is in Flow Park
13 Queens. Our bus nightmare because as he progressed
14 to preschool at St. Mary's Hospital when our first
15 experience was encountered with DNS skills and he
16 continue this hell with Little Ritchie Bus Service
17 even today. Unfortunately I am not present to read
18 this statement myself because as of Wednesday,
19 October 11 my son's bus has not had a stable driver.
20 This bus situation has moved from no air conditioning
21 on the bus during sweltering weather, during the
22 summer and school starts in September with my son
23 being on the bus for almost two hours to no shows or
24 extremely late pickups or drop offs. It is a fight
25 to get the bear basic accommodations met. Now one

2 must deal with leaving my son at the mercy of a bus
3 company that has no drivers and are breaking down. I
4 imagine the catastrophic event of my child being left
5 at school or parked on a bus for hours, tired and
6 hungry. I refuse to think about the trauma that this
7 has placed on my child. I say no thank you. I have
8 missed work, appointments and other pertinent
9 activities since October 11 to be available to take
10 my child to and from school. How many other parents
11 have this flexibility to do this? Fix this problem
12 today. Save our children from the pain and anguish
13 because they cannot communicate. They must
14 understand the precious cargo they carry every day so
15 they must be held accountable to fix those buses,
16 provide seasoned drivers, open the lines of
17 communications with parents. The school year has
18 just begun. What happens all the time during the
19 break to service these vehicles? Why are we losing
20 drivers with no explanation or immediate replacement?
21 I suggest that contracts be reviewed with a fine
22 toothed comb before being renewed. Revisiting the
23 violation scales and where bus companies will feel a
24 greater impact for their disservice. Concerned mom,
25 Trisha Bermudez. She is also a member of the

2 Citywide Council for Special Education and is an
3 amazing mom. Thank you.

4 CHAIR MARK TREYGER: Thank you, thank you
5 very much. It seems to be a resounding theme where
6 many families are kind of left on their own to
7 advocate for themselves and it is just not
8 acceptable. It is just not acceptable. This is, we
9 are talking about kids, talking about our children,
10 our students and again this is to me, this goes back
11 to a very basic function of government which we are
12 failing to execute. So again I thank all, I thank
13 this entire panel for your powerful testimony. Thank
14 you so much. The final panel, we have uhm Gordon
15 Lee, and Steven I think it's Hamm, Hamner. Alright
16 so, so the additional names, uhm Meredith Sopher
17 (SP?) and Lisa Gittleson (SP?) alright and I think we
18 could fit the rest in as well, there is a couple of
19 more chairs, uhm we have Melinda Andra and Melissa
20 Adar and Chelle Schmuzin (SP?). You are the most
21 patient sir, so.

22 STEVEN HAMNER: Thank you and it's great
23 that everyone is here because I know so many of us
24 are here to talk to you about foster care and
25 children in foster care and how they are affected by

2 issues around transportation. So my name is Steven
3 Hamner, and I am Director for Education and
4 Permanency Support for SCO Family of Services. SCO
5 Family of Services is a nonprofit organization. We
6 help vulnerable New Yorkers, uhm we operate around 65
7 programs throughout the City, mostly in Brooklyn,
8 Queens and the Bronx. We serve over 41,000
9 individuals and employ over 2,700 staff. I
10 specifically work in a foster care program which
11 currently, in which we currently care for
12 approximately 800 children and youth in family and
13 residential settings. So extremely appreciative that
14 this hearing is taking place and critical in that the
15 City addressed transportation for students in foster
16 care. For students who have been separated from
17 their families, school is an important stabilizing
18 factor so the moment and I will give you an example.
19 We have 6-year-old and I will use another name,
20 Kierra who is taken away from her parents and her
21 family and in that midst, within all of the chaos of
22 what is going on in her own personal life in terms of
23 her own family and now the one stabilizing factor
24 that she has, is her teacher. It is her first grade
25 teacher who knows her as Kierra, not as this new kid,

2 not as this kid in foster care but as Kierra. It is
3 her friends who know her as Kierra. That is the
4 support. It is her social worker who has been
5 working with her. That is the support that she has.
6 So it is very clear, Federal Law, there are two
7 Federal Laws that talk about how, you know its ESSA,
8 it's fostering connections, local Districts are
9 required and child welfare agencies to collaborate so
10 that children stay in their school of origin and I
11 will tell you Council Member, the biggest challenge
12 that we have to keep children in schools is
13 transportation. The biggest transportation that we
14 have, and ACS has in terms of placing children in
15 foster homes many times is transportation. So let me
16 go back to Kierra. This happened over the summer.
17 Kierra is about to come, she is in the Children's
18 Center which is when children first go in which a
19 horrifying and sad place to be and it is hard to find
20 a foster home for her a foster family who is going to
21 be able to take Kierra back to her first grade
22 classroom because that is a school that is waiting
23 for her. That is the teacher that is waiting for
24 her. And we can't do that. I can't ask a foster
25 parent who has other children that she cares for and

2 has her own job to be commuting one hour every day
3 back and forth to take Kierra to school, she can't,
4 so what's the solution? In New York City, unlike
5 children in shelters who receive bussing you are not
6 guaranteed bussing. So of course, you know we put in
7 through the OPT we put in our request and every
8 request that we have put in has been denied or what
9 has been allowed is like you know Kierra got, she got
10 a metro card. A 6-year-old got a metro card. How
11 can we accept that? And I can assure you that in the
12 midst of all of the chaos when a child comes in to
13 care if we can deal with transportation children were
14 more quickly placed in foster homes, there will be
15 stability with that transportation and staff, my
16 staff, my education specialist, case work staff, we
17 are running around trying to figure out how we are
18 going to get Kierra to school when there are so many
19 other issues. We need to be working with Kierra's
20 mom and dad. We need to be supporting the foster
21 parent in this initial placement. We can't, 5,000
22 children in this City through the shelter system
23 receive bussing. We are talking a far fewer children
24 in foster care. It is their inherent right, this is
25 the least that can we can do for children and

2 families who are going through so much. It is not
3 that much money; it's not that complicated and this
4 needs to be done and would greatly appreciate if this
5 is put in into the Law. Thank you.

6 LISA GITTLESON: Thank you good
7 afternoon, I'm Lisa Gittleson and I'm the Associate
8 Executive Director of the Council of Family and
9 Childcare Agencies in New York State. We represent
10 over 100 child welfare agencies, we have over 55,000
11 staff members, and we serve ten of thousands of
12 families across the state. Uhm everything that my
13 colleague has already said and I also really want to
14 point out and thank uhm Council Person who brought up
15 the issue of foster care is true and I am going to
16 elaborate and talk a little bit differently so that I
17 am not repeating. All of the children who come into
18 foster care are removed from situations that are
19 traumatic. We don't remove children without very
20 serious cause. That is the first trauma. The second
21 trauma is being physically removed from your family
22 and from your homes. So as we have spoken about, one
23 of the largest stability that exists for our kids are
24 staying in school, staying with their teachers,
25 staying with her friends, staying in the program that

2 knows them and knows their needs and for many of our
3 youth staying in the school means they also see their
4 relatives, they see their cousins, they see siblings
5 that are also in the school. Removing them from
6 their schools can be a very serious trauma in
7 addition to what they have already experienced which
8 we all agree is just not what we want for the youth
9 in New York City. Without bussing it becomes almost
10 impossible. As we've talked about young children
11 can't get to school by taking the train or the bus.
12 They can't even go by car service by themselves. We
13 don't have foster families that necessarily can
14 transport them every single day to what turns into
15 hours back and forth twice a day, nor so we have
16 staff that can do this or should be doing this. This
17 is not what professional staff should be doing. What
18 we are asking for today is that the same educational
19 stability model that has been offered to you in the
20 shelter system be offered to the youth in foster
21 care. The model is there. It can be easily adapted
22 and put in place and we would know that our youth
23 were being rushed back to the schools they knew and
24 that were their home schools. We also believe that
25 there should be an office within DOE that would

2 specifically work on issues of foster care, there is
3 other issues with regard to education but certainly
4 with regard to transportation. To make certain again
5 that our youth have the stability that they need to
6 thrive. Uhm and I welcome any questions at this
7 time.

8 Hi good evening, my name is Meredith
9 Sopher (SP?) and I am the Vice President for Child
10 Welfare Juvenile Justice and Youth Services at
11 Sheltering Arms, Children and Family Services. Uhm
12 and I am going to let you see in the written
13 testimony some more information about Sheltering Arms
14 but one of our programs is a family foster care
15 program, very similar to what Steven described. Uhm
16 I just want to emphasize how rare it is for a child
17 in foster care who does not have an IEP to actually
18 get bussing through OPT. We were all very surprised
19 to hear OPT say that they approve all requests. In
20 preparation for today's hearing I went through my
21 office and spoke with case planners and supervisors
22 to try to locate anyone who had a child on their case
23 load who did not have an IEP and actually had
24 approved bussing services. There was one child, we
25 have approximately 280 children in our care. One

2 child who was approved because her sister who lived
3 in the same home had an IEP that required
4 transportation and therefore OPT agreed to also bus
5 the sibling who did not have an IEP but other than
6 that across the board these requests are denied. Uhm
7 as Steven and Lisa mentioned this is a hardship on
8 the children both in terms of getting foster parents
9 to accept placements and also in terms of the trauma
10 to them if they are moved. Uhm I would just note
11 because it may come up in discussions, ACS does have
12 a small number of vehicles that they use to transport
13 children to schools, we have also found that that is
14 not readily available. When it is available it is on
15 a very limited short term basis for those students
16 with IEPs who are otherwise going to get bussing and
17 so they just do that until that is in place uhm and
18 then Lisa mentioned that it is not appropriate for
19 our case planners and supervisors to be spending
20 their time transporting these children. An
21 additional hardship is that ACS will not reimburse us
22 the full cost of that transportation. So they only
23 pay for a car service to take the child to school.
24 The child can't go in the car service alone and then
25 they will not pay the cost for the round trip, so

2 foster parents are unwilling or unable to do it
3 because they might have a car service one way but
4 then they are expected to take public transportation
5 home which in these instances where we need
6 transportation is not convenient or feasible and can
7 take hours and as you will see in our written
8 testimony, we have had a few cases where we have case
9 planners, you know not arriving at the office until
10 10 or 11 in the morning and then having to leave
11 again at 1 o'clock in order to be able to return
12 children to their foster homes. So it is really an
13 untenable situation, we are very thankful for the
14 Committee on Education looking at this issue and we
15 hope that the needs of children in foster care will
16 be addressed.

17 MELISSA ANDRA: Good afternoon, my name
18 is Melinda Andra I am the Assistant Director of the
19 Education Advocacy Project at the Legal Aid Society.
20 The Legal Aid Society represents about 33,000
21 children each year who appear in New York City Family
22 Court in abuse, neglect, juvenile delinquencies, or
23 other types of proceedings. Uhm it our project the
24 Education Advocacy Project as well as the Education
25 Project in our Civil Division represents hundreds of

2 children every year in Special Education cases and
3 suspension hearings. So our prospective Council has
4 daily contact with children and the fact that we are
5 daily working with children who are in foster care.
6 Generally we support the uhm set of Bills that is
7 being proposed but I specifically want to talk about
8 clients who are in foster care. Uhm we urge the
9 Committee to amend the proposed Law to require the
10 DOE to report on transportation provided to achieve
11 school stability for children in foster care.

12 Children who are removed from their homes as has been
13 said before, they are New York City's most vulnerable
14 residents. They are children who have been abused,
15 neglected, who are losing their families, who are
16 losing their connections to their communities and we
17 don't want them to also lose their schools. Very
18 often that connection to a coach, a teacher, a
19 friend, a guidance counselor at the worst time of
20 that child's life is so vitally important and aside
21 to the importance to their social and emotional
22 wellbeing there are studies that show that children
23 typically lose six months of academic instruction
24 each time they change schools. Children in foster
25 care don't just change schools once, they change

2 schools and average of one or twice per year. Many
3 of whom maybe three or four times per day, depending
4 on their circumstances. So keeping these children in
5 their schools of origin is vitally important both for
6 the academic progress and for their emotional
7 wellbeing. So there are Laws about this. The
8 Federal Fostering Connection Success in Increasing
9 Adoptions Act in 2008, the Every Student Succeeds Act
10 2015 and very recently New York State passed
11 Education Law 3244 that provides that the school
12 district where the foster child attends schools must
13 provide the transportation to and from the foster
14 care placement to the child's school of origin and I
15 commend the agencies that are desperately trying to
16 fill in the gap that has been left, despite these
17 requirements in the Law. The transportation remains
18 a significant barrier to preserving school stability
19 for children in foster care in New York City. May I
20 continue? Thank you. Uhm I have to differ with the
21 testimony that was offered earlier that says every
22 one of these requests is approved because it is not.
23 I get at least one call a week about someone trying
24 to figure out how can we keep this child in the
25 school of origin? How can we get them

2 transportation? The DOE only approves these request
3 if the foster child can easily be added to a pre-
4 existing bus route. They have not increased the
5 bussing capacity to accommodate children in foster
6 care and they have refused to either create or alter
7 routes to accommodate students in foster care. The
8 data that was shared with us by the Administration
9 for Children's Services showed that the DOE granted
10 less than 50% of the requests that they made or
11 foster care bussing to be put in place. And if there
12 is no pre-existing bus route to which a student can
13 be easily added, as mentioned earlier, they add a
14 child, not the foster parent but the child at metro
15 card and this is inadequate. While a teenager may be
16 able to transport themselves with a metro card
17 younger children cannot. Giving a 7-year-old a metro
18 card and telling that child to get himself back and
19 forth to his school if it is important to him does
20 not satisfy the Federal and State Laws intent. The
21 DOE is failing to provide bus transportation to
22 eligible children means that children are often
23 forced to change schools, sometimes ACS tries to fill
24 in to try to piece together a plan to maintain the
25 child in the school, essentially Adhoc, use involving

2 the use of taxis, car services, chaperones and as a
3 result the DOEs current policy is harmful to kids and
4 it is also more expensive to tax payers than having
5 the Department of Education provide the service. So
6 we urge the committee to add language to Introduction
7 2962 that would require the Department of Education
8 to aggregate the data in its quarterly reports to
9 show the number of children in foster care who are
10 receiving yellow bus service and metro cards how many
11 requests that they are receiving for that
12 transportation? How many actually receive that
13 transportation and in addition to the Bills the
14 Committee is considering we urge them to hold the DOE
15 accountable for providing yellow bus service to every
16 child in foster care between kindergarten and 6th
17 grade who otherwise meets the travel distance
18 requirements for yellow bus transportation. Thank
19 you.

20 MELISSA ADAR: Good evening, my name is
21 Melissa Adar. I am a staff attorney at the Legal Aid
22 Society in our Employment Law Unit which is part of
23 the Civil Practice. I am here to discuss something
24 that has not been discussed by any of the panelists
25 today but is related to the reason, one of the

2 reasons why this hearing was called. The Employment
3 Law Unit works at the intersection of Criminal Law
4 and Civil Law to help low income New Yorkers who face
5 barriers to employment because of their arrest record
6 or their conviction record. Uhm and last month there
7 was a series of daily new articles that uhm spoke
8 about a reported practice of OPT to permit bus
9 drivers with criminal records to drive school busses.
10 I wanted to talk about our experience at Legal Aid.
11 Uhm the article's description of applicants receiving
12 and maintaining clearance to drive school buses
13 without DOE reviewing the criminal record absolutely
14 does not reflect the experiences of our clients. Uhm
15 DOE has suspended our client's clearances immediately
16 following their arrest, has been unwilling to
17 consider ending the suspension until the criminal
18 case is resolved, has revoke our client's clearances
19 when they pled guilty to disorderly conduct which is
20 now a crime and our clients who have applied for
21 clearance with very old criminal records or with low
22 level misdemeanor offenses have been denied
23 clearances to either drive school busses or to work
24 in other areas of DOE. Uhm to its credit DOE does
25 sometimes issue clearances to people with conviction

2 records and the reason why I bring that up is because
3 we have clients who have conviction records and work
4 for DOE and clearly are wonderful professionals who
5 do a credit to uhm to DOE and to what the school
6 system is supposed to be providing. One of our
7 clients who has an old felony conviction was cleared
8 by DOE because of her evidence of rehabilitation and
9 we have heard evaluations from students where
10 students say that they love working with her
11 specifically because "she doesn't judge me and I like
12 how she makes classes more fun and engaging with
13 stories of personal experience. This particular
14 client is somebody who comes from a socioeconomic
15 background that is similar to the people in the, the
16 students in the school that she is serving and it is
17 that socioeconomic background that lead to her
18 conviction record and lead her to understand and be
19 able to empathize with students in the school system.
20 Uhm the last thing that I will say is that any
21 efforts to discourage the issuance of DOE clearances
22 to New Yorkers with Criminal Records will have a
23 desperate impact on low income New Yorkers of color.
24 It is very well documented that people of color are
25 disproportionately targeted for arrests in New York

2 City, and if you are to deny employment to people
3 with arrest records is going to adherently stop
4 people of color from being employed in these
5 positions and we know that there is a growing body of
6 evidence indicating how important it is for students
7 of color to have access to educators of color uhm so
8 I have more in my longer testimony but I just wanted
9 to add that piece to this hearing. Thank you.

10 CHELLE SCHMUZIN: Hi good evening, my
11 name is Chelle Schmuzin and I am an attorney at
12 Brooklyn Defender Services, a public defender
13 organization that serves more than 30,000 clients
14 annually in criminal, family, immigration and civil
15 matters in Brooklyn. Thank you Chairman Treyger for
16 allowing us the opportunity to testify today. BDS
17 supports the Council's effort to improve our City
18 School transportation system but we urge due
19 consideration to the potential harm of as Melissa
20 mentioned reinforcing negative stereotypes about
21 people with criminal records. At BDS we frequently
22 work with school age children including those with
23 special needs who depend on bus transportation to
24 access their education. And we try to address
25 problematic school transportation practices. We

2 thank the City Council advocates and parents for
3 calling for improved transportation for all city
4 students. I testified today to specifically share
5 BDSs concerns about Intro 926 and 929. As a public
6 defender office, BDS is concerned with Legislation
7 that even unintentionally could lead to undue
8 employment barriers for people with open criminal
9 cases or prior convictions. First I would like to
10 address some of the Committee's concerns about
11 background checks for its drivers. School bus
12 drivers are already highly regulated at multiple
13 junctures at which they may be excluded due to their
14 criminal record. As mentioned today, a potential bus
15 driver must first obtain a commercial driver's
16 license through the DMV where they are fingerprinted.
17 I just want to add that they are fingerprinted
18 because CDLs already prohibit applications with a
19 number of convictions from obtaining a CDL without
20 evidence of rehabilitation. If someone with a CDL is
21 then hired by a vendor they must then be certified by
22 OPT which requires a review of a litany of additional
23 documentations about their qualifications which
24 include and I don't think was mentioned is 13 county
25 background checks that is to be provided by the

2 applicant. While OPT is surely entitled to their own
3 review of school bus candidates it should really
4 consider its own investigative process in the context
5 of proceeding steps of review at the state level.
6 Second I just want to briefly echo you know what
7 Melissa said that you know criminal conviction is not
8 determinative of a person's character or their
9 abilities as an employee. And that we do have to
10 consider that any future policy or regulation
11 undertaken by OPT that regulates the employment of
12 individuals with criminal histories is going to
13 disproportionately and unfairly impact communities of
14 color which as the public defender organization we
15 know make up the vast majority of people who are
16 targeted for arrest and prosecution in New York City.
17 We have two specific concerns about Intro 926 and
18 929. First Intro 926 should be amended to ensure
19 that OPT abides by New York City. First Intro 926
20 should be amended to ensure that OPT abides by New
21 York Correction Law article 23A which establishes
22 certain requirements regarding applicants and
23 employees with criminal convictions. Today we heard
24 about an open OPT run background check process and
25 but OPTs investigative process must comply with the

2 requirements in article 23, as we believe the Bill
3 should be explicitly amended to make this clear.

4 Second, Intro 929 should be amended to delete section
5 2 which calls for information about arrests. Data on
6 arrests are not prolive and we are concerned with how
7 this data is going to be used by OPT in the future.

8 An arrest has no indication of criminal cope-ability
9 by definition neither guilt nor innocence has been
10 adjudicated by a court of law. Further people are
11 often arrested without any criminal copeability or
12 wrong doing over policing of communities of color and
13 people of color and false reports, very often factor
14 into a person's arrest. In conclusion, we thank the
15 Council for its proposals to improve accountability
16 and reliability of a school transportation system and
17 while we understand the Councils instinct to ensure
18 that bus drivers are qualified and safe to drive our
19 children we also ask that the conversation consider
20 our City's commitment ending unfair discriminatory
21 practices for those of criminal records and we hope
22 the proposals today will not be the first step toward
23 misplaced stricter limitations for those with
24 criminal histories. Thank you so I just one quick
25 follow up question, uhm you heard testimony from the

2 Chancellor and Mr. Moran that they have transferred
3 the responsibilities of conducting these background
4 evaluations from OPT to the DOEs HR which handles
5 teachers, paraprofessionals, secretaries you name it.
6 Do you have any thoughts on that. I do I think that
7 might especially concern us because as it touched
8 upon and we can testify in our experience DOE has
9 implemented extremely harsh standards for people who
10 are arrested or who have criminal convictions. The
11 minute someone is arrested DOE is notified and that
12 employee is suspended. They are not provided any
13 opportunity to challenge that decision, there is no
14 opportunity for immediate review of that decision,
15 the employee is effectively out of work the entirety
16 of their case which through no fault of their own
17 through just our court system can take months and
18 this is before they have even been found criminally
19 copeable of anything. So we are actually concerned
20 that they are transferring this process.

21 CHAIR MARK TREYGER: So to be clear, you
22 have existing concerns about the DOEs current
23 background checks on DOE employees?

24 CHELLE SCHMUZIN: Yes. Generally.

2 CHAIR MARK TREYGER: For teachers, paras,
3 is that?

4 CHELLE SCHMUZIN: Yes.

5 CHAIR MARK TREYGER: That's, that's good
6 for us to know. Uhm and with regards to I appreciate
7 the advocacy for foster care children and this is
8 something that you know this hearing kind of bubbled
9 up originally from District 30 in Queens but after
10 meeting with many stakeholders this is an issue that
11 is so much deeper than just one school District in
12 New York City. Is there a common theme in why the
13 children are being denied this service? Because I
14 understand that if I, I understand that if they have
15 an IEP then they are provided this service. What is
16 the common thing why there is being? Is there a
17 commonality that we are seeing?

18 CHELLE SCHMUZIN: Yeah I want to back up
19 for one second, with regards to IEPs they are still
20 not happening quickly even if the child is receiving
21 bussing it is still a considerable period of time.

22 CHAIR MARK TREYGER: Correct.

23 CHELLE SCHMUZIN: Often weeks and you
24 have to imagine for a child with significant needs
25 transporting them in less than ideal circumstances

2 often leads them missing tremendous amounts of
3 school.

4 CHAIR MARK TREYGER: Right.

5 CHELLE SCHMUZIN: With regard to youth
6 not being, getting bussing at all, I think generally
7 we don't get answers at all as to why that is
8 happening. We are not given any reason, I don't know
9 if either of you have different experiences but all
10 of my experience has been that it is completely
11 silent as to the reason that that bussing isn't
12 provided.

13 STEVEN HAMNER: Because I think, I think
14 as my colleague from Sheltering Arms said you know
15 they haven't added any new Resources. What they are
16 saying is there an existing route and is there space
17 and the truth is, you know when you have been moved
18 from your community to another foster home there is
19 not going to be a route there because how many
20 children will be in that foster home who actually go
21 to your same school? None, that's, that's the
22 awfulness of foster care. That's the awfulness. So
23 oh no, no routes, sorry, here is your metro card 6-
24 year-old Kierra. So until we put meat or walk with a
25 talk or whatever the expression is and put the

2 resources and the money and just like we do with
3 shelters and say I don't care if you are in Queens
4 and your school is in Brooklyn. We are going to
5 provide you school transportation. We are not going
6 to get anywhere. It's going to be a run around.
7 Even you ask the numbers, it is not going to be
8 addressed until the resources are put in place and we
9 treat children in foster care with the same rights as
10 children in shelters.

11 CHAIR MARK TREYGER: Right and and I
12 appreciate that information and again just to as you
13 pointed out folks will tell us well if they have an
14 IEP but as we have heard testimony all day today that
15 doesn't mean much when there is no coordination, no
16 collaboration, uhm no implementation of the mandated
17 services to begin with. But I, I find it really it's
18 really alarming concerning that we can get this right
19 and as you have pointed out there is a model already
20 in place that should simply just be emulated and
21 expanded. I have also pointed out you can't tell me
22 it's an issue of resources, this is a \$1 billion plus
23 industry and it seems as if the costs are increasing
24 but the services and the quality is not, and that's,
25 that's a problem.

2 CHELLE SCHMUZIN: For children in the
3 foster care with an IEP they are waiting as terrible
4 and horrific as the stories you have heard today are
5 they are waiting even longer because they need to
6 perhaps be moving between like Bronx to Brooklyn.

7 CHAIR MARK TREYGER: Right.

8 CHELLE SCHMUZIN: And the chances of
9 there being a route as we have all discussed are
10 very, very little so the youth in care just really
11 aren't even getting close to what youth not in care
12 are getting especially with regard to IEP services
13 but generally across the board they are just not
14 getting the bussing services.

15 CHAIR MARK TREYGER: Thank you, clearly
16 there is a lot of follow up and a lot of work to do
17 and again we are committed to seeing these changes
18 occur. This is not going to be a simple easy process
19 but there's I mean this really has opened up a whole
20 new host of advocacy points for us here in the
21 Council and this Committee that my colleague, and
22 again I want to thank all of you for your powerful
23 testimony and for your advocacy. Thank you so much
24 for being here today and is that, with that, that is
25 the final panel and this hearing is adjourned.

1 COMMITTEE ON EDUCATION

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date <INSERT TRANSCRIPTION DATE>