

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2019**

No. 34

Introduced by Council Members Treyger, Rivera, Chin, Kallos, Barron, Levin, Rose, Ampry-Samuel, Brannan, Ayala, Holden, Van Bramer and Miller.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring the department of education to report on school bus transportation services

Be it enacted by the Council as follows:

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 26 to read as follows:

Chapter 26. Office of pupil transportation reports

§ 21-993 Reporting on school bus transportation services. a. Definitions. For the purposes of this chapter, the following terms have the following meanings:

General education school bus route. The term “general education school bus route” means a school bus route for buses transporting solely school age students who do not have education plans designating specific requirements for their transportation.

Pre-kindergarten and early intervention students. The term “pre-kindergarten and early intervention students” means children who participate in pre-kindergarten programs, early intervention programs pursuant to their individualized education programs or individualized family service plans, and any other students under the age of five who may be eligible for school bus transportation services.

Pre-kindergarten and early intervention programs. The term “pre-kindergarten and early intervention programs” means pre-kindergarten, early intervention programs attended by children whose individualized education program or individualized family service plans specify attendance at such programs, and any other early childhood programs for students under the age of five who may be eligible for school bus transportation services.

Pre-k vendor. The term “pre-k vendor” means a company providing transportation services to pre-kindergarten students, early intervention program students, and any other students under the age of five who may be eligible for school bus transportation services, pursuant to contracts with the department.

Reporting period. The term “reporting period” means the preceding January 1 through June 30 for a report due on October 31, and the preceding July 1 through December 31 for a report due on April 30.

School age student. The term “school age student” means a student in kindergarten through grade 12.

School bus route. The term “school bus route” means any route traveled by a vehicle transporting a school age student to and from a transportation site pursuant to a contract with the department.

School bus transportation services. The term “school bus transportation services” means the transportation of students on school buses pursuant to a contract with the department.

School bus vendor. The term “school bus vendor” means a company providing school bus transportation services to school age students pursuant to one or more contracts with the department.

Special education school bus route. The term “special education school bus route” means a school bus route for buses transporting school age students with disabilities whose individualized education programs designate specific requirements for their transportation, which buses may also transport children who have disabilities but do not have education plans designating special transportation requirements or non-disabled children.

Students in temporary housing. The term “students in temporary housing” has the same meaning as that of the term “homeless children and youths” as defined in subsection 2 of section 11434a of title 42 of the United States code, provided that such individuals are enrolled in a school.

Transportation site. The term “transportation site” means any location to which the department provides school bus transportation services, including but not limited to public schools, nonpublic schools, charter schools, an office or other site that may be part of a special education plan, a student’s home pickup site, and a student’s home drop-off site.

b. Beginning October 31, 2019, and on or before each April 30 and October 31 thereafter, the department shall submit to the speaker of the council and post on the department's website a report for the relevant reporting period, including:

1. The school bus vendors providing school bus transportation services, disaggregated by the number of school bus routes assigned to such vendor, and the number of students transported by each vendor and further disaggregated by students who are transported on special education school bus routes and students who are transported on general education school bus routes;

2. The total number of vehicles owned or ready to be used by each school bus vendor, disaggregated by vehicles for general education school bus routes and vehicles for special education school bus routes;

3. *The total number of employees known to the department employed by each school bus vendor, disaggregated by type, including but not limited to drivers, attendants, and other;*

4. *The total number of school bus routes, disaggregated by school bus vendor, and further disaggregated by general education school bus routes and special education school bus routes;*

5. *The total number of transportation sites to or from which school age students are transported, disaggregated by type, borough, and sites outside of the city school district of the city of New York;*

6. *The total number of school age students for whom the department provided transportation, disaggregated by school bus transportation services and passes for public transportation, and further disaggregated by type of student, which shall include but not be limited to, students who are transported on special education school bus routes, students who are transported on general education school bus routes, students in temporary housing, disaggregated by students living in shelter and students living in any other location if available, students in foster care, grade level, public school students, and nonpublic school students;*

7. *The total number of students in foster care that applied to the department for transportation;*

8. *The total number of pre-k vendors providing transportation services, disaggregated by the number of students transported by each vendor and further disaggregated by the type of program attended by such students if known to the department, including but not limited to prekindergarten programs and early intervention programs;*

9. *The total number of transportation sites to or from which pre-kindergarten and early intervention students are transported, disaggregated by type, borough, and sites outside of the city school district of the city of New York; and*

10. The total number of prekindergarten and early intervention students receiving school bus transportation services, disaggregated by type of student, which shall include but not be limited to, students who are transported to prekindergarten programs and students who are transported to early intervention programs if known by the department, students in temporary housing, disaggregated by students living in shelter and students living in any other location if available, students in foster care, grade level, public school students, and nonpublic school students; and

11. A list of the categories of students who are eligible for school bus transportation services and a list of the categories of students who are eligible for public transportation passes.

§ 21-994 Reporting on school bus delays. a. Beginning October 31, 2019, and on or before each April 30 and October 31 thereafter, the department shall submit to the speaker of the council for the relevant reporting period information relating to each school bus route delay reported by school bus vendors, which shall include but not be limited to the length in minutes, cause, vendor, school, and whether or not the delay resulted in the failure to arrive at school.

b. Beginning October 31, 2019, and on or before each April 30 and October 31 thereafter, the department shall post on the department's website a report for the reporting period including:

1. The number of delays in school bus transportation services, disaggregated by school bus vendor; and

2. The number of times a bus failed to arrive at a transportation site, disaggregated by type of transportation site, and school bus vendor.

§ 2. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on January 9, 2019 and returned unsigned by the Mayor on February 12, 2019.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 34 of 2019, Council Int. No. 1173-B of 2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.