



Advocates for Children of New York  
Protecting every child's right to learn since 1971

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

**Re: School Bus Transportation Services**

**November 21, 2022**

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

**Board of Directors**

Kimberley D. Harris, *President*

Harriet Chan King, *Secretary*

Paul D. Becker, *Treasurer*

Eric F. Grossman, *President Emeritus*

Carmita Alonso

Matt Berke

Matt Darnall

Jessica A. Davis

Lucy Fato

Robin L. French

Brian Friedman

Caroline J. Heller

Jamie A. Levitt, *past president*

Maura K. Monaghan

Jon H. Oram

Jonathan D. Polkes

Veronica M. Wissel

Raul F. Yanes

**Executive Director**

Kim Sweet

**Deputy Director**

Matthew Lenaghan

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

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

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



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

### **Customer Service**

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

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

### **Students with Disabilities**

Bus transportation for students with disabilities often requires collaboration between schools, OPT, CSE, and/or the Office of School Health (OSH). Students with IEPs that mandate bus transportation are frequently left without busing or the accommodations needed to ride the bus because these offices fail to take the crucial steps needed to coordinate and implement busing. For example, we heard from parents whose students did not have busing at the beginning of the school year because the CSE failed to input the busing request required to route the student, leaving OPT without



Advocates for Children  
of New York  
Protecting every child's right  
to learn since 1971

knowledge that the student required transportation, and we have continued to hear from families where this problem is happening well into the school year. This year alone, AFC contacted the DOE regarding over 100 cases with issues related to failure to route the student, lack of accommodations, or both. Even when AFC directly asked the DOE for assistance, it often took several weeks for the student to receive busing, resulting in students missing weeks and sometimes months of school. Additionally, the process for ensuring students receive accommodations, like limited time travel, nurses, paraprofessionals, or wheelchair access, remains unclear and confusing, with families being sent to different offices, which request different documentation at every turn and even make bus determinations outside of the IEP meeting. Even when an accommodation is eventually added to the IEP, the DOE often fails to put the accommodation in place, resulting in students missing even more school. As of November 2022, there are still some students that AFC is working with that do not have the appropriate accommodations to ride the bus, resulting in students missing school or parents having to miss work to take their children to and from school.

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

### **Students in Temporary Housing**

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

Furthermore, students in temporary housing who do not reside in DHS shelters, such as students living in domestic violence shelters and students who are doubled up, are required to complete an exception form online in order to request busing. This process presents multiple problems. In order to complete the form, one must have a google account, creating a barrier for families with limited



Advocates for Children  
of New York  
Protecting every child's right  
to learn since 1971

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

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

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

- The DOE must ensure that all students in shelter who are eligible for busing are provided with a route with correct pick-up and drop-off locations at the start of the school year to prevent absences and unnecessary school transfers. To do this, the DOE must ensure that there are sufficient DOE staff tasked with reviewing data reports to reach out to parents, schools, shelter providers, and OPT to proactively trouble-shoot and resolve any routing issues before the start of the school year.



Advocates for Children  
of New York  
Protecting every child's right  
to learn since 1971

- The DOE must create multiple paths for families to request bus transportation without relying solely on an internet-based form that cannot easily be accessed by families and agencies. The DOE must also create a system that automatically advises families of the status of their request within 10 days, including informing families, schools, and agencies if changes need to be made to route the student.
- The DOE and HRA should create an interagency protocol that details the process for arranging bus service for students in domestic violence shelters, as there continues to be confusion about the responsibilities between DOE and domestic violence agency staff.
- The City should extend the guarantee of bus service to students in shelter enrolled in 3-K and Pre-K so they have the same opportunity for school stability as school-aged students.

### **Students in Foster Care**

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

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

Transportation to school is the first and most basic step to school stability. Without it, students are forced to change schools or even foster homes, resulting in lower test scores, fewer credits, and ultimately alarmingly low graduation rates for students in foster care. The City must guarantee bus service or other door-to-door transportation to the relatively small number of students in foster care who need it to maintain school stability.

### **Prepaid Rideshare**

In the past, when the DOE did not have a bus or bus accommodations available for a student, the parent's only option was to transport their child at their own expense and request reimbursement through a lengthy process. We appreciate that the DOE is now offering some families a prepaid rideshare service, where the DOE pays upfront for a service like Uber, when the DOE does not have bus service in place. However, this option does not work for many families, as it requires the parent to accompany the child to and from school. Furthermore, the eligibility requirements for who can receive rideshare are limited and the process for requesting it is inconsistent and unclear. The DOE should be providing a prepaid rideshare option to all students who are entitled to busing and do not



Advocates for Children  
of New York  
Protecting every child's right  
to learn since 1971

have busing or required busing accommodations in place regardless of the reason for the DOE's failure to provide busing, as well as to students who are waiting for required bus routes. Students should be able to attend school while the DOE resolves the delays. The DOE must also provide clear guidance to OPT and schools about who is responsible for providing rideshare instructions to families. In many cases, even after rideshare is approved, there is a delay in implementation because no one knows who is responsible for arranging the transportation.

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