



Advocates for Children of New York
Protecting every child's right to learn

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

Re: DOE's Office of Pupil Transportation

October 16, 2018

Thank you for the opportunity to speak with you. My name is Randi Levine, and I am Policy Director at Advocates for Children of New York. For more than 45 years, Advocates for Children has worked to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds.

Since mid-August, AFC has heard from more than 50 parents with concerns regarding busing. For every family that finds their way to our staff, we presume there are hundreds of others struggling on their own or working with other advocates and attorneys around the City on similar issues. This year, as in past years, we heard from families about buses that did not show up at all, buses that arrived at school after classes began, bus schedules that required students to leave class early, bus rides that lasted for hours, bus rides that far exceeded the maximum amount of time allowed by students' Individualized Education Programs (IEPs), buses that arrived without the nurse or paraprofessional that students required, buses that did not have the air conditioning, wheelchair lift, or other accommodations that the students' IEPs mandated, and children arriving home with injuries that they did not have prior to getting on the bus.

As such, we appreciate that the Department of Education (DOE) and the City Council are focusing increased attention on addressing longstanding challenges with school bus service. We have several recommendations that we hope the City will consider as they revamp the school transportation system.

Int. 1099 – GPS Information for Parents

First, we strongly support Int. 1099-2018, which would require that all school buses be equipped with a GPS tracking system, a policy the DOE is already in the process of implementing, and, importantly, would give parents and schools access to GPS data in real time, allowing parents to know when the bus is coming, how long the bus is taking to get to school, and where their children are. We thank Council Member Kallos for his leadership on this bill and look forward to working with the City Council to move it forward.

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Students with Disabilities

Second, for students with disabilities, the DOE must develop a transparent and streamlined process for recommending transportation accommodations on students' IEPs and must ensure coordination between schools, OPT, the Office of School Health, and the Special Education Office to implement specialized transportation recommendations, ensuring that students are placed on buses that can accommodate their needs. Too often, we see parents going back and forth with various DOE offices regarding documentation needed for transportation accommodations, we hear from parents that the DOE improperly made decisions regarding IEP transportation accommodations outside of IEP meetings without parents' participation, and, once transportation accommodations are listed on IEPs, we hear from parents that the DOE has not implemented mandated accommodations.

Students in Foster Care

Third, as the DOE makes changes to school transportation, the DOE must address the transportation needs of students in foster care. For students who have been separated from their families, school has the potential to be an important stabilizing factor in their lives. Two federal laws, the Every Student Succeeds Act (ESSA) and the Fostering Connections to Success and Increasing Adoptions Act (Fostering Connections), require local school districts and child welfare agencies to collaborate to provide transportation so that students can remain in their original schools when placed in foster care unless it is in their best interests to transfer.

Despite this legal obligation, currently, New York City guarantees bus service only to students in foster care who have special transportation recommended on their IEPs. The City allows other students in foster care to apply for busing through an "emergency exception request" form and will provide bus service if a student can be added easily to an existing route. However, these requests are often denied. Furthermore, this school year, the emergency busing request form was available only days before the start of school. In cases where the City does not provide bus service, the City provides only a MetroCard or car service reimbursement for students in foster care. In such cases, the only way for young students in foster care to get to school is if a foster parent or foster care case planner can accompany them, which is often not possible given competing job and child care responsibilities.

We are pleased that the City now provides yellow bus transportation to more than 5,000 kindergarten through sixth grade students who are living in shelters. It is crucial for the City to extend this service, or other door-to-door transportation, to the relatively small number of students in foster care who need safe, appropriate transportation to school and cannot access it.



We recommend that the City provide yellow bus service or other door-to-door transportation to kindergarten through sixth grade students in foster care. Furthermore, the DOE must work with the Administration for Children's Services (ACS) to develop policies and create feasible transportation options for students in foster care of all ages.

No student placed in foster care should be forced to transfer schools due to lack of transportation. As the City works to improve school transportation, it must use this opportunity to address the transportation needs of students in foster care.

Students Living in Shelters

Fourth, the DOE must continue to improve transportation for students living in shelters. In January 2016, the City made a landmark improvement for students living in shelters when it began offering yellow bus service to kindergarten through sixth grade students, as well as seventh and eighth grade students with IEPs, living in shelters, removing a significant barrier to school stability for these students. We recommend that the City strengthen transportation for students living in shelters by taking the following steps:

- **Codify current bus policy:** The DOE should codify the policy of offering yellow bus service to students living in shelters through Chancellor's Regulations.
- **Provide busing for students in conditional shelter placements:** When families go to PATH, they are first placed in conditional shelter placements while a shelter eligibility determination is pending. Under the City's current policy, students living in shelters are not routed for yellow bus transportation until the family has been found eligible for shelter, which often takes 3-5 weeks. During this time, children are frequently absent from school. The City can minimize such absences by providing yellow bus service during these conditional shelter placements. When families are found eligible for shelter, they typically remain in the same shelter where they had already been placed conditionally. Therefore, there would be no need to re-route these students.
- **Provide busing for 3-K/Pre-K students:** The DOE should extend yellow bus service to 3-K and Pre-K students living in shelters to help ensure they can stay in their early childhood education programs when they enter or transfer shelters. At a minimum, the City should start by allowing 3-K and Pre-K for All students to take a yellow bus when there is an existing route from the shelter to the school.



- Develop protocol for busing students living in domestic violence shelters: The Human Resources Administration (HRA) and DOE should create a protocol that details the process of arranging bus service for students living in domestic violence shelters, as there continues to be confusion about the roles and responsibilities of staff in different agencies with respect to bus service for these students.
- Spearhead interagency task force to improve transportation: The City should spearhead an interagency task force to focus on improving transportation for students living in shelters to address barriers to attendance at school and after-school programs, as proposed in Int. 150-2018, sponsored by Council Member Levin.

Customer Service

Fifth, we often hear from parents who are very frustrated because their complaints to the Office of Pupil Transportation have gone unresolved or ignored entirely despite multiple calls from the parents to OPT. The DOE must revamp OPT's customer service to ensure that staff members follow up on parents' complaints and ensure that they get resolved.

Reporting Bills

Finally, we appreciate the Council's efforts to obtain more information about transportation and students' rights with respect to transportation through the reporting bills on the agenda today. We ask that any bill that moves forward that disaggregates information by different student populations or requires information specific to different student populations explicitly include students living in shelters, students in temporary housing other than shelters, and students in foster care, in addition to students with disabilities, given the right that these students have to transportation. For example, we appreciate that Int. 451-2018 would require a school bus bill of rights. We recommend that, in addition to requiring information for students using general pupil transportation services and special education transportation services, the bill require information about transportation for students living in shelters, students in temporary housing other than shelters, and students in foster care. Similarly, we appreciate that Int. 2962-2018 would require reporting on students taking the bus disaggregated by special education students and students in temporary housing. We recommend also disaggregating by students living in shelters and students in foster care. Such disaggregation would provide a more accurate picture of transportation for students who have the right to transportation but often face barriers.

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