



**Department of  
Education**

Chancellor Richard A. Carranza

TESTIMONY OF THE NYC SCHOOLS CHANCELLOR RICHARD A. CARRANZA  
ON THE OFFICE OF PUPIL TRANSPORTATION  
BEFORE THE NYC COUNCIL COMMITTEE ON EDUCATION

October 16, 2018

Good afternoon Speaker Johnson, Chair Treyger and all members of the City Council Committee on Education here today. My name is Richard A. Carranza, and I am the New York City Schools Chancellor. I appreciate the opportunity to be here today to discuss this important topic.

Our fundamental responsibility is to serve the 1.1 million New York City public school children and their families, and this includes getting them to and from school safely and reliably. Students deserve consistently high-quality bus service, and to be picked up and dropped off on time every single day. The busing issues and delays families experienced during the first weeks of school, most notably in District 30 in Queens, were unacceptable, and I apologize to all students and families who were affected.

We worked around the clock to fix those issues, including adjusting some bus routes and re-assigning others. Service is improving, and our customer service call numbers – which were unusually high in the first weeks of the school year – are now consistent with prior years.

We are also working to implement a number of structural changes to prevent delays, no-shows, and other problems going forward.

First and foremost, I have changed the senior leadership at the Office of Pupil Transportation (OPT).

I would like to introduce Kevin Moran, the DOE's newly appointed Senior Advisor to the Chancellor for Transportation, overseeing OPT. Kevin oversees all school busing operations, contracts, and strategy, and reports directly to me. I have made it clear to Kevin that we have a sense of urgency around this issue. Parents depend on us to get their children—their most prized possessions—picked up and safely delivered to school every day.

Kevin is the right leader to fix the problems in our busing system and ensure that it's reliable for our students, families, and educators. He's worked in operations at every level of our school system, with a track record of results. I am meeting with Kevin at least once daily, and usually more, as we work to improve bus service in both the short- and long-term.

While I will let Kevin share more details on the work ahead, I wanted to briefly note one other action I have taken – ordering an extensive and impartial audit by Ernst & Young into all components of the OPT contract process. Ernst & Young is conducting a process review of how bus contracts are selected and maintained, and will evaluate our current practices. This is a valuable opportunity to receive external feedback on the quality of our busing contracts and of the process by which they are awarded. Based on this audit, I expect to be able to implement



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improvements to strengthen our contracts, and to ensure excellent service for our students and families.

I won't rest until I'm confident our students are getting the high-quality, safe, and reliable school bus service they deserve every day. We look forward to working with the City Council to make that a reality in New York City.

Thank you again for this opportunity, and I will be happy to answer any questions you may have at the conclusion of Kevin's remarks.

I will now turn this over to Kevin.

*Testimony of Kevin Moran, Senior Advisor to the Chancellor for Transportation*

Thank you, Chancellor. Good afternoon Speaker Johnson, Chair Treyger and all the members of the Education Committee. My name is Kevin Moran, and as the Chancellor just stated, on September 21 I was named the Senior Advisor to the Chancellor for Transportation, overseeing the DOE's Office of Pupil Transportation (OPT). Thank you for the opportunity to discuss the Department's commitment to provide all NYC students with safe and reliable transportation to and from school and the proposed legislation before the committee today.

All New York City families should have the expectation and assurance that their child's school bus shows up at its correct stop, has a route that is direct and timely, drops their child off at school on time and returns them home on time. I apologize to the families for whom these commonsense expectations were not met during the first weeks of school.

Having taught for two years in a self-contained special education program, all my students depended on school buses to travel to and from school, and so I understand the importance of this work and am personally invested in its success. Professionally, I have extensive experience in managing school and district operations, most recently as the Executive Director for the Staten Island Field Support Center. Prior to that I served in the DOE's Division of Operations as the Executive Director of Field Support, and as an Executive Director in the Office of School Support. In these roles I was charged with monitoring and addressing transportation, safety, health, facilities, and student support services across our 1,800 public schools. I am proud to have helped manage the DOE's response and recovery to Hurricane Sandy.

With that, I want to share with you improvements that are underway, and areas we'll be looking at in the near future. These are steps we are taking in order to deliver better and more reliable transportation to our families and students.

**Office of Pupil Transportation: Overview**

To understand these changes I believe it is helpful to describe the transportation landscape for students in NYC.



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The Office of Pupil Transportation provides four types of transportation for students to and from school:

- General education busing is provided to all eligible NYC students in grades K-6 between a predetermined stop and school. Eligibility is based on grade level and the distance between a child's residence and school. Students must be at the stop when the bus arrives. Based on enrollment, schools may have multiple stops and routes to serve their students;
- Special education busing is provided to students with disabilities whose Individualized Education Program (IEP) requires transportation. In most cases the busing is door-to-door. Eligibility and service requirements for students with disabilities are prescribed by NY State law and the IEP process;
- Pre-K & Early Intervention busing is for children under the age of five, who are enrolled in special education Pre-K or Early Intervention programs, whose IEP or Individualized Family Service Plan (IFSP) provides for transportation. Bus vendors work closely with families to place children on specific routes based on pick-up location, school location and school session time.
- Student Metrocards are provided to eligible students at the beginning of each semester of the school year, depending on a student's grade level and distance from school. We issue around 660,000 Metrocards to students each semester.

OPT also provides special busing to all eligible students in grades K-6 residing in DHS shelters. Nearly 5,000 students in shelter rely on our buses to get to school each day.

Families who feel their students require transportation and do not otherwise qualify for busing or Metrocards may request an exception. Last year the DOE granted 2,000 exceptions.

OPT also manages transportation for our summer programs, and provides busing for school trips.

The OPT contracts with about 65 private bus companies to provide general education, special education, and special education pre-K and Early Intervention busing. Every school year, in partnership with these companies, we serve approximately 150,000 students in over 2,700 district schools, charter schools and private schools up to 50 miles outside of city limits each day on 8,500 bus routes, utilizing a fleet of 9,000 vehicles staffed by 14,000 bus drivers and attendants.

### Routing

In accordance with Chancellor's Regulation A-801, OPT is responsible for routing all eligible school-age bus riders in public and non-public schools and determining each rider's mode of transportation. Once OPT obtains student enrollment and address data from schools and other sources, OPT determines busing routes based on eligibility, transportation mode, special accommodation and IEP requirements. Peak periods for routing occur immediately before the school year in August and in June for summer programs.



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Many factors are considered when creating bus routes: number of bused students in the area, traffic patterns, school session times, and a student's special educational, behavioral, or medical requirements.

Throughout the school year, new students are registered, families move, and IEPs are changed, so routing for students in NYC are adjusted daily based on new information. Routes are also adjusted based on traffic and a route's on-time performance.

It is important to note that for Pre-K and Early Intervention students who are bused, the Pre-K contracted vendors work directly with families to develop and determine routes. These routes are then monitored by OPT, which recommends changes based on on-time performance or changes in a student's requirements.

#### Additional Responsibilities

In addition, OPT collects and analyzes student enrollment and address information, receives transportation requirements for students with IEPs, requires background checks for bus drivers and attendants, delivers training to bus companies and schools, manages contracts, and implements safety requirements. In addition, the organization also manages a call center to provide customer service to families, schools, the public and its bus companies. OPT employs 280 individuals in various capacities to deliver transportation services to NYC students.

#### Updates & Changes So Far

Since September we have taken a number of steps to immediately address pressing concerns and to implement long-term structural reforms.

#### Meeting with Families, Elected Officials, School Staff, and Vendors

We want our communities to know that we take their concerns seriously and with urgency. Over the past few weeks, I have met with families, city agencies, elected officials, advocates, and with bus vendors to address specific concerns, and look forward to learning from our stakeholders about the challenges they face and potential opportunities for improving transportation for students. In cases where a parent has escalated a specific concern, I have asked our teams to reach out directly and work toward a resolution. Each day, I review calls made to our Call Center to determine what additional engagement is necessary. I plan to meet with every CEC by the end of the school year.

#### New Twitter Handle

I am pleased to report that, as part of our efforts to establish more regular communication with families, we launched our transportation Twitter handle yesterday: @nycschoolbuses. This will serve as an additional communication channel to families about closures, weather, holidays, and events that impact bus service. We also provide this information on our website, but Twitter provides parents with an easier and faster way to be notified about bus service status.





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OPT's Call Center

OPT's Call Center is how our families and the public communicate with us about their experiences, questions, and concerns with school transportation and busing. It is absolutely critical that our families are able to speak to someone and receive quality information or resolution to their issues. We are currently engaging in a review of the call center, which includes looking at resources, call volumes, and current practices. We are adding additional staff to the call center, and are determining additional resources needed so that we can have expanded capacity by spring 2019.

Background Checks

All school bus drivers in New York State have always been required by NYS DMV to pass employment background checks in order to operate buses. This employment background check, conducted by the NYS DMV, includes a fingerprint clearance.

Starting last month, we added bus drivers to the same fingerprinting and background check process as all DOE employees, in addition to the DMV required check. The DOE will pay for this additional fingerprinting for approximately 9,000 drivers at a cost of \$1.2 million. This means that bus drivers and bus attendants will undergo the same rigorous review that we perform when hiring teachers, paraprofessionals, counselors, and school leaders. This check includes a review of both NY State and FBI criminal history, a background questionnaire, background interviews, and a review of any previous DOE employment history.

The most important point to note is that bus drivers will now have two separate background investigations and two separate fingerprint reviews. Every single bus driver currently working has already passed a background check under DMV – we are now ensuring that we are able to review them as well.

Investigations

Allegations of bus driver and bus attendant misconduct will now be investigated by the same office and process as all DOE employees, the DOE's Office of Special Investigations (OSI). OSI is part of the DOE's legal division, and is staffed by trained investigators and attorneys, and investigates allegations of misconduct against DOE employees.

In addition, the DOE does ongoing security review, which includes real-time electronic notification of arrests or incidents. DOE is using an online system, accessible to all bus companies, to indicate whether a driver is eligible to be working with students. This system, called PETS, provides real-time, up-to-the-minute status of driver eligibility. Should a driver's eligibility change, the bus company would receive an immediate notification. This notification will be in addition to the OPT notifications that are currently sent out.

These changes mean that allegations of misconduct from current bus personnel receive increased scrutiny.



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### New Positions Created

This year, we created the position of routing manager, a position staffed as of last week. The routing manager is an in-house logistics and technology expert who can ensure that all routers and OPT have the newest routing and optimization technology tools, that routing is performed efficiently, and that bus routes are as well designed as possible. This position will add an additional layer of consistency to all bus routes citywide. Additionally, today we launched a national search for a new, permanent leader of school transportation.

### OPT Organization & Reporting Structure

Prior to mid-September, OPT was managed by the Office of School Support Services, which also managed the Office of School Food, and the Public Schools Athletic League (PSAL). While this arrangement had its strengths, it also obscured the direct line of accountability to the Chancellor and created organization goals for OPT unrelated to transportation. As of my appointment, OPT has been decoupled from this organization and moved directly under the Chancellor, ensuring that its resources are fully committed to the delivery of transportation services to students, and that its line of responsibility to the Chancellor is clear.

### Future Improvements

Now I would like to share with you several areas we plan to work on in the months ahead.

#### Parent as Partners

Success of our transportation services depends on us receiving regular and meaningful feedback from parents, students, schools, vendors, and the community. We will seek to create new ways for all stakeholders to share feedback, concerns, and recommendations with us. There are existing mechanisms for feedback from school communities. Next school year, we will launch a survey to parents specifically addressing school transportation and busing. Going forward, our planning and management of school transportation will use community feedback as its starting point. Improving – and utilizing – the feedback we receive will be our goal.

#### Collaboration Across the DOE

Student transportation is important to all of us. That's why, even though OPT leads the DOE's transportation efforts, it requires work across the agency. Over the next few months I will be looking for ways to create greater collaboration across offices to support the DOE's transportation portfolio. We will work with our Executive Superintendents, Field Support Centers, Division of Instructional and Information Technology, and other central offices to better distribute responsibilities, bring in their expertise, and find efficiencies to improve transportation services.

#### Transportation Information on the DOE Website

We also want to make it easier for parents to find information about their child's transportation. We will be making changes to OPT's webpages, including moving content over to the main DOE website. This will make important information more accessible, easier to find, and easier to understand.



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Technology

Technology is an area I will be looking at closely. The right tools can help us become more efficient, more accurate, timelier, and more responsive in the delivery of transportation services. We have started a full IT security assessment of all OPT software systems, and expect this to be completed by January 2019. One specific feature I'm interested in exploring further is having GPS on all our buses to help schools and parents track and locate a bus on a particular route in real-time. Currently our special education buses – about one-third of our fleet – are equipped with GPS. I will explore what it will take to expand this to all bus routes. This past summer we launched a pilot with around 20 families that provided them with a mobile app with which they could view their child's route, approximate school bus GPS location, and estimated time of arrival. I will look to expand that program by spring 2019.

Contracts & Service

In order to encourage timely and reliable to service beginning with the first day of school, we are producing an internal vendor performance and review metric in time for spring 2019. This enables the DOE to better and more consistently track vendor performance and reliability. We will also assess liquidated damages starting the first day of school; we will no longer provide a two-week grace period.

Proposed Legislation

Thank you for the opportunity to comment on the proposed legislation. We share the Council's goal to provide additional transparency and accountability to our families and other stakeholders regarding school busing, and we look forward to further discussions with the Council.

Proposed Intros No. 89, the Presconsidered bill sponsored by Council Member Treyger, and the Preconsidered bill sponsored by Council Member Kallos requires DOE to report and provide information on bus service, policies, and procedures. Currently, information on DOE busing policies can be found on our web site. In addition, information on bus routes, vehicle information, and bus breakdowns and delays can be found on the City's Open Data portal. We would like to work with the Council to ensure that the reporting requirements in the proposed legislation align with best practices and information that we currently capture in our data systems, and achieve the goal of providing useful information to school communities and advocates without creating an administrative burden.

Intros No. 926 and 929 require DOE to report information on school bus employee investigations and qualifications. We would like to work with the Council to revise the proposed legislation to comport with our reforms underway in this area.

Intro. No 451 requires DOE to create a students' bus bill of rights. OPT currently provides schools with printed information for parents regarding general education and special education bus policies and procedures. Information regarding route changes, school bus safety drills, and emergency contact forms and cards are sent directly to families via mail. In addition, OPT sends



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letters to families in the backpacks of students in shelters. We are happy to work with the Council to ensure this information is easily accessible for families.

Intro. No. 1099 requires each school bus to be equipped with a two-way radio or cellular phone, as well as GPS tracking. Our school bus contracts require two-way radios on all buses, and GPS technology is equipped on two-thirds of the busing fleet. We look forward to working with the Council to ensure all our schools buses are equipped with GPS.

Many administrations have grappled to find solutions that provide every family with the quality transportation services to which they rightly expect. I thank the Council for holding this hearing today and commit to partnering with you to ensure that the changes at OPT create a transportation system that meets the needs of every student, parent, and employee. I appreciate that the proposed legislation aims to help improve busing services. While we support the spirit and intention of much of the legislation we want to work with the City Council to help streamline the legislation and codify existing and new best practices. Our goal is to work together to improve services and ensure that OPT staff time is focused on reliable bus service for students and families, and we look forward to working with the Council to perfect this legislation.

Thank you again for the opportunity to testify today. We share the Council's commitment to improving school transportation so students and families can dedicate their energy to learning and not on getting back and forth to school each day. We will continue to work to improve transportation services and look forward to working with the City Council on this important issue.

With that, we would be happy to answer any questions you may have.



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

**Letitia James**

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**Testimony on Behalf of New York City Public Advocate  
Letitia James  
Before the New York City Council Committee on Education  
October 16, 2018**

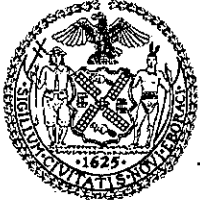
Good Morning. My name is Johane Severin and I am the deputy counsel for New York City Public Advocate Letitia James.

I would like to thank Chair Treyger, the rest of the Committee on Education, and the committee staff for holding today's hearing on the City Department of Education's Office of Pupil Transportation and the several bills that aim to strengthen oversight of the OPT, including a resolution sponsored by Public Advocate James that calls for the New York State Department of Education to require, implement and enforce more extensive training and tracking of school bus drivers and attendants who transport students with disabilities.

The strong interest in today's hearing is a testament to the fact that parents are concerned about the state of school bus transit in New York City and want improved accountability, transparency, training and service.

Each day in our city, yellow school buses transport approximately 150,000 students, many of whom have disabilities, to and from their public schools. Parents and caretakers entrust school bus companies and their employees with their most precious cargo with the expectation that their children will be picked up on time and arrive safely at school or home, and that they'll be driven and supervised by qualified, experienced bus drivers and attendants.

On any given day, bus drivers and attendants confront myriad challenges associated with supervising and transporting the city's diverse student population, including addressing behavioral problems, bullying, and helping



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our youngest students to feel safe and supported. It is reasonable for parents to want bus drivers and attendants to be trained in dealing with these challenges. Similarly, it is also reasonable for all of us to expect transparency with respect to driver training and to hold the companies with school bus contracts to a higher standard.

As everyone in this room is aware, the first week of this school year was nothing short of a disaster for the City's yellow buses. There were literally thousands of complaints about drivers failing to pick up kids, one child was left on a bus for over five hours and, on top of that, allegations surfaced that some one hundred drivers were improperly approved using a fraudulently obtained signature. This is all unacceptable.

Unfortunately, this is not new. For some time, our office has been concerned about the quality of school bus services, particularly related to students with disabilities. Since 2014, Public Advocate James has worked with families of children with disabilities who attend District 75 schools to ensure that they receive the transportation services that meet their children's needs. We are particularly concerned about these students because their needs are so specific and the failure to address those needs can have serious health and mental health consequences. For example, many such students are non-verbal and cannot communicate their needs or discomfort. Some of the special-needs students who asked for the support of our office spend over 2 ½ hours on a bus each day to get to and from school. For circumstances like this, training, transparency and accountability are essential.

One parent of a child with autism who has worked with our office in the past recently contacted our office to describe yet another busing problem that their family faced. Bus service for their special-needs child was inexplicably withdrawn this year. As strange as that sounds, this was the fourth consecutive



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year that they discovered that the bus simply would not come to pick up their child. When the parent checked the OPT website, the site did not recognize the child's ID number -- which seems strange because the child has been receiving bus service for several years. When the parent called the OPT customer service desk, they were informed without any explanation that the school removed their child from the computer system. The parent contacted the busing supervisor for their borough but the supervisor failed to respond, which has happened in each of the last four years. When this parent shared their issues with other parents at the school their child attends, they learned that several other families had experienced a similar problem this year.

Hearing stories like this, it is clear that something is not right. And though we appreciate the Chancellor's swift action in response to the issues that arose at the beginning of this school year, our office believes -- based on the issues we've seen -- that there must be systemic improvements made to the entire system.

For this reason, Public Advocate James introduced Resolution 540 of 2018 calling on the State Department of Education to implement more extensive training of and tracking for school bus drivers and attendants, and we strongly support the other bills that are being heard today. We hope that today's hearing is a sign of renewed attention and opportunities for change in the way we run our school bus system.

Thank you for the opportunity to testify before you today and for your attention to this important issue.





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### IMPORTANT BUS POLICY: PLEASE READ

This year, we are continuing our bus protocol. This protocol was implemented in order to make certain that all our students who ride the bus are safe and accounted for at all times.

**2. If your child is not taking the bus home at dismissal because an adult is picking him/her up at school, you must send a note in the morning, and email [PS11chelseabus@gmail.com](mailto:PS11chelseabus@gmail.com) by 2:30pm.** Include the name of the adult picking up your child. **Whoever is picking up your child MUST be at the playground gate by 3:00pm. If no adult is present at the time your child is to get on the bus, your child will go on the bus and will need to be picked up at his/her scheduled bus stop. If your child is attending PS 11 Afterschool, he/she will not report to the bus line.**

3. If your child will be picked up on the same days each week (i.e. every Tuesday and Thursday they have a class), you can notify [ps11chelseabus@gmail.com](mailto:ps11chelseabus@gmail.com) and your classroom teacher at the beginning of the year to let them know. However, if an adult is not at the gate by 3:00pm, they will get on the bus, regardless of whether it is a typical pickup day or not. If an after school activity ends, and the consistent pickup changes, please notify your teacher and the above email address.

We have adopted the following procedure to ensure that our students are dismissed safely from the bus each day.

1. Each bus route will be assigned a color. Each numbered stop (i.e. 1, 2, 3) will be assigned a color (Ex. Stop 1: blue, Stop 2: yellow, etc.)
2. Students will receive a lanyard with an ID badge. The **lanyard** will be color coded to match the child's **BUS ROUTE**. The **badge** will be color coded to match the child's **bus STOP #**. The **badge** will have the student's **LAST NAME** and **FIRST INITIAL** as well as the **STOP # and ADDRESS** of the stop. Students must be wearing their ID Badge before they get on the bus.
3. A bus attendance/bus dismissal recording sheet will be created for each bus route. This will be created on two page carbonless paper. This sheet will contain students' names (alphabetical), grouped by bus stop. Bus stops will be numbered in the order that they appear on the route guide.
4. As each student is placed on the bus, a PS 11 staff member will take attendance on the spread sheet. Once all of the students are on the bus, the bus driver will receive a copy of the attendance.
5. As students are dismissed, they will show their lanyard to the bus driver and the driver will check the dismissal box. Students will not be permitted to exit the bus unless they are at the **DESIGNATED STOP #** and **DESIGNATED STOP ADDRESS**.
6. Students are never permitted to get off the bus at a NON-DESIGNATED stop.
7. Please remind your child that they **MUST** wear his/her lanyard each day. They may also tie his/her lanyard to his/her backpack.
8. If an adult is not present at the designated stop, the student will notify the bus driver and may choose to stay on the bus. After the route is completed, the driver will return to the stop. If an adult is still not present, the driver will contact 911.

Positive bus behavior is incredibly important to keep students safe. We will be reminding them of bus safety rules, but please speak to your children about staying in their seat with the seatbelt fastened, using kind language and following the rules. If a child displays inappropriate behavior, please be aware that your child may be suspended from the bus.

The Department of Education has created a short video about busing procedures. You can view that here:

[http://www.optnyc.org/opt\\_files/videos/Unattended\\_Child\\_Parent/index.html](http://www.optnyc.org/opt_files/videos/Unattended_Child_Parent/index.html)





TESTIMONY

The New York City Council

Committee on Education

Oversight Hearing on

The Department of Education's Office of Pupil Transportation

October 16, 2018

New York, New York

Presented by:

Melissa S. Ader, Staff Attorney, Civil Practice, Employment Law Unit, The Legal Aid Society

New York, NY 10038

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## **Testimony of The Legal Aid Society**

The Legal Aid Society thanks Chair Mark Treyger and the Committee on Education for permitting us to testify on the subject of permitting individuals with criminal records to work for vendors of the New York City Department of Education (“DOE”). We applaud the Council for its concern about ensuring the safety of schoolchildren, as well as its concern about unnecessarily limiting the employment prospects of New Yorkers with criminal records, who are disproportionately low-income people of color.

The Legal Aid Society exists for one simple yet powerful reason: to ensure that no New Yorker is denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long, working on the front lines and behind the scenes to offer our clients the exceptional legal services they deserve. Through our Civil, Criminal Defense, and Juvenile Rights Practices, we offer an unmatched depth and breadth of legal expertise to vulnerable New Yorkers in over 300,000 legal matters each and every year. The Civil Practice’s Employment Law Unit works at the intersection of employment law and criminal law to reduce barriers to employment for people with arrest and conviction records through litigation, advocacy, and policy reform. The Employment Law Unit regularly represents and advises people who are denied clearance to work for DOE vendors because of their conviction record. The Employment Law Unit also regularly represents and advises individuals whose clearance to work for DOE vendors is suspended or revoked because of a new arrest or conviction record. These clients include individuals denied

certification<sup>1</sup> to work as school bus drivers by DOE's Office of Pupil Transportation ("OPT"), and school bus drivers who have had their certification suspended or revoked by OPT.

We are aware of the recent articles in the *New York Daily News* that described DOE's purported practice of permitting people with criminal conviction records to drive school buses. Those articles' description of applicants receiving and maintaining clearance without DOE reviewing their criminal record does not reflect the experiences of our clients. DOE has suspended our clients' clearances immediately following their arrest and has been unwilling to consider ending the suspension until the criminal case is resolved. DOE has revoked our clients' clearances because they pled guilty to disorderly conduct, which is not a criminal conviction. Our clients who have applied for clearances, whether as school bus drivers or otherwise, have always had past criminal records flagged by DOE. Indeed, DOE has unjustly refused to issue clearances to our clients because of misdemeanor convictions or decades-old felonies that were unrelated to their employment within the New York City school system, despite our clients' extensive evidence of their accomplishments and positive change.

To its credit, DOE does sometimes issue clearances to people with conviction records. When DOE issues these clearances, it does so in compliance with Article 23-A of the New York Correction Law, which requires DOE to consider not only an applicant's conviction history, but also the person they are today. Specifically, Article 23-A prohibits DOE from denying a clearance to an applicant because of their conviction record unless there is a direct relationship between the person's conviction record and the job, or unless issuing the clearance would create an unreasonable risk to the safety of DOE students or property. In making this determination,

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<sup>1</sup> In this testimony, our use of the word "clearance" includes New York City School Bus Driver certifications, along with other clearances DOE issues to employees of DOE vendors.

DOE is required to consider eight factors, including how long ago the offense occurred, the age of the applicant at the time they committed the offense, and the applicant's evidence of rehabilitation and good conduct.<sup>2</sup>

We are not aware of any evidence indicating that people with conviction records have harmed New York City students after receiving clearance to work for DOE vendors. Instead, our clients who have received DOE clearance have improved the New York City school system by serving as caring and competent professionals. For example, one former Legal Aid client with an old felony conviction currently has clearance to work for a DOE vendor, where she helps low-income students draft college admission essays and prepare for college admission testing. Because of her history overcoming adversity, including the socioeconomic challenges that led to her conviction record, our former client is particularly well equipped to help students craft narratives of their own experiences overcoming hardship. Our client has successfully helped low-income students get into many different colleges, and her students clearly love working with her. In evaluations of her teaching, students wrote, "I trust her to give me good advice and she doesn't judge me," "I like how [she] made classes more fun and engaging with stories of personal experience," and, "I like how engaged she is in the class—I never liked English before." Our client's success is not unique. Studies have found that employees with criminal records are promoted more quickly and to higher-level positions than employees who do not have criminal records, and are no more likely to be discharged for misconduct than employees without criminal records.<sup>3</sup>

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<sup>2</sup> N.Y. Correction Law §§ 752-753.

<sup>3</sup> See, e.g., Jennifer Hickes Lundquist et al., *Does a Criminal Past Predict Worker Performance? Evidence from One of America's Largest Employers*, 96 SOC. FORCES 1039 (Mar. 2018), available at <https://doi.org/10.1093/sf/sox092>.

Finally, efforts to discourage the issuance of DOE clearances to New Yorkers with criminal records will have a disparate impact on low-income New Yorkers of color. It is well documented that people of color are disproportionately targeted for arrest in New York City.<sup>4</sup> And, people of color who have conviction records are denied employment because of their conviction record far more often than white people with comparable conviction records.<sup>5</sup> They face intense stigma and are denied jobs and government clearance even when there is no relationship between their conviction record and their ability to perform the duties of the job.<sup>6</sup> These job and clearance denials have helped create an underclass of New Yorkers of color with conviction records who cannot find stable employment.

A growing body of evidence indicates how important it is for students of color to have access to educators of color.<sup>7</sup> In response to that evidence, New York City has promoted initiatives to increase the number of teachers of color in the school system, including “NYC Men Teach,” an initiative whose slogan is, “Diverse classrooms need diverse teachers.”<sup>8</sup> Given the disparate impact of the criminal justice system on people of color, any effort to discourage DOE from hiring or issuing clearances to people with conviction records would harm New York City public school students by decreasing their access to educators and other professionals of color.

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<sup>4</sup> See, e.g., Anna Flag & Ashley Nerbovig, *Subway Policing in New York City Still Has A Race Problem*, MARSHALL PROJECT (Sept. 12, 2018), available at <https://www.themarshallproject.org/2018/09/12/subway-policing-in-new-york-city-still-has-a-race-problem>; Benjamin Mueller et al., *Surest Way to Face Marijuana Charges in New York: Be Black or Hispanic*, N.Y. TIMES (May 13, 2018), available at <https://www.nytimes.com/2018/05/13/nyregion/marijuana-arrests-nyc-race.html>.

<sup>5</sup> See Devah Pager, *The Mark of a Criminal Record*, 108 AM. J. SOC. 937, 959 (Mar. 2003), available at <https://scholar.harvard.edu/pager/publications/mark-criminal-record> (noting that the negative effect of a criminal record is 40% larger for black job applicants than white job applicants).

<sup>6</sup> See Bruce Western & Catherine Sirois, *Racialized Re-entry: Labor Market Inequality After Incarceration*, SOC. FORCES (Oct. 2018), available at <https://doi.org/10.1093/sf/soy096>.

<sup>7</sup> See, e.g., Hua-Yu Sebastian Cherng & Peter F. Halpin, *The Importance of Minority Teachers: Student Perceptions of Minority Versus White Teachers*, 45 EDUC. RESEARCHER 407 (Oct. 2016).

<sup>8</sup> NYC YOUNG MEN’S INITIATIVE, *NYC Men Teach*, <https://www1.nyc.gov/site/yimi/teach/nyc-men-teach.page> (last visited Oct. 15, 2018).

We request that any increased oversight by the City Council of DOE's process for issuing, suspending, and revoking clearances to people with arrest or conviction records take into account the information provided in this testimony. It is already far too difficult for people with arrest or conviction records to maintain and obtain clearance to work for DOE vendors. Encouraging DOE to implement even harsher clearance policies for people with arrest or conviction records will harm New York City public school students, as well as the low-income New Yorkers of color who work or seek to work for DOE vendors. DOE should not automatically suspend the clearance of people who have been arrested, as they currently do, but instead should undertake an individualized analysis of whether the alleged crime is related to work with children. DOE should automatically restore the clearance of anyone whose criminal case is resolved with dismissal, adjournment in contemplation of dismissal, or a non-criminal violation. Last, DOE should increase the number of clearances it issues to people with conviction records. It can do so by basing its clearance determinations on an individualized analysis that seriously examines applicants' evidence of accomplishments and positive change since their offense, in addition to the other factors that Correction Law Article 23-A requires DOE to consider.

Thank you for your consideration.



## TESTIMONY

October 16, 2018  
New York, New York

Presented before The New York City Council Committee on Education

- Int. No. 0451-2018 – In relation to requiring the New York City Department of Education to create and distribute a school bus bill of rights.
- Int. No. 0926-2018 – In relation to requiring the Department of Education to report on the Office of Pupil Transportation policies and procedures as they relate to school bus drivers and attendants.
- Int. No. 0929-2018 – In relation to requiring the New York City Department of Education to provide quarterly reports to the Mayor, Council and Borough Presidents on the Department’s oversight of the qualifications of school bus drivers and attendants employed by school bus company contractors.
- Int. No. 1099-2018 - In relation to requiring the placement of two way radios or cellular phones and tracking devices on school buses.
- Int. No. 0089-A-2018 – In relation to requiring the department of education to report average pupil transportation times.
- T2018-2962 – In relation to requiring the New York City Department of Education to report on pupil transportation services.
- T2018-3003 – In relation to requiring the department of education to report on pupil transportation policies and procedures.
- Res. 0540 – In relation to requiring the New York City Department of Education to require, implement and enforce more extensive training and tracking of the training of school bus drivers and attendants who transport students with disabilities.

The Legal Aid Society  
Juvenile Rights Practice  
199 Water Street  
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Presented by: Cara Chambers and Melinda Andra

Good afternoon. We submit this testimony on behalf of The Legal Aid Society, and thank Chair Treyger and the Committee on Education for inviting our thoughts on the proposed package related to student busing.

The Legal Aid Society's Juvenile Rights Practice provides comprehensive representation as attorneys for children who appear before the New York City Family Court in abuse, neglect, juvenile delinquency, and other proceedings affecting children's rights and welfare. Last year, our Juvenile Rights staff represented more than 33,000 children. Moreover, The Legal Aid Society represents hundreds of students each year in special education cases and suspension hearings through both the Kathryn A. McDonald Education Advocacy Project of the Juvenile Rights Practice and the Education Law Practice in the Legal Aid Society's Civil Practice. Our perspective comes from daily contact with children and their families, and also from our frequent interactions with the courts, social service providers, and State and City agencies.

The Legal Aid Society supports measures to ensure the safety and efficacy of yellow bus service contemplated by Int. No. 0451, Int. No. 0926, Int. No. 0929, Int. No. 0089-A, Int. No. 1099, T2018-3003 and T2018-2962. The transparency provided by the creation and distribution of a School Bus Bill of Rights (Int. No. 0451), the disclosure of Office of Pupil Transportation policies and procedures regarding investigations of school bus drivers and attendants to the community (Int. No. 0926 and Int. No. 929), and the disclosure of average pupil transportation times (Int. 0089-A) will improve accountability



and help ensure that New York City families feel comfortable that their children are safe on school buses.

Likewise we support Int. No. 1099, which would require that school buses have two way radios or cell phones and that school buses have tracking devices. The ability of the driver or attendant to communicate in case of an emergency, such as in the case of a sick or injured child, and the ability of the parent, bus company, and authorized schools and individuals to know where a bus is at any given time are necessary for student safety. Allowing parents and schools to track the location of a bus in case of lateness will reassure parents as to their children's safety, and more importantly, it will allow the bus company to send emergency personnel to the correct location in case of a serious emergency.

The Legal Aid Society also supports Resolution 0540-2018 from the Public Advocate calling upon the New York State Department of Education to require, implement, and enforce more extensive training of school bus drivers and attendants who transport students with disabilities. Students with special needs are routed on school buses based on the addresses to which they are going and not based on their individual disabilities. As a result, students with a wide range of special needs are often together on the same bus. A bus attendant maybe called upon to simultaneously work with students with intellectual disabilities, physical disabilities, autism, and emotional disturbances together on the same bus. The attendant's ability to provide for the needs of all of the students on the bus is paramount to the students' safety and comfort. The Legal Aid Society receives many calls each year from parents of children with disabilities regarding incidents on school buses which might have been prevented had the attendant had a greater ability to handle a student with special needs who is in crisis. Many of those incidents have resulted in 911 calls and

students being excluded from busing to which they are entitled by reason of their disabilities. Increased training for bus drivers and attendants who transport children with disabilities may improve the safety of students with disabilities who rely on school buses to get to school.

The Legal Aid Society supports the Introduction of T2018-2962 requiring the New York City Department of Education (“DOE”) to submit to the Council and post on its website quarterly reports regarding school busing. However, we urge the Committee to amend the proposed law to also require the DOE to report on transportation provided to achieve school stability for students in foster care, as set forth in more detail below.

Children who are removed from their homes by the Administration for Children’s Services due to neglect, abuse or abandonment are among New York City’s most vulnerable residents. They are legally entitled to school stability if it is in their best interests. Maintaining foster children in their schools of origin preserves connections with teachers, friends, school counselors, coaches, and their communities at a time when children have lost their homes and primary relationships with caregivers and other family members and desperately need the support of their schools. Moreover, studies show that students typically lose six months of academic progress each time they change schools, and children in foster care experience an average of one to two placement changes per year.<sup>1</sup> Maintaining students in foster care in their schools of origin prevents additional trauma to these vulnerable children and avoids the academic disruptions and delays that studies show result from high school mobility.

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<sup>1</sup> See, e.g., The Legal Center for Foster Care and Education, *Questions and Answers: Credit Transfer and School Completion*, available at: [https://www.americanbar.org/content/dam/aba/migrated/child/education/OA\\_2\\_Credits\\_FINAL.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/migrated/child/education/OA_2_Credits_FINAL.authcheckdam.pdf)

The federal Fostering Connections to Success and Increasing Adoptions Act of 2008 and the Every Student Succeeds Act of 2015 require school districts and foster care systems to collaborate in preserving school stability for children in foster care and in providing adequate transportation. Additionally, New York State recently passed Education Law 3244, which provides that the school district where the foster child attend schools must provide transportation to and from the foster care placement and the child's school of origin.

Despite these federal and state requirements, transportation remains a significant barrier to preserving school stability for students in foster care in New York City. Currently, the DOE permits students in foster care in grades K-6 to submit an Emergency Evaluation Request for busing. The DOE only approves such requests if the foster student can easily be added to a pre-existing bus route. The DOE has not increased its busing capacity to accommodate students in foster care and has refused to create or alter routes to accommodate students in foster care. Data shared by the Administration for Children's Services shows that the DOE has only granted about 50% of the requests for foster care busing. If there is no pre-existing bus route to which a student in foster care can be added, the DOE simply hands the child – but not the foster parent – a MetroCard.

This is patently inadequate. While teens can typically travel independently with a MetroCard, younger children cannot. Giving a seven year old a MetroCard and telling that child to get him or herself to school does not satisfy the federal and state laws' intent. The DOE's failure to provide school bus transportation to eligible students in foster care means that young students are often forced to make frequent school changes, which harm them emotionally, socially and academically. Alternately, ACS steps in to try to piece together

expensive ad hoc transportation arrangements involving the use of taxis, car services and paid chaperones. As a result, the DOE's current policy is harmful to kids and expensive for taxpayers.

We urge the Committee to add language to T2018-2962 that would require the Department of Education to disaggregate data in its quarterly reports to show the number of students in foster care receiving yellow bus service and MetroCards. Specifically, we ask that paragraph 7 of T2018-2962 be amended by adding the following underlined language:

7. The total number of students for whom the department provided transportation services, disaggregated by yellow bus service and passes for public transportation, and further disaggregated by type of student, which shall include but not be limited to, special education students, general education students, students in temporary housing, students in foster care, prekindergarten students, elementary school students, middle school students, high school students, public school students, and nonpublic school students; and...

Additionally, we ask that the reports include:

- 1) The number of students in foster care who submitted an Emergency Evaluation Requests for school bus transportation, disaggregated by grade, borough of residence, and borough of school location;
- 2) The number of students in foster care who submitted an Emergency Evaluation Request for school bus transportation who actually received yellow bus service, disaggregated by grade, borough of residence, and borough of school location;
- 3) The number of students in foster care who submitted an Emergency Evaluation Request for school bus transportation, but were given MetroCards instead of yellow bus service, disaggregated by grade, borough of residence and borough of school location.

In addition to the bills the Committee is considering today, we urge the Council to hold the DOE accountable for providing yellow bus transportation to every child in foster care between Kindergarten and 6<sup>th</sup> grade who meets the travel distance requirements for busing (i.e., ½ mile for students in grades K-2 and 1 mile for students in grades 3-6).

Students in foster care will benefit from requiring increased transparency and accountability from the DOE because it will help to ensure they have access to needed school bus service, to which they are entitled, and will help to maintain school stability.

We share your goal of improving safety for all our school children and look forward to working with you to achieve this in the most effective way possible. We thank the Committee for their attention to the issue of school bus service and for giving The Legal Aid Society the opportunity to speak about this important topic.

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**TESTIMONY OF:**

**Shelle Shimizu – Employment Law Fellow, Employment Law Unit**

**BROOKLYN DEFENDER SERVICES**

**Presented before**

**The New York City Council Committee on Education**

**October 16, 2018**

My name is Shelle Shimizu and I am an attorney at Brooklyn Defender Services (BDS). BDS provides multi-disciplinary and client-centered criminal, family, and immigration defense, as well as civil legal services, social work support and advocacy, for over 30,000 clients in Brooklyn every year. I thank the Committee on Education for holding this hearing and for providing us with the opportunity to testify.

BDS's employment practice provides legal representation and informal advocacy to people facing employment discrimination due to current or prior contact with the criminal justice system. Our clients face numerous formal and informal barriers to employment. Many are suspended or terminated from employment upon arrest and absent any finding of criminal culpability. Others are completely excluded from employment opportunities due to their criminal histories. In New York State, many occupations are regulated by statutes that limit or exclude people with criminal records—and this includes school bus drivers.

BDS supports the Council's intention to improve our city's school transportation system, but urges due consideration to the widespread harm of demonizing people with criminal records. As an organization that serves people impacted by the immigration, child welfare and criminal legal systems, we frequently work with school-aged children who depend on bus transportation to access their education. Across practice areas, we hear of problematic school transportation practices, including untimely student drop-offs and pick-ups, unnecessarily long bus rides and unprofessional conduct by school bus staff. Our Education Practice assists BDS clients in addressing these concerns, but systematic failures by the Office of Pupil Transportation (OPT) often compromise the speed and extent of available relief. Accordingly, BDS commends the Council's proposals that seek to improve accountability and reliability of the school transportation system.



All that said, it is critically important to distinguish job-related misconduct from past mistakes that have no direct connection to the work. BDS submits this testimony to address Intros 926 and 929, both of which pertain to OPTs process for certifying, investigating and disciplining school bus drivers. As a public defender office, BDS is concerned with legislation that, even unintentionally, could lead to undue employment barriers for people with open cases or prior convictions. Today I would like to highlight the following concerns.

### **School Bus Drivers Are Already Highly Regulated**

Recent articles published in the *New York Daily News* and *New York Post* raised concerns that the vetting process for school bus drivers is too lax.<sup>1</sup> In the articles, an OPT investigator claims to have uncovered six bus drivers with conviction histories that he believes should have precluded their employment as school bus drivers. However, the articles, as well as a subsequent letter from Comptroller Scott M. Stringer calling for change, do not mention the various steps that an individual must take to become a school bus driver.

In order to drive a school bus, an individual must first obtain a Commercial Driver's License (CDL) with the required designations through the New York Department of Motor Vehicles. Certain applicants with criminal convictions are prohibited, either temporarily or permanently, from obtaining a CDL. These convictions are enumerated in Section 509-cc, Article 19-A of New York's Vehicle and Traffic Law.<sup>2</sup> This list is extensive and includes over 80 convictions that could potentially prevent an individual from obtaining a CDL. Notably, the state requires potential bus drivers to either not have one of these disqualifying convictions *or* to present sufficient evidence of rehabilitation to warrant the CDL.

Next, the person typically must apply for a bus driver position through a private vendor contracted by the DOE. While there is concern that these vendors are not properly running background checks on applicants, we have seen evidence to the contrary. One recent client served as a bus driver for many years and after a break from driving he wished to return to the profession. While he was in the process of applying for positions, he was arrested. As a result, all of the school bus vendors that he applied to denied him employment due to his open case. No finding of criminal culpability had been made, and yet our client was presumed guilty by the company and denied the opportunity to serve as a bus driver—a position he held for many years.

In the event that a person obtains a CDL and is subsequently hired by a vendor, they must then be certified by the Office of Pupil Transportation. Per the OPT website, in order to receive certification an individual must provide a litany of documentation including: a 19-A final

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<sup>1</sup> Selim Agar and Bruce Golding, *DOE Probing Alleged School Bus Driver Approval Fraud*, N. Y. POST (Sept. 18, 2018), available at: <https://nypost.com/2018/09/18/doe-probing-alleged-school-bus-driver-approval-fraud/>; Ben Chapman and Graham Rayman, *City School Bus Drivers with Criminal Pasts Slip Through Gaping Loopholes*, N. Y. DAILY NEWS (Sept. 14, 2018), available at: <http://www.nydailynews.com/new-york/ny-metro-school-bus-drivers-criminal-record-20180914-story.html>

<sup>2</sup> Article 19-A Information Packet, Dept. of Motor Vehicles, Bus Driver Unit. DS-700 (updated 09/2017), available at <https://dmv.ny.gov/forms/ds700.pdf>.

qualification letter provided by the DMV, a 13 county criminal history check letter dated within 60 days, negative drug test results dated within 60 days, and three letters of recommendation.<sup>3</sup>

People seeking employment as a school bus driver must proceed through a vetting process with multiple junctures at which they can be excluded due to their criminal record. While OPT and the city's school transportation employers are entitled to their own review of school bus candidates, it should be considered within the context of the preceding steps of review.

### **A Criminal Conviction Should Not Automatically Exclude Individuals from Employment Opportunities and OPT Must Consider Evidence of Rehabilitation**

A criminal conviction is not determinative of a person's character or their abilities as an employee. People can and do change. New York State and City have created a variety of legal protections to support those truths. In enacting Article 23-A of the Correction Law,<sup>4</sup> New York State created standards for employers to follow with the goal of limiting unjust discrimination against a candidate due to a past conviction. The law requires employers to consider a number of factors, including the age of the individual at the time of the offense and the amount of time that has lapsed, to analyze whether the prior conviction should bar employment. In establishing the law, the Legislature also recognized the importance of rehabilitation:

"Observers of our criminal justice system agree that the key to reducing crime is a reduction in recidivism (i.e. repeated criminal conduct by the same individuals). The great expense and time involved in successfully prosecuting and incarcerating the criminal offender is largely wasted if upon the individual's return to society his willingness to assume a law-abiding and productive role is frustrated by senseless discrimination. Providing a former offender a fair opportunity for a job is a matter of basic human fairness, as well as one of the surest ways to reduce crime."<sup>5</sup>

New York City's Fair Chance Act and New York State's sealing statutes 160.58 and 160.59, further reflect a commitment to the fundamental premise that people can be rehabilitated—that they can reenter their communities and live positive lives after involvement with the criminal legal system.

The articles in the *New York Post* and *New York Daily News* center around an OPT investigator claiming to uncover several bus drivers with criminal histories that he believes should preclude them from working as a bus driver. While we recognize the instinct to be alarmed, we question the premise that the convictions alone should preclude them from employment, especially without any other information. New York State and City law recognizes the need to consider a variety of factors, including rehabilitation, before drawing such conclusions. In fact, one of the Article 23-A factors an employer must consider is that "New York public policy encourages the licensure and employment of people with criminal records." We ask that the Council keep this in mind as it solicits information regarding the criminal histories of current school bus drivers.

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<sup>3</sup> New York City Department of Education, Office of Pupil Transportation, Driver Information, available at: <http://www.optnyc.org/vendors/DriverInformation.htm>

<sup>4</sup> Full cite

<sup>5</sup> Mem in Support, Bill Jacket, ch. 931, L. 1976.



## **Any Legislation Must Be Carefully Drafted to Avoid Reinforcing Harmful Stereotypes and Disproportionately Impacting Communities of Color**

Black and Latinx people, with or without criminal records, have long faced discrimination in hiring practices. Criminal records only compound the barriers to obtaining or maintaining a job, and blanket bans on employees with such records exacerbate inequality in our society without improving public safety.

This pervasive discrimination inspired New York City's Fair Chance Act—a local version of the Ban-the-Box laws enacted in jurisdictions across the country. At its core, the Fair Chance Act aims to dismantle stereotypes about the desirability of formerly incarcerated workers and increase hiring rates for that population.<sup>6</sup> Employers have expressed reluctance to hire people with criminal records on the basis that they are seeking what some have called “work readiness”—a term that one leading economic research institute defined as encompassing “personal qualities such as honesty and reliability, an inclination to arrive at work on time every day, a positive attitude toward work.”<sup>7</sup> Employers may, without good reason, regard the existence of a criminal record as a proxy for the absence of those qualities.<sup>8</sup> However, research shows that these presumptions are not only discriminatory, but are indeed false.<sup>9</sup>

Intro. 929 requires that OPT disclose the “number of notifications received from the New York state of division of criminal justice services that a school bus attendant has been arrested for charged criminal activity.” We are concerned about the message that this reporting sends—that those with criminal justice involvement are inherently dangerous and a hidden threat that must be uncovered. This message conflicts with the City's overall purpose of expanding employment opportunities for all, including people with records.

It is also important to acknowledge any policy that targets people with arrests or convictions will replicate the biases of our criminal legal system and disproportionately affect Black and Latinx people, particularly those experiencing poverty. In 2016, Black people accounted for approximately 48% of total arrests while Latinx people accounted for 34% of total arrests despite representing 26% and 29% of the total New York City population respectively.<sup>10</sup> Consequently,

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6 Jessica S. Henry and James B. Jacobs, *Ban the Box to Promote Ex-Offender Employment*, National Employment Law Project (October 16, 2007), available at: <https://www.nelp.org/wp-content/uploads/2015/03/Henry-Jacobs.BantheBox.article.Oct-07.pdf>

7 Harry J. Holzer et al., *Can Employers Play a More Positive Role in Prisoner Reentry?*, URB. INST. 1-2 (2002), <https://www.urban.org/sites/default/files/publication/60761/410803-Can-Employers-Play-a-More-Positive-Role-in-Prisoner-Reentry-.PDF>

8 *See id.*

9 In a study comprised of over a quarter million applicants for customer service positions, researchers at the Kellogg and Northwestern University School of Law found that people with criminal histories did not perform their duties any worse than non-offenders. Based on the research of Dylan Minor, Nicola Persico, and Deborah Weiss, *Should You Hire Someone with a Criminal Record?* (February 3, 2017), available at: <https://insight.kellogg.northwestern.edu/article/should-you-hire-someone-with-a-criminal-record>. *See also*, Jena McGregor, *Why Former Felons May be Good Employees*, Washington Post (May 6, 2015), available at [https://www.washingtonpost.com/news/on-leadership/wp/2016/05/06/why-former-felons-may-be-good-employees/?utm\\_term=.8616ba5ae69f](https://www.washingtonpost.com/news/on-leadership/wp/2016/05/06/why-former-felons-may-be-good-employees/?utm_term=.8616ba5ae69f)

<sup>10</sup> Data obtained through the Department of Criminal Justice Services. Available at <http://www.criminaljustice.ny.gov/crimnet/ojsa/dispos/nyc.pdf>



any regulation or policy that regulated the employment of individuals with criminal records will disproportionately and unfairly discriminate against people of color.<sup>11</sup>

We know that this Council has taken many steps forward to protect those with criminal records from employment discrimination. While we recognize that the bills today seek to gather information on OPT's vetting process, we hope that this data collection will not be used to further limit the employment of those with criminal histories.

## **Recommendations:**

### **1. Add a Section to Intro 929 to Ensure That the Office of Pupil Transportation Abides by Its Legal Obligations Under Article 23-A**

The Office of Pupil Transportation's vetting process should be transparent and should abide by New York Correction Law Article 23-A. Article 23-A prohibits an employer from denying or terminating employment due to a criminal conviction unless the employer is able to establish that the conviction directly relates to the position at hand or that they are an unreasonable risk to public safety. This law requires employers to consider numerous factors in making this determination.

Intro. 929 would require OPT to disclose:

“The timeframe and a description of the actions taken by the department for each substantiated notification for which a driver or attendant lost their department qualifications...”

BDS agrees that greater transparency into OPT's “investigative process” is necessary. Accordingly, we ask that Intro. 929 specifically require OPT to disclose how it incorporates Article 23-A in its process. In our experience, it is unclear whether OPT follows Article 23-A and considers the factors appropriately before taking any adverse action, including evidence of rehabilitation.<sup>12</sup> This bill should be amended to ensure that Article 23-A is formally incorporated to protect the rights of all OPT employees.

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<sup>11</sup> Excluding individuals with criminal histories from employment opportunities further disenfranchises low-income, black and brown individuals who are targeted by racially biased law enforcement practices. From stop-and-frisk to the over prosecution of people of color for minor offenses such as turnstile jumping or marijuana, we cannot ignore the prevalence of prejudice in our criminal justice system. *See, Floyd v. City of New York*, 959 F. Supp. 2d 540, 562 (S.D.N.Y. 2013) (finding that New York Police Department officers engaged in “indirect racial profiling” by targeting racial minority neighborhoods at higher rates); see also a report published by the Community Services Society, *The Crime of Being Short \$2.75: Policing Communities of Color at the Turnstile* (October 2017) available at, [http://lghhttp.58547.nexcesscdn.net/803F44A/images/nycss/images/uploads/pubs/Fare\\_Evasion\\_FINAL\\_10\\_6\\_17\\_s\\_maller.pdf](http://lghhttp.58547.nexcesscdn.net/803F44A/images/nycss/images/uploads/pubs/Fare_Evasion_FINAL_10_6_17_s_maller.pdf); see also, Innocence Project, *Racial Disparities in NYC Arrest Data for Marijuana Possession*, available at <https://www.innocenceproject.org/racial-disparities-in-nyc-arrest-data-marijuana-possession/> (finding that between January-March of 2018, 93% of those arrested for marijuana use were persons of color.)

<sup>12</sup> The Article 23-A factors to be considered are the following:

Notably, Article 19-A of the Vehicle and Traffic Law allows individuals with disqualifying convictions to potentially obtain a CDL if five years have passed since the conviction and the individual obtains a Certificate of Relief from Disabilities. The Legislature enacted this thoughtful provision and we believe that this demonstrates a commitment to the idea that rehabilitation is possible and that a conviction should create a permanent bar to employment. As this Council obtains more information on OPT's vetting process, we encourage this committee to ensure that OPT abides by Article 23-A and that it affords proper weight to any evidence of rehabilitation.

## **2. Remove Section 2 from Int. 929, Which Does Not Comport with the City's Values**

Intro. 929 would require OPT to disclose the "number of notifications received from the New York State Division of Criminal Justice Services that a school bus attendant has been arrested for charged criminal activity..." We are concerned that such information may be used to take adverse action against employees or applicants with open criminal cases. Moreover, public reporting may pressure employers to unfairly exclude qualified drivers based on unfounded allegations.

An arrest is not an indication of criminal culpability—by definition, neither guilt nor innocence has been adjudicated by a court of law at the charging stage of the criminal process. Further, people are often arrested and processed through the criminal legal system without any criminal culpability: overpolicing of communities and people of color and/or false reports very often factor into an individual's arrest.

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1. That New York public policy encourages the licensure and employment of people with criminal records;
  2. The specific duties and responsibilities of the prospective job;
  3. The bearing, if any, of the person's conviction history on her or his fitness or ability to perform one or more of the job's duties or responsibilities;
  4. The time that has elapsed since the occurrence of the events that led to the applicant's criminal conviction, not the time since arrest or conviction;
  5. The age of the applicant when the events that led to her or his conviction occurred, not the time since arrest or conviction;
  6. The seriousness of the applicant's conviction history;
  7. Any information produced by the applicant, or produced on the applicant's behalf, regarding her or his rehabilitation or good conduct;
  8. The legitimate interest of the employer in protecting property and the safety and welfare of specific individuals or the general public.
  9. Employers must also consider a certificate of relief from disabilities or a certificate of good conduct, which shall create a presumption of rehabilitation regarding the relevant conviction.

We cannot discount that individuals may be arrested on unsubstantiated allegations or very little evidence. Further, many are later found to be not criminally culpable. In fact, in 2017 only 23% of New York City adult arrests resulted in a criminal conviction.<sup>13</sup> Yet, we believe that OPT's current practice is to automatically and immediately suspend an employee upon any arrest. All individuals are innocent until proven guilty in a court of law, and this practice violates fundamental precepts of justice and fairness.<sup>14</sup>

The proposals today do not in themselves create any additional regulations or limitations on individuals who are arrested. However, data on arrests are not probative and we are concerned with how this data will be used in the future. The Department of Education already implements an overly aggressive policy when an employee is arrested. Individuals are immediately suspended upon arrest based on attenuated charges without any opportunity for immediate review of this decision. We hope that the proposals today will not be the first step towards greater inappropriate barriers for those with criminal histories, particularly those with arrests that never lead to a conviction.

### **Conclusion**

Thank you for your consideration of our comments. If you have any questions, please feel free to reach out to Andrea Nieves in my office at 718-254-0700 ext. 387 or [anieves@bds.org](mailto:anieves@bds.org).

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<sup>13</sup> Data obtained through the Department of Criminal Justice Services. *Available at* <http://www.criminaljustice.ny.gov/crimnet/ojsa/dispos/nyc.pdf>

<sup>14</sup> Losing employment due to an arrest can result in severe and debilitating consequences. Our clients are largely from low-income communities, and their jobs are often their only source of income. Many live paycheck to paycheck. They are heads of households, mothers and fathers. When our clients lose their employment due to an arrest, their lives are completely upended. Even if a person is innocent of the charges against them, their case could take months to resolve. Unemployed and without income, they will not only face an uphill battle to obtain government benefits, but will also find it very difficult to find alternative work as certain employers will hold applications in abeyance until the case is resolved.





Leadership, voice and vision for child welfare in New York State

**Council of Family and Child Caring Agencies  
Testimony Presented by Lisa Gitelson, Associate Executive Director, Downstate  
City Council Education Committee  
Hearing on Transportation  
October 16, 2018**

Good afternoon, I am Lisa Gitelson and I am the Associate Executive Director, Downstate of the Council of Family and Child Caring Agencies (COFCCA). Our member agencies include over 100 not-for-profit organizations providing foster care, adoption, family preservation, juvenile justice, and special education services in New York State. On behalf of our member agencies, their over 55,000 employees all across New York State, and, mostly on behalf of the tens of thousands of children and families that our agencies serve, we thank Chairperson Mark Treyger for the opportunity to testify before you today.

As the City engages in this important conversation about school transportation, it is vital that the City address the specific and very urgent needs of transportation for students in foster care.

Challenge and Trauma for New York City Students in Foster Care

Our approximately 5,000 NYC students in foster care are among the most likely to be suspended, need special education services, repeat a grade, or leave high school without a diploma. In fact, one foster care agency, whose students comprise more than ten percent of the foster care population in NYC, found that the students in its care are half as likely to graduate, twice as likely to be overage for their grade level, two-and-a-half times as likely to require special education services, and twice as likely to be chronically absent as the NYC student population overall. According to city data, during the 2016-2017 school year, only eight percent of 16-to-18-year-old students in NYC's foster care were on track to graduate on time.

Students who enter foster care require local school districts and child welfare agencies to collaborate to keep students in their original schools when they enter foster care or change foster care placements, except in very unusual situations. Despite this, in NYC three out of ten students change schools upon placement in foster care and again when they move between homes. Research shows that educational outcomes are particularly poor for students who must transfer schools frequently. As such, the DOE must focus more attention on the needs of students in foster care.

For NYC students who have been separated from their families and placed into foster care, school may be one of the most stable constants in their lives. This stability must be maintained and supported by meaningful school transportation to the student's school of origin, no matter where the home that they are placed in is located. Without this transportation, students are at risk of losing their school of origin placements, losing their connections to known teachers, losing progress made in the academic year, losing their friends, and losing an integral part of their community. The loss of school transportation can yield another trauma in the life of a NYC student in foster care.

#### Federal Response/NYC's Response

The seriousness of this trauma has been recognized and addressed in two federal laws, the Every Student Succeeds Act (ESSA) and the Fostering Connections to Success and Increasing Adoptions Act (Fostering Connections). Together these laws require local school districts and child welfare agencies to collaborate to keep students in their original schools throughout the student's stay in foster care. Most importantly for today's hearing, the local school district is required to provide transportation to the original school.

Although bound by Federal Law, New York City guarantees bus service only to students in foster care who have special transportation recommended on their Individualized Education Programs. For all other students in foster care-the majority of the students in foster care-the City requires these students to apply for busing through an emergency busing request. The request will only be reviewed if a student can be added to an existing route without compromising the timeliness of that route. These emergency requests are more often than not denied.

For the students in foster care left without busing, their only options for maintaining their school placements is the use of student MetroCards or the use of car service. For young students and students with developmental challenges, this requires a foster parent or foster care agency staff member, to accompany the child on public transportation or in car service. This is not a viable means to get students in foster care to school for two specific reasons: First, many foster parents are unable to spend hours each day transporting a student all the way to school and back home due to competing child care and job-related obligation. Foster care case planners have full-time jobs focused on reunifying families and keeping children safe and do not have the time to devote to serving as transportation chaperones. Second, while ACS will reimburse foster care agencies for the cost of car service, for drop off and pick up, they will not reimburse agencies for chaperones for the return trip after the drop off or prior to the pickup. These are not viable means of complying with the Federal Law, nor just as importantly are they viable means of addressing the needs of the students in foster care, who are amongst our most vulnerable and traumatized youth, deserving of our every effort to meet their educational needs.

### Request for Action

NYC has recognized the need for educational stability for the more than 5,000 students living in shelters, providing door-to-door transportation for these students. This is exactly the same obligation that we owe to our students in foster care.

The DOE and ACS must work together to develop policies and create feasible transportation options for every student in foster care that are immediately available when a child is moved from the vicinity of their school of origin. The DOE must establish an office with a senior-level leader, DOE central staff, and borough-based staff to focus on students in foster care, including the focus on transportation.

No student placed in foster care should be forced to transfer schools due to lack of transportation. No student already traumatized by the necessary removal from their home should face an unnecessary trauma due to the failure of our City to provide transportation. I urge you to use this opportunity to address the transportation needs of students in foster care and avoid any further harm of this type.

Thank you. I would be happy to answer any questions you may have.

# SHELTERING 18 ARMS 31

Children and Family Services

**Testimony delivered by  
Meridith Sopher, Vice President for Child Welfare, Juvenile Justice, and Youth Services  
Prepared for the NY City Council Committee on Education  
Oversight Hearing – DOE's Office of Pupil Transportation  
October 16<sup>th</sup>, 2018**

Good afternoon. My name is Meridith Sopher and I'm the Vice President for Child Welfare, Juvenile Justice, and Youth Services for Sheltering Arms Children and Family Services. Thank you Chair Treyger and members of the New York City Council Committee on Education for the opportunity to testify before you today.

Sheltering Arms is one of the City's largest providers of child welfare, education, youth development, juvenile justice, and community and family well-being programs for the Bronx, Manhattan, Brooklyn, and Queens. We serve approximately 250 school-aged children through our family foster care program and two group homes.

As the City engages in this important conversation about school transportation, it is vital that the City address the transportation needs of students in foster care.

Two federal laws<sup>1</sup> require local school districts and child welfare agencies to collaborate to keep students in their original schools when they enter foster care or change foster care placements, and to provide transportation to their original schools. These laws were enacted in recognition of the critical part school stability plays in the well-being and academic success of children in foster care. Students in foster care are at increased risk of absenteeism, repeating grades, and dropping out of school. It is estimated that a child loses four to six months of academic progress with each school change;<sup>2</sup> over one-third of foster children experience five or more school moves by the time they leave foster care.<sup>3</sup> In addition to the academic impact, leaving the familiarity of one's school, friends and teachers can add to the trauma and loss children experience when they are removed from their homes.

New York City guarantees bus service to students in foster care only when they have special transportation recommended on their Individualized Education Programs. The City allows other students in foster care to apply for busing through the DOE's Office of Pupil Transportation. However, these requests are almost never approved.

The burden of not having this service then falls heavily on foster parents and foster care case planners.

When the City does not provide bus service, the only way young students in foster care can get to school is if foster parents, foster care case planners, or a small number of vehicles operated by ACS are available to transport them. While ACS will reimburse foster care agencies for the cost of a car service to school, they will not reimburse agencies for chaperones to accompany the students and will not even

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<sup>1</sup> Every Student Succeeds Act (ESSA) and the Fostering Connections to Success and Increasing Adoptions Act (Fostering Connections)

<sup>2</sup> Casey Family Programs, *Educating Children in Foster Care: The McKinney Vento & No Child Left Behind Acts* (2007)

<sup>3</sup> "Every Time Foster Kids Move, They Lose Academic Progress," *The Atlantic* (2/28/2014)



reimburse agencies for the transportation cost of the return trip for the foster parent. It is not unusual for a foster parent to reject a placement or submit a 10-day notice of removal because they cannot realistically support the student's transportation needs, leading to unnecessary disruption and further instability for children.

To preserve placements and support stability, case planners and supervisors often transport children to and from school. This is not a good use of case planner or supervisor time, and takes them away from critical case activities. Here are two case examples:

Four siblings - ages 7, 9, 10 and 12 - who attended three different schools were placed in a foster home together. Two of the children were in Special Education, but even for those children it took three weeks for busing to be put into place. The foster mother transported one of the Special Education children to and from school each day until the busing began, but because of the location of the schools she could not get the other children to their schools on time. To assist with this, the case planner would leave her house at 6am, pick the children up at 7am to get them to their schools by 8:15am, and arrive at the office at 10am. She would then have to leave the office at 1pm to pick the children up by 3pm and return them to their foster home. The case planner requested ACS transportation, but none was available.

A 14-year-old who recently came into care with us is in 9<sup>th</sup> grade at a charter school in Bushwick, where her parents live. She was placed in a foster home on Coney Island, where she is doing well, but her commute to school on public transportation is 1.5 hours each way. Door-to-door bus service would cut her commute almost in half. The charter school was her first-choice school and she is thriving there, but she is beginning to feel that the commute is unmanageable. She does not wish to change foster homes. This unnecessary choice is compounding the trauma of removal for this child.

We support the City program that provides yellow bus transportation for more than 5,000 students who live in shelters - and we believe that students in foster care deserve the same. 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 currently access it.

We urge the City to provide yellow bus service or other door-to-door transportation to kindergarten through sixth grade students in foster care. Furthermore, the DOE and ACS must work together to develop policies and create feasible transportation options for students of all ages in foster care. Finally, we recommend that the transportation reporting bills under consideration require the DOE to report on transportation specifically for students in foster care.

Thank you. I would be happy to answer any questions you may have.

# Testimony for City Council Hearing

October 16, 2018

I thought the worst experience I ever had was a doctor telling me I should abort my pregnancy because my son would be "severely retarded". With the unknown ahead, every day he continues to beat the odds and thrives. Where a doctor had counted him out, he succeeds.

Matthew Bartholomew is a unique child, my child, a child smaller than every other his age. A non-verbal child who is fragile at best. One of the many children that must suffer at the services provided by bus companies that don't care about them. We live in Rockaway, Queens and his school is in Floral Park, Queens.

Our bus nightmare began as he progressed to preschool at St. Mary's Hospital, when our first experience was encountered with B&F Skilled Inc.

And we continue this hell ride with Little Richie Bus Service Inc. even today.

Unfortunately, I am not present to read this statement myself because as of Wednesday, October 11, my son's bus has not had a stable driver. This bus situation has moved from no air conditioning on the bus during sweltering weather during the summer and school start in September, with my son being on the bus for almost 2 hours, to no-shows or extremely late pick-ups and drop-off.

It is a fight to get the bare basic accommodations met. Now, one must deal with leaving my son at the mercy of a bus company that has no drivers and are breaking down. I imagine the catastrophic event of my child being left at school or parked on a bus for hours, tired and hungry. I refuse to think about the trauma that this has placed on my child.

I say no thank you. I have missed work, appointments, and other pertinent activities since October 11 to be available to take my child to and from school. How many other parents have this flexibility to do this?

**FIX THIS PROBLEM, TODAY!** Save our children from the pain and anguish because they cannot communicate. They must understand the precious cargo they carry every day, so they must be held accountable to fix these buses. Provide seasoned drivers. Open the lines of communication with parents.

The school year has just begun, what happen to all the time during the break to service these vehicles? Why are we losing drivers with no explanation or immediate replacement? I suggest that contracts be reviewed with a fine-tooth comb before being renewed. Revisiting the violations scale where bus companies will feel a greater impact for their disservice.

Concerned mom, Trishia Bermudez

Chair of the City Council Education Committee: Mark Treyger Mark Treyger

District 31 Council member: Donovan Richards

District 31 Assembly member: Assemblywoman Michele Titus

**Testimony Before the New York City Council  
Committee on Education**

**October 16, 2018**

**Legal Services NYC**

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## **Introduction**

Legal Services NYC is the largest provider of free civil legal services in the country. We are dedicated to fighting poverty and seeking racial, social, and economic justice for low-income New Yorkers. For fifty years, Legal Services NYC has challenged systemic injustice and helped clients meet their basic needs for housing, access to high-quality education, health care, family stability, and income and economic security. Our neighborhood-based offices and outreach sites across all five boroughs assist more than 80,000 New Yorkers annually.

Legal Services NYC's Education Rights Project assists hundreds of New York City schoolchildren and their families each year with special education and disciplinary proceedings. Over 80% of our student clients are children of color and/or immigrants ranging in age from 3 to 21. Our clients experience a range of disabling conditions including developmental, physical and emotional. We represent these students and their families in a number of areas including disability accommodations, special education, student discipline, transportation, school transfers, and academic intervention issues. We also mentor and partner with students in law school programs across the city, like the Suspension Representation Project, and the Special Education Clinic at Cardozo Law School to maximize access to education for New York City students. We train and assist community-based organizations, pro bono attorneys, and elected officials. We participate in a number of coalitions, including the Dignity in Schools Campaign, the Bronx School Justice Working Group and the Bronx Borough Based Council.

We thank the Committee for holding this hearing and for providing the public with an opportunity to testify about persistent and chronic school bus transportation difficulties.

## **School Bus Transportation Concerns**

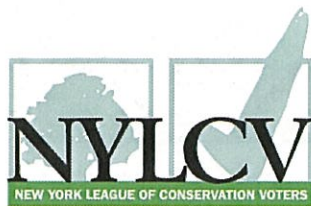
In each borough, our staff is regularly called upon by clients to deal with school bus transportation difficulties. The complaints involve issues frequently reported in the local media including untimely pick up or drop off; and poorly trained and unprofessional staff with the bus companies and with staff at the Office of Pupil Transportation (OPT). The proposed bills and resolutions before the City Council and the focus of this hearing will help to address these longstanding problems: **Int. 926-2018** (reporting on bus drivers and attendants), **Int. 929-2018** (reporting on OPT investigations), **Int. 1099-2018** (placement of two-way radios, cellular phones and tracking devices on school buses), **Int. 451-2018** (school bus bill of rights); **Int. \_\_\_\_** (reporting on student transportation services); and **Res. 540-2018** (calling upon the New York State Education Department to require, implement and enforce more extensive training and tracking of the training of school bus drivers and attendants who transport students with disabilities). However the bills do not address a serious deficiency with the transportation of students with disabilities.

### **The Problem: Bus Incidents and Students with Disabilities.**

Many students with disabilities require and receive school bus transportation from home to school as part of their special education services. This service is vital especially to the students who have more severe disabling conditions including students with developmental disabilities such as autism and intellectual deficiencies. Often times these students have expressive language delays and many are non-verbal. Over the years I have worked with clients with complaints about injuries their child suffered while on the school bus. Many times school officials would state to the parent that the student left school without any injuries or complaints but yet would arrive home with injuries and at times be extremely agitated.

Since many of these students are non-verbal, they cannot adequately explain to their parents/caregivers what had occurred. Parents and caregivers then have very little information to determine what happened. The bus driver and matron often state that they did not see anything which is understandable given how difficult it is to give unbridled attention to any one student on a school bus with multiple students with disabilities. Without sufficient information the parent/caregiver has limited avenues to determine the cause of their child's injuries and to prevent it from recurring. As such, at a minimum, NYC Dept. of Education and OPT should require all bus companies to install not simply locator/tracking devices but also video recording devices to record the interior of the bus during the bus rides.

Although some legitimate concerns about student and bus personnel privacy are implicated with the use of video recording devices, most schools now utilize video surveillance of its major common areas including the lunch room, the main hallways and entrances and exits. Video monitoring on school buses would be no more intrusive than the current video surveillance in schools and on public mass transit buses. More importantly video recording would provide a greater level of safety for students traveling on NYC school buses especially for some of the more severely disabled students. Thank you.



**Statement of Adriana Espinoza  
New York City Program Director  
New York League of Conservation Voters  
Committee on Education  
Oversight on Dept. of Ed. Office of Pupil Transportation  
October 16, 2018**

Good afternoon. My name is Adriana Espinoza, and I'm the Director of the New York City Program at the New York League of Conservation Voters (NYLCV). NYLCV represents over 30,000 members in New York City and we are committed to advancing a sustainability agenda that will make our people, our neighborhoods, and our economy healthier and more resilient. I would like to thank Chair Treyger for the opportunity to testify before the Committee on Education.

Last year, there were 56,443 calls to the Pupil Transportation complaint line during the first four days of school. This year, there were over 9,000 more. With almost 70,000 complaints within the first four days of school, it is clear that these busing mishaps are not a fluke but evidence of a broken system. While attempts to improve transparency between pupil transportations and families is a positive step forward, it is not enough.

Clearly, the city's pupil transportation system is failing to adequately serve students. However, instead of a retrospective approach to policy, we have an opportunity to be innovative and completely reimagine pupil transportation in New York City.

It is no longer acceptable or sustainable for the Department of Education to allow bus companies to pollute our air with their fleets of diesel buses, especially given the circuitous routes taken from borough to borough. According to *New School Year, Same Dirty Buses*<sup>1</sup>, a research paper published by NYLCV's Education Fund, we estimate that the fleet of over 10,000 school buses in NYC emits an average of 113,850 tons of greenhouse gases (GHGs) per year. Over 16 years—a typical lifetime for a school bus— this equates to 1.8 million tons of GHGs. To contextualize, if the Department of Education removed these buses and replaced them with zero emission vehicles it would be the equivalent of removing 349,664 passenger vehicles off the roads per year.

The environmental, economic and public health impacts from that level of pollution have had detrimental impacts on our city. In addition to GHGs, diesel also emits harmful particulate matter into the air and the cabin of the buses. Numerous studies have found that young children are more susceptible to the negative impacts of diesel pollution. Long-term exposure is linked to chronic cardiovascular and respiratory illnesses, higher mortality, higher cancer rates, and stunted lung function.

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<sup>1</sup> Available at [http://nylcvf.org/wp-content/uploads/2018/08/ESB\\_WhitePaper.pdf](http://nylcvf.org/wp-content/uploads/2018/08/ESB_WhitePaper.pdf)





While New Yorkers have had enough with the same old system, the school bus industry has remained stubbornly unchanged. This is because bus vendors currently operate in a consolidated market where there is limited incentive to improve services, adopt new technologies and communicate with families and workers. Busing services are paid for and experienced by New Yorkers who have little say in the contracting process. And it seems contracts have been awarded with student needs and interests as a secondary concern.

A cooperatively owned and operated electric school bus company could be part of the solution to the current state of busing. An electric school bus co-op would be controlled by the workers at the company, with representation on the board from the families served as well as advocates in transportation, environment, and education. A co-op would allow the workers and families to have ownership of the company, thus having a say in its operations. Overall, this initiative is a way of re-imagining bus contracting and the bus ride itself to be more appealing and healthy for workers, students, and their families.

In regards to the bills being heard today, NYLCV supports preconsidered **T2018-3003 and T2018-2962** by Council Members Kallos and Treyger, requiring DOE to report on pupil transportation policies, procedures, and operations. However, we respectfully recommend the inclusion of these additional requirements for the reports:

1. Actual Vehicle Miles Traveled (VMT) for each bus reported annually.
2. Age and fuel type of each vehicle used by a school bus contractor for transporting students.
3. A further breakdown of time students spend on buses, disaggregated to include the **percentage** of students who spend less than 30 minutes en route on a school bus, 30 minutes to an hour on a school bus, and over an hour or more on a school bus ride.

The inclusion of the above items allows for a better understanding of the environmental and public health consequences of diesel-fueled school busing in NYC.

NYLCV is proud to have worked with the City Council over the years on policies that improve air quality and public health, and I urge the Committee on Education to be bold in their vision for the future of student transportation. Thank you for your time.

**Contact:**

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**Testimony to be delivered to the New York City Council's Education Committee on the DOE's Office of Pupil Transportation**

**October 16, 2018**

Good afternoon. I am Maggie Moroff, the Coordinator of the ARISE Coalition. We are parents, advocates, educators, academics and other stakeholders who have been working together for more than 10 years. We aim to provide a collective and powerful voice in support of students with disabilities and learning differences in New York City public schools. Our goal is to bring about systemwide changes that improve day-to-day experiences and long-term outcomes for these students. Today, I'm here on behalf of the coalition to detail concerns we have with the system used by the city to provide transportation for students with disabilities to and from school.

You will hear from other members of the Coalition today – on behalf of their own families and the organizations they work with. I'll leave it to them to tell specific sagas. We do recognize that this is a huge system and that there must be students who find their busing seamless. Those aren't the families

**ARISE Coalition Organizational Members:** Adaptive Design Association, Advocates for Children of New York, AHRC New York City The Bronx Defenders, Bronx Independent Living Services, Brooklyn Center for the Independence of the Disabled, Brooklyn Defender Services, Center for Hearing and Communication, Center for the Independence of the Disabled, New York, Citywide Council on Special Education, Citywide District 75 Council, Coalition for Educational Justice, The Cooke Center for Learning and Development, Disability Rights New York, Dyslexia (Plus) Task Force, Early Childhood Direction Center/New York Presbyterian Hospital, Everyone Reading, Inc., The Go Project, Goddard Riverside Community Center, INCLUDE NYC, The Learning Disabilities Association of New York State, Lenox Hill Neighborhood House, Metropolitan Parent Center of Sinergia, Inc., National Economic and Social Rights Initiative, New Alternatives for Children, NYC Special Education Collaborative, New York Lawyers for the Public Interest, New York Legal Assistance Group, New York Performance Standards Consortium, Parents for Inclusive Education, Parent to Parent of New York State, Parent to Parent New York, Inc., Partnership for Children's Rights, Partnership for the Homeless, Education Rights Project, Teachers College Inclusive Classrooms Project, Teach For America – New York, United Federation of Teachers, United We Stand, Vibrant Emotional Health, Wishes of Literacy.

**ARISE Coalition Individual Members:** Cathy Albisa, Steven J. Alizio, Esq., M.S.Ed, Mark Alter, David C. Bloomfield, Bay Brown, Anthony Caponera, Tamesha Colem, Ziograin Correa, Sr., M.S.Ed., April Coughlin, Helene Craner, Susan Crawford, Sahre Davis, Amber Decker, Ruth DiRoma, Richard and Lora Ellenson, Yuvania Espino, Ramona Garcia, Olga C. Gonzalez, Jay Gottlieb, New York University, Paul Hutchinson, Patricia Jewett, Donna Johnson, Revere Joyce, Joseph Karam, Rebecca Kostyuchenko, Mylinda Lee, NeQuan C. McLean, Aurelia Mack, Matthew Mandelbaum, Shelly McGuinness, Diana Mendez, Elise Murphy, Srikala Naraiian, Dana Neider, Jaclyn Okin Barney, Esq., Samantha Pownall, Cathy Rikhye, Ed.D., Raphael Rivas, Miguel L. Salazar, Jennifer and Peter Sellar, Iriss Shimony, Jon Sigall, Jo Anne Simon, Karin Spraggs, Mark Surabian, MA, ATP, Constance Van Rolleghe, RueZalia Watkins, Chevion Weaks-Lopez

**Coordinator: Maggie Moroff -- [mmoroff@advocatesforchildren.org](mailto:mmoroff@advocatesforchildren.org) -- (212) 822-9523**

we hear from, however, and I would like to highlight some of the trends we have seen repeated over the years that make this system so problematic for individual families and their children with disabilities.

**No busing at all** – Because of the complicated needs of some students with disabilities, we hear from families who have gone extended periods of time without busing. Parents are left on their own to find ways to get their children to school and if they can't – because they have other children, or because they have jobs they must be on-time for, or because the NYC transit system makes their route nearly impossible – the students remain at home until busing gets put in place.

**Missed instructional time** – Families tell us, and school staff confirm, that students with disabilities frequently miss instructional time at school when they arrive late to school and get picked up before the school day ends because of overcrowded and inefficient bus routes or bus staff that take things into their own hands.

**Extended, often dangerously so, periods of time on the bus** – There are students with disabilities who have, for a variety of medical reasons, Individualized Education Programs that mandate they spend limited time on buses. Over-and-over again we hear horror stories from families with such mandates about extended hours spent by their children on their buses. We're talking here, for example, about students with Autism and students with complicated medical and nursing needs who can't sit on a bus for long periods of time due to their disabilities.

While some of those long trips are seemingly sanctioned by OPT given the routing choices made, we also hear from families whose children are essentially missing in action while on buses for much longer periods than expected. How terrifying it must be to be one of those parents, not knowing where their children are and why they're not home yet.

**Unhelpful customer service staff at OPT** – When families encounter problems with their bus routes, with staff on their bus, or with the contract companies providing the busing services, they are encouraged to call OPT's Customer Service line. We hear often about staff on those lines dismissing parents' concerns outright. Parents and caregivers also tell us about promising conversations with Customer Service, followed up by radio silence. The complaint is filed, and nothing is done to address it.

**Hostile staff on the buses themselves** – Families also share with us a surprising number of stories that detail indifferent, or worse, belligerent bus staff with insufficient training and support to comfortably and safely transport students, especially those with complicated health and behavioral needs.

**Lack of coordination between DOE offices** – Additionally, we call on the DOE to develop a clear and coordinated process for recommending and implementing transportation accommodations on students' IEPs. DOE schools, the Office of Pupil Transportation, the Office of School Health, and the Special Education Office must coordinate when specialized transportation is appropriate and necessary and not

leave it to parents to facilitate. ARISE members work with parents who are far too frequently forced to act as their own case managers - going between the multiple DOE offices to ensure that transportation accommodations their children require are implemented.

Transportation woes must not be treated as something separate and apart from the rest of the educational system. Problems with transportation affect parents and students substantially. Students miss school, arrive late, leave early, and experience emotional and physical trauma on some of the buses they are expected to ride. When parents of students with disabilities reach out to advocate on behalf of their children, often they face a bureaucratic wall, too often they encounter defiant staff, and more frequently than not, they are left feeling alone, unsupported and powerless.

We are pleased that the Council and the DOE appear to be taking concerns about transportation woes more seriously. We would like to add our support today to the various transportation bills here for consideration. In particular, the members of ARISE support bill No. 1099, which would not only outfit all buses with two-way radios, cellular phones and global positioning systems, but would provide parents and caregivers with real-time information about where their children are at all times they are on school buses.

There's a tremendous amount of work that remains to be done.

Thank you for your time today.



INTERAGENCY COUNCIL  
of Developmental Disabilities Agencies, Inc.

Testimony before the New York City Council Education  
Committee Oversight Hearing on  
“The Department of Education’s Office of Pupil Transportation”

Submitted by  
Christopher Treiber, LMSW  
Associate Executive Director for Children’s Services

On behalf of  
INTERAGENCY COUNCIL of  
Developmental Disabilities Agencies, Inc.  
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October 16, 2018



**IAC Testimony before the New York City Council Education Committee  
Hearing on “The NYC DOE’s Office of Pupil Transportation”**

Good afternoon, my name is Christopher Treiber and I am the Associate Executive Director of Children’s Services for The Interagency Council of Developmental Disabilities Agencies, Inc. The (IAC) was formed in 1977 as a not-for-profit membership organization. Comprised of voluntary service providers supporting children and adults with developmental disabilities in the greater metro-New York area, IAC currently represents over 160-member agencies and organizations helping more than 100,000 individuals and their families in New York City, Nassau, Suffolk, Westchester, Rockland, Putnam and Orange counties.

The IAC membership includes 45 preschool special education providers and another 34 school-age 853 state approved non-public schools. Our education providers serve thousands of New York City’s children every day providing special education services at more than 75 school sites across the five boroughs. The children who attend our member preschool and school age programs are public school children. Many of these children have been diagnosed with autism spectrum disorder, cerebral palsy or other developmental disabilities. They are placed in our education programs only after a determination has been made by a local Committee on Special Education or Committee on Preschool Special Education that there is no other appropriate educational setting available in a local public school. Therefore, there is no other educational option for these students. Our schools serve many of New York City’s most vulnerable children and our children and families depend on the transportation services provided by OPT.

On behalf of the IAC and our special education providers, I would like to thank the New York City Council Education Committee for holding this public hearing and for the opportunity to provide testimony. I am here today to inform you about the appalling transportation problems

that are having a significant impact on our special education providers in New York City and the children and families they serve. I am also here to express the IAC's support for Int. 926, Int. 929, Int. 1099 and Int. 451 as well as resolution 540.

All of the children who attend the special education programs provided by our member agencies have an individualized education program (IEP) that mandates special education transportation. Transportation is considered a related service under the Individuals with Education Act the Federal Special Education Law. It is defined in 34 CFR §300.34 (c)(16). New York State Special Education Law requires that New York City provide special education transportation to any student who requires the service to enable them to receive a free and appropriate education (FAPE). Yet these transportation services have been poor in quality and have failed to deliver on their mandate, which is to enable the child to receive special education services.

Each year our special education schools and our families experience challenges with transportation at the start of the school year. This is a common occurrence and within a few days, they usually see a significant improvement in the quality of services. However, this year has been very different. We are hearing from the majority our education providers and their families that this is the worst year for transportation services that any have ever experienced. There has been little improvement in the quality of services and the most frustrating thing of all is that if a school calls OPT and files a complaint that school may see some improvement, but we immediately hear from another school that they now have these same delays in dropping off and picking up the children. In my testimony, I will attempt to provide you with a summary of all of the outstanding issues and the significant impact they are having on the children and families who attend our schools. This is a list of the issues reported to the IAC by our education providers:

#### **Buses Arriving Late to School**

- We have a number of preschool and school age special education programs that are still reporting to us that their buses are arriving late to their schools. It is important to note



that every year before school begins our schools are required to provide OPT with the start and end time for each of their schools. The bus is expected to arrive by the designated start time so that all of the students can receive the five or five and a half hours of instruction, they are entitled to receive. When a bus arrives late to school, the children do not receive their full instructional day, and in many cases, the children may miss critical education and therapy services because the bus was late. Therapists have very child specific schedules and if a child arrives late and misses a therapy session (speech, occupational or physical therapy) the therapist may not be able to make up the services. If a bus has 15, -20 students, it is virtually impossible for each child to receive their mandated therapy sessions. Due to the current staffing crisis facing our schools many of our classrooms have new or inexperienced teachers. They work hard to plan a daily classroom schedule and help establish a consistent routine for their students. When a school bus arrives late to school, a teacher will have different children arriving at different times throughout the morning causing considerable disruption to the children's and teacher's schedules. It is the teaching staff that then need to leave the classroom to take the children coming in late off the multitude of buses arriving at different times.

Currently, we have a number of our schools reporting that buses are still arriving 30 minutes or later each day. If one bus has 16 students and it has arrived 30 minutes late every day since the start of the school year, the total loss in instructional time for just the children on that one bus is almost 200 hours. One school, One bus, 200 hours! Yet we have reports from numerous preschool and school age special education programs dealing with late buses every day! Based on the number of complaints that we have received from our education providers we estimate that the current loss in instructional hours to our students is in the thousands of hours. This is time that cannot be "made up" and the loss to our students in educational progress is far costlier.

### **Buses failing to pick children up in the morning**

- For some parents they wait for a bus that never arrives. We have parents who are in danger of losing their jobs because they are late for work every day because the bus arrives at a different time or worse, never shows up at all! We have children who miss an entire day of school because the parent is unable to transport their child to school. Some of the children who attend our schools are medically fragile or have significant behavior challenges, and it would be impossible for our parents to transport the child on an MTA bus or subway. The school bus is a lifeline for many families to the educational services their child need, and when it does not pick their child up in the morning to take them to school, it is beyond frustrating. It is a disservice to the children and their families!

### **Bus Ride Home from School – Too many stops too long a ride**

- The afternoon ride home for some of our youngest children is the nightmare for the end of the day. Some of our children are on these buses for three to four hours! The children arrive home hungry, soiled from toileting accidents, and crying. When parents call the bus company to ask where the bus is or why it is so late they do not get an answer, or they are told the bus is pulling up now. Yet it does not arrive. We have had parents call the police because they were concerned for their child's safety. In essence, their young daughter or son was missing for three or four hours with total strangers and no one was able to tell them where the bus was or what happened. In September on some of the hottest days, our children were on these buses for more than three or four hours without air conditioning. How can we allow this to continue?

### **Children needing to take medications**

- Some of our preschool and school age special education programs serve a population of children who are very medically fragile and who depend on the timely administration of anti- seizure medication or other medications when they arrive home. If the bus arrives

late by an hour or two, there is a risk that a child could have a seizure on the bus because the child should have been home and taken their medication. This could become a potentially life-threatening situation.

### **Children who have arrived home with unexplained injuries**

- We have had a few serious incidents when children have arrived home in the afternoon with injuries that did not happen at the school. One preschool school had a three-year-old girl who arrived home with a gash on her eyelid. When the parent asked the bus driver and matron what happened they were first told, they did not know what happened and later were told the child hurt herself. The parents took the child to the hospital who identified the injury as head trauma. We had another little boy who arrived home with bruises to his face and head as well as scratches on his forehead. In this case, the parents were told the child injured himself by bumping his head on the window. The child was also taken to the hospital and treated for a head injury. The schools were not notified of these incidents by the bus company but found out about them from the parent.

### **Overcrowded School Buses**

- Some of our schools and parents report that there are too many children on the school bus. Our schools have no clear guidelines on how many children should be traveling on the school bus each day. We have heard reports of twenty school-age children on a small mini bus or more than thirty preschool children. In many cases, these are children who are mandated to be in special education classes with six or eight children and four or five adults. The bus drivers apologize to the school staff and parents for the length of the bus routes or the very early pick up times – 6:30 for an 8:30 start time but they admit there are too many children on their bus. On some of the overcrowded buses children are switched from one bus to another without any notice to the parent or

school. This creates extreme confusion for the parent when a new bus shows up to pick up their child but they were not given any advanced notice. The change could also mean a new pick up time, new bus driver, and matron. For some of our children this constant change of bus driver and matrons can be extremely difficult for them and create a sense of insecurity.

### **Children transported to school without car seats**

- On the OPT website it states that all children under the age of 4 are required to travel using a car seat and that any child over the age of 4 who weighs less than 50 pounds is recommended to be transported in a car seat. However, a number of our preschool providers have reported seeing children being transported without car seats. When a school contacts OPT's complaint, OPT officials try to address the complaint, but it is a constant battle with the bus companies to ensure there are car seats for all children who need them. The biggest challenge has been to get car seats for children over the age of four who weigh less than 50 pounds. Despite what is on the OPT website some of the transportation companies tell our schools that they do not have to provide car seats for any child over the age of 4. OPT must provide clear written guidance to the bus companies about the requirement to provide car seats to all children who need them. There seems to be conflicting information about car seats for children over the age of four but who weigh less than 50 pounds.

### **Parents/Schools are unable to communicate with the bus companies**

- When our parents or schools attempt to call the bus company to find out the status of the bus, the phones just ring over and over and are not picked up. Our schools report that if the phone is picked up, it is immediately hung up. It is beyond exasperating for our schools to tell a parent that they are unable to reach the bus company to find out where their child's bus is or why it is late.

## **Lack of Training for Bus Drivers and Matrons**

- Bus drivers and Matrons are not trained or knowledgeable about how to work with children with developmental disabilities and have no understanding of the developmental needs of preschool children. We have bus matrons who expect young children ages three and four to remain quiet and sit in their seats without disturbing the other children. We have schools that serve children diagnosed with autism spectrum disorder, and these children have unique needs. When a bus matron does not have training on working with children diagnosed with ASD they are unable to provide sufficient support for the child and fail to properly supervise the children. We have had incidents of children with challenging behaviors injuring other children because they are sitting on top of each other. One of our parents has expressed serious concerns for her son as he has been getting up out of his seat and attempting to open the back door of the school bus. The school staff have attempted to assist the bus matron and driver on how to best manage the child on the bus including telling the bus staff to seat the child in the front of the bus. However, the bus matron has routinely placed the child in the back of the school bus refusing to listen to the school. We believe that it is essential for the bus matron and driver to receive training about the developmental needs of young children, and information about the different types of developmental disabilities and how to assist these children.

## **Conclusion and Recommendations**

Our schools are in a very difficult position having to answer to their families for the poor quality of transportation services but have no control over them. Our schools do not choose their transportation provider and have no input on the selection process. They have their bus company assigned each year by the NYC DOE's OPT. Our schools and their families depend on OPT to hold the bus companies accountable for the quality of services and must constantly file complaints in the hope that the services will improve. Yet our schools have very limited information about the requirements that the bus companies are expected to meet by OPT.

The result is much of what you just heard, where children, the most vulnerable in the entire school system, and their families live each day worrying about their health and well-being. Is that what educational services to this City's young students with disabilities should look like? Should the parents and schools just settle for "we're working on it?" Does OPT have sufficient authority to fix this problem? Are the families and schools supposed to just wait this situation out, risk another child being subject to unsafe conditions, and not receive their mandated hours of instruction?

We need to fix the busing of children in our special education schools NOW!

In addition, IAC recommends that the New York City Office of Pupil Transportation implement the following:

1. At the end of the school year OPT should conduct a yearly survey about the transportation services with the schools and the families served by each bus company. The results of the survey should be made public and used to determine if a bus company is allowed to continue providing services the next school year.
2. OPT should provide a comprehensive list outlining all of the requirements of the transportation providers so that the schools and parents know what is expected and can assist OPT in monitoring the quality of services.
3. OPT should provide a breakdown of the various types of vehicles used to transport our children and the maximum number of children allowed on each of the vehicles.
4. Any transportation provider for OPT should be required to have a phone number or contact number that will be answered from the start of the school day until all of the children and buses have arrived back home.
5. OPT must issue clear and immediate guidance to the bus companies regarding the requirements on the use of car seats for young children.

6. OPT should create a Transportation Advisory Council that would include parents and preschool and school-age special education provider representatives to allow for open communication about the ongoing problems and discussion of recommendations to improve services.
7. OPT should utilize the expertise of the parents and special education providers in the design of any future training curriculum for bus drivers and matrons.



**Testimony of  
Paola Martínez Boone, Senior Advocate at the Disability Justice Program  
On behalf of  
New York Lawyers for the Public Interest  
Before  
The Council of the City of New York  
Committee on Education**

Good morning. My name is Paola Martínez Boone and I am a senior advocate at the Disability Justice Program at New York Lawyers for the Public Interest (NYLPI). NYC's outdated school busing system impacts families and communities from both a Disability Justice perspective and an Environmental Justice perspective. NYLPI is working with many other organizations of parents, bus drivers, and concerned community members to propose bold, innovative reforms to the broken school busing system in New York City. We are members of ARISE, a coalition-based education advocacy organization, and we fully support ARISE's testimony today.

I. New York Lawyers for the Public Interest

For over 40 years, New York Lawyers for the Public Interest (NYLPI) has been a leading civil rights and legal services advocate for New Yorkers marginalized by race, poverty, disability, and immigration status. Through our community lawyering model, we bridge the gap between traditional civil legal services and civil rights, building strength and capacity for both individual solutions and long-term impact. Our work integrates the power of individual legal services, impact litigation, and comprehensive organizing and policy campaigns. Guided by the priorities of our communities, we strive to achieve equality of opportunity and self-determination for people with disabilities, create equal access to health care, ensure immigrant opportunity, strengthen local nonprofits, and secure environmental justice for low-income communities of color.

II. NYLPI's Disability Justice Program

NYLPI's Disability Justice Program works to advance civil rights and ensure equality of opportunity, self-determination, and independence of New Yorkers with disabilities. NYLPI disability advocates have represented thousands of individuals and won campaigns improving the lives of hundreds of thousands of New Yorkers. We have long fought for the rights of students with disabilities to obtain an appropriate public education, including safe and effective transportation to and from school.

### III. Students with disabilities face numerous problems with transportation to/from school

Students with disabilities are a large percentage of the population that rides school buses and are likely to spend substantial amounts of time – sometimes hours – on a bus each school day. Therefore, problems with New York City's school busing system disproportionately impact students who already face many barriers to getting a quality education. Here are some of the problems that these students face, which often cause them to miss school:

- a. The New York City Department of Education (DOE) fails to provide students with the accommodations they need (e.g. small buses, shorter routes, buses with air conditioning, nurses, paraprofessionals). The process of obtaining specialized buses is complicated and not parent/guardian-friendly.
- b. If the student is provided with transportation-related accommodations, it may take even longer for DOE to put in place the route for pick-up/drop-off (as many as 7-10 days longer, in some cases).
- c. When a student's nurse or paraprofessional fails to report to work, the students is not able to get on the bus and attend school.
- d. Long routes make some students– especially students with attention issues and those with physical disabilities – sick. We hear from parents that their children come home hungry and, in many cases, wet and soiled.
- e. DOE buses fail to show up.
- f. DOE's phone system is not efficient. Parents get put on hold for extended periods of time when trying to correct bus problems.
- g. At the beginning of the school year, there is frequently unpredictable route fluctuation, often for up to two weeks, when the child is unable to attend school at all.
- h. There is often no accountability or follow-up when things happen on the bus. If a child with a disability comes home with a bruise or reports an accident that occurred while being transported to/from school, there is

often no way for parents to obtain information about the incidents. Parents may feel they have no recourse but to keep their children home, out of concern for their safety.

#### IV. Improving transportation for students with disabilities

We propose the following solutions to the above problems:

- a. Create an oversight office to monitor the busing system which welcomes parent/guardian input.
- b. Improve/update technologies to decrease travel time and improve route accuracy.
- c. Develop a system of back-up employees who can fill in when a nurse or para-professional does not show up for work.
- d. Improve the system for parental complaints regarding bus issues.
- e. Install GPS or other tracking systems to allow parents to locate their children and their children's buses.
- f. Improve the process for parents seeking accommodations such as shorter bus rides, "porter" (paraprofessional) services and medical or nursing services on the bus.
- g. Appoint a liaison to parents in each district, as well as one city-wide.

#### V. Conclusion

Thank you for your efforts to improve transportation services for NYC students. I can be reached at (212) 244-4664 or [pmartinez-boone@NYLPI.org](mailto:pmartinez-boone@NYLPI.org), and I look forward to additional opportunities to work with you to improve busing services for students with disabilities.

October 16, 2018

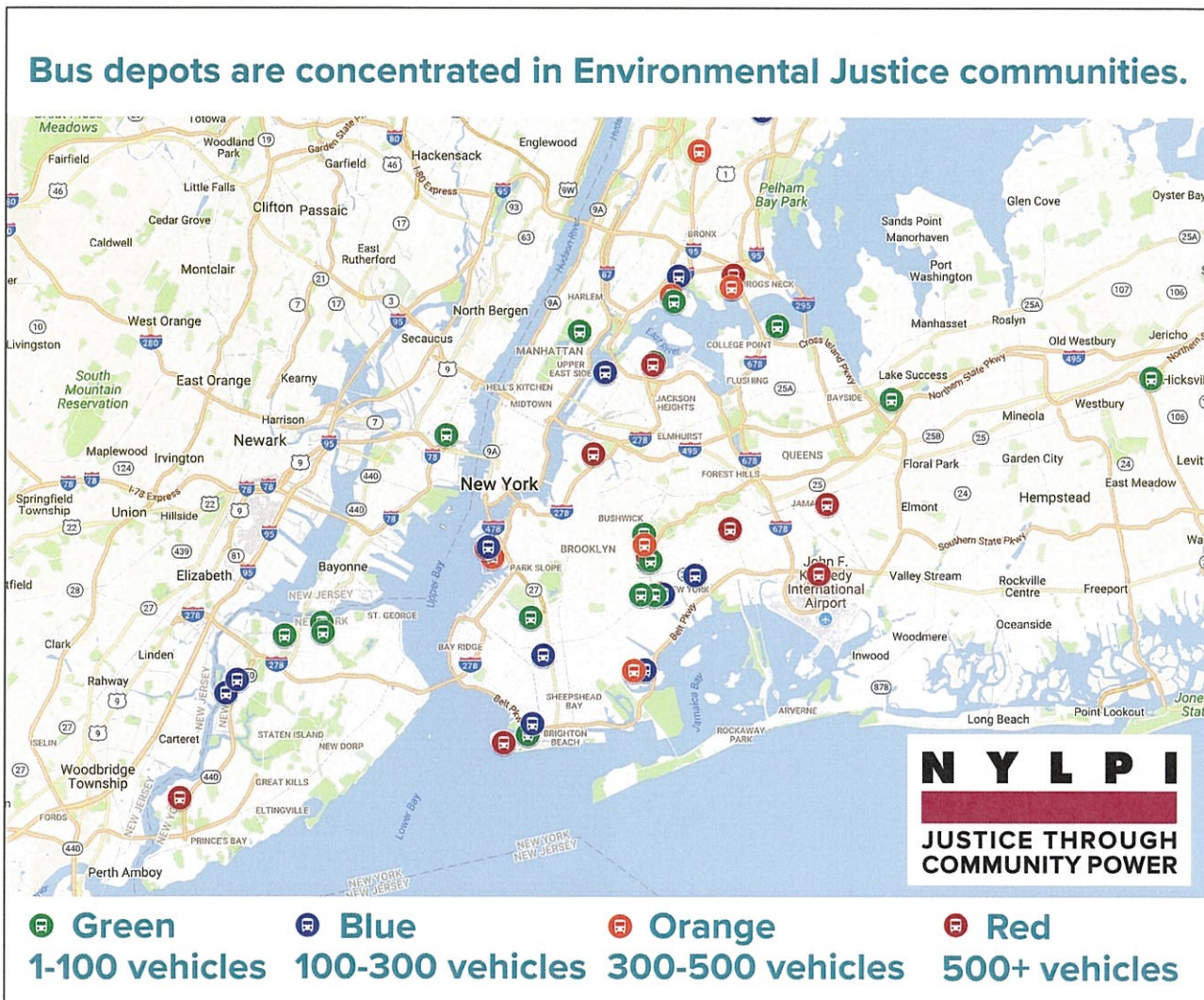
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Good afternoon, my name is Justin Wood and I am the director of Organizing and Strategic Research at New York Lawyers for the Public Interest. Thank you for holding this hearing on the critical issue of pupil transportation in New York City. Like many here today, we believe the current pupil transportation system needs fundamental reform, and that private bus companies need to be held accountable to families (particularly students with disabilities who make up a disproportionate share of the bused population), to the communities that host thousands of diesel buses, and to the drivers and attendants who want to provide safe, efficient service.

I want to draw your attention to the unequal burden that toxic emissions from bus engines place on communities where large bus depots are clustered, many of which are burdened with a legacy of cumulative pollution and inequitable siting. We recently made a map of bus companies operating DOE routes for the 2017-2018 school year, and confirmed the location of each company's depot using Google Earth. As you can see, depots housing hundreds of school buses are located in East New York, South Bronx, Red Hook, Coney Island, and Southeast Queens:





Some of these depots are very large, dispatching hundreds of buses every school day. Moreover, some drivers may return to the depot during the break between their morning and afternoon routes, resulting in hundreds of additional diesel bus trips in and out of host communities.

Diesel buses are just one of the cumulative pollution sources causing public health problems in environmental justice communities. These neighborhoods are also home to major highways, waste transfer stations, and other diesel truck-intensive industries. Unsurprisingly, the [State Comptroller's report on the prevalence and cost of asthma](#) identified these same communities as having some of the highest asthma rates in the state.

We applaud the Council for holding this timely hearing and introducing several bills to ensure transparency in the pupil transportation system. We suggest that required reporting by bus contractors and DOE should include the length of routes (including distances traveled to and from the bus depot), the age and type of each bus engine, and the average amount of time students spend on the bus each day so we can better assess the environmental and public health impacts and costs of the current system.

Moreover, as with City procurement of other services and goods, we believe the current focus on bus contractors is an opportunity to pass forward-looking legislation that will set higher environmental, labor, and service standards in the school bus industry, such as a transition to electric and low-emissions buses, and worker-owned bus companies. We look forward to working with the Council, with the administration, and with the broad group of families and advocates here today on these pressing issues.

Contact: [jwood@nylpi.org](mailto:jwood@nylpi.org)  
(212) 244-4664

**Testimony of Eliyanna Kaiser  
530 West 45<sup>th</sup> Street, Apt 6M  
New York, NY 10036**

**NYC Council Committee on Education Meeting  
October 16, 2018**

Thank you to the Chair and Speaker for holding today's hearing.

My name is Eliyanna Kaiser, and I am the parent of 6-year-old autistic twins who take the bus to school every day. I am privileged enough to have been able to arrange for a family member to meet the bus today so I could testify.

Dealing with OPT is one of the most stressful things in my life. Because of my children's autism and their behaviors, it is very difficult and often dangerous for them to wait for long periods of time near busy traffic, like there is where I live in Hell's Kitchen.

One of my sons has elopement issues and needs 1:1 support at school. I have often found myself physically holding him down, which means that he departs for school having had an aversive experience and at time, melting down.

My other son becomes extremely dysregulated and sensory seeking if he waits too long and on days when the bus is very late, he leaves for school unable to respond to his name or follow simple directions—thing he has worked hard to learn to do.

In some ways I know I am lucky. I know parents whose children haven't had A/C in July and August. I have read stories about physical abuse in the press. A personal friend of mine whose son attends school with one of my boys, has stopped using the bus because of chronic lateness. She works fewer hours and transports her child at her own expense. If I had enough money, I might do the same. And if I had enough money, I might also buy GPS trackers for my sons, which some of my friends do.



I have heard that today OPT is announcing a pilot program for a GPS app for parents. I do not trust them to implement this on a reasonable timeline or perhaps at all. And I believe that other aspects of the GPS bill are critical like providing data to parents and schools and retaining and disclosure of data. Please pass this legislation and hold OPT to a clear mandate. Thank you.

**New York City Council Education Committee Oversight Hearing on  
Department of Education's Office of Pupil Transportation**

October 16, 2018

We would like to thank the New York City Council's Education Committee for holding this important oversight hearing on the New York City Department of Education's Office of Pupil Transportation.

We testify today to highlight the need for better quality and delivery of school transportation services for more than 100,000 students with disabilities in New York City. We believe there is a direct relationship between students with disabilities safely getting to school and home each day with the extent to which they make educational progress.

INCLUDEnyc (formerly Resources for Children with Special Needs) has worked with hundreds of thousands of individuals since our founding 35 years ago helping them navigate the complex special education service and support systems, so that young people with disabilities can be included in all aspects of New York City life.

We commend Mayor de Blasio and the Department of Education (DOE) on their recent efforts to address administrative issues, including ensuring that bus drivers undergo the same background checks and investigations as other school staff members. While this is progress, it is insufficient and we fully support the Council's proposed resolution and bills that will provide more transparency and oversight of transportation services. Furthermore, we believe the creation and distribution of a school bus bill of rights is long overdue. Parents and students have a right to clear and understandable information about the school transportation process and ways to resolve issues. The current available information is totally incomprehensible.

Every year parents call INCLUDEnyc for help with resolving transportation issues, and during this September we had a 44% increase in the number of busing calls. However, none of the problems we heard is new. Persistent issues include: buses not showing up in the morning, buses arriving late in the morning and/or afternoon, students missing instruction and related services, parents feeling overwhelmed by bus problems and how to resolve them, the delay in assigning school bus routes, safety concerns, the temperature on the buses, a lack of sensitivity by school bus personnel, and the inability of parents to communicate with their child's bus.

One father, whose first language is not English and who immigrated to this country, recently called INCLUDEnyc for help. He told us that he is still waiting for a bus route to be assigned to his physically disabled son seven weeks into the school

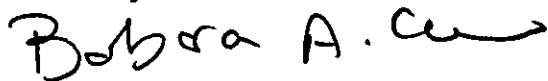
year. OPT told him that they are waiting to receive his medical paperwork from the Office of Student Health. As a result, his son has only attended five days of school this year. The father's work schedule prevents him from taking his son to and from school each day. A student's ability to be educated should not be dependent on whether or not parents are able to take their child to school.

As a result of these persistent issues, we recommend the following:

- Create a one-pager with visuals in multiple languages for parents that concisely outlines the escalation process for transportation issues and complements the school bill of rights
- Require two-way radios or cell phones for drivers and bus attendants and parental access to the GPS on buses
- Strengthen customer service at bus companies to reduce the wait time for answering phone calls and require them to have interpretation services available to families who speak languages other than English
- Allocate funds to invest in technology that would allow school-based data management systems to communicate with OPT
- Require the DOE's Division of Contracts to include quality criteria, such as safety records, vehicle inspection, and timely service delivery in RFPs and prescribe a weight to them in the formula used to award contracts
- Update Chancellor Transportation Regulations A-801 (last updated in 1990) so language reflects current organizational structure of the DOE and real-time information
- Mandate disability training conducted by disability experts for bus drivers, attendants, and paraprofessionals

Thank you for taking the time to consider this important matter. We look forward to partnering with you to improve equity and access for all students with disabilities.

Sincerely,

A handwritten signature in black ink that reads "Barbara A. Glassman". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Barbara A. Glassman  
Executive Director

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\* ALSO ADMITTED IN N.J.

**Testimony by Jesse Cole Cutler**  
**Meeting of the NYC Council Committee on Education**  
October 16, 2018

My name is Jesse Cole Cutler, and I am a partner at the Law Offices of Regina Skyer & Associates, LLP, a special education law firm representing thousands of New York City families. Thank you for the opportunity to speak today.

My firm supports the passage of Introduction 109, which would provide parents, schools, and other authorized individuals access to real-time GPS location data for school buses.

We are behind the times. Dozens of school districts across the country (like the city of Houston, during Chancellor Carranza's tenure), have successfully developed GPS bus location apps for parents, or have contracted with existing third-party developers to provide this service.

Right now, some of our clients buy an extra phone and use it as a makeshift GPS tracker. But this is an inequitable solution to a problem that also impacts families with more limited means, and it doesn't help a parent know where the bus is before the child boards it.

Instead, too many parents decide not to put their child on the bus at all, coming to the conclusion that it isn't safe, reliable, or good for the child's educational progress. These parents incur significant transportation costs and limit their workdays.

It is troubling that we have normalized the idea that disabled children as young as three should endure long waits for no-show buses, trips to school in excess of 2-3 hours in each direction, chronic late arrivals to school, non-adherence to their medical codes, and a callous disregard for the kinds of basic comforts any adult here would expect for themselves, like air conditioning on a hot summer day—when 12-month special education programs are still in session.

Providing parents and schools access to real-time GPS location data won't solve all our problems. But OPT *must* learn to welcome greater transparency. This is a simple, tangible way to ease the stress of families with special needs children, and I urge you to adopt this legislation.

Thank you.



# 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.

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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.



### *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.

My name is Heather Beers-Dimitriadis, SLT (School Leadership Team) Parent Member at JHS 190 (previously SLT Parent Member at PS 174). I am here today to provide testimony in favor of the legislation in front of you, that will enhance transparency between the Office of Pupil Transportation and Parents and Schools. I live in City Council District 29 and currently my twin daughters attend Russell Sage Middle School. But, for 6 years they took the bus to PS 174, and every September and January like clock work there were issues. Wait times could be up to 25 minutes in the morning and up to 45 minutes in the afternoon while drivers got all the kinks worked out. Parents were running late to work, non-english speaking grandparents were worried, older siblings waiting with younger siblings knew they would be late to school, and nannies were concerned they were at the wrong stop. Access to an app that provides real time school bus tracking would alleviate all of that helping parents and caretakers make the best decision for the child and the family.

Let me walk you through a real life scenario. It's the first Monday in January, overnight we got 6 inches of snow and it's 20 degrees outside. Families are gathered outside on the corner and the first bus is already 10 minutes late. One parent has called OPT, and another parent has called the school both trying to find the bus. The school must call OPT, OPT must call the bus company, then the bus company must call the school bus driver. Thankfully the laundromat has allowed all of the children to shelter inside. Now, the first bus is 20 minutes late and the second bus has pulled up. It only has room for half of the children. The driver (mind you both drivers are from the same bus company) has no idea where the first bus is and is unable to comply with our request to loop back to get the remaining children after he has completed school drop off. (Our stop was the last stop before school). So parents then have to decide, wait or walk their child to school? Whether the bus is late because it has broken down, is stuck in traffic or is being staffed by a new driver does not matter to parents. Their concern is getting their child to school safely and in a timely manner.

Parents reaching out to the school initially is logical. Yet, the school is not equipped with the latest bus information to help parents. They must also reach out to OPT to run that bus down. And we all know that one late bus will not trigger just one parent call - but multiple parent calls. So you have calls pouring in to both the school and the OPT from multiple parents at multiple bus stops. The school will always do their best to get the parents the information they need. But, this is all happening during the busiest time of the day for the school, where staff is meeting buses on the street, meeting children at entrances etc.

The start of the school year is always a challenge. And I agree with the recommendations within this legislation that requires trial runs for bus routes and the timely release of bus routes to parents in advance. It has become all too routine and the norm that working parents are later getting their child onto the bus and then getting off to work as drivers acclimate. This can get difficult to explain at work. Not everyone has the privilege of flexible hours or someone to cover for them at the bus stop.

Week one success at the bus stop, relies on how often parents reach out to OPT. The OPT does not initiate outreach to parents. Parents must check in for the route information the day before school. And in my case, one year I had to check everyday for over a week and a half as departure and arrival times kept changing. That information isn't provided proactively. And, at times the drivers would do their best to update us.

Real time bus location information finally gives parents and caregivers control over their morning routines. They can choose whether to take the bus or make alternate arrangements. Their nannies can know in the afternoon where the bus is without having to call the working parent. The grandparent who doesn't speak English, no longer has to be in the dark because they can't ask the other caregivers where the bus is. And, the kindergarten parent who doesn't normally get route information until several days after the first day of school - could have one less thing to worry about.

Being here today will not directly help my family. My children are thrilled to be at the age where their parents no longer walk them to school. But it will help every family they pass as they walk past their old bus stop on the way to school each morning. Thank you for your time and your serious consideration of this common sense legislation.

Dear Members of the NYC Council,

**FOR THE RECORD**

I submit the following testimony to be included in the official record of the NYC City Council wrt Int 1099-2018:

Thank you for taking the time to read my testimony. My name is Nicole. I am a parent of a elementary school-aged child with an IEP in District 6 in the Inwood neighborhood of Upper Manhattan. I have intentionally left her name and diagnosis out of my testimony to protect her privacy. Please help guard her privacy by referring to me and my testimony by my middle name, Nicole.

Busing my child to school has been a challenge. Chancellor's regulations allow one-way bus times of 90 minutes for in borough and 180 minutes for out-of-borough transportation. Given a 6 hour school day, this means that a child may spend 40% of his or her school day actually in transit on a bus. It is thus a vital part of a students learning experience.

The proposed 'school bus tracking app' could be very beneficial to many students and their parents if implemented conscientiously.

It is my personal experience that the \$40 (\$75) initial investment in Verizon's LG Gizmo Pal 1 (now 2) plus \$5 monthly charge have enabled my child to have the benefit of this proposed legislation. It uses both GPS and cell-phone tracking to allow me to check my child's progress to and from school. This tool has kept my mind at ease those days when her in borough route has stretched into 100 minutes or longer — no crash, just late. It has flagged the days when the bus got her late to school, and she missed out on vital learning time. It has illustrated poorly planned, inefficient routes. It is a tool that should be available to all parents.

I hope this legislation will provide an opportunity to improve school transportation for all students.

I think that the current draft needs to improve in the following ways:

- (1) GPS is too narrow of a definition for a bus tracking device. The technology for this type of tracking device can be challenging in a dense metropolitan area such as New York City. I suggest requiring the tracking device to have at least 2-fold technology: 1:GPS as well as 2:GSM/CDMA (cellular phone triangulation). Moreover, the legislation should be written in such a way as it 'grows' with the technological standards for tracking.
- (2) It is not clear who the owner of the cellular phones referenced in Int1099-2018. The mandate should clarify that these are owned by NYC DoE, and the hardware used / software installed should be highly regulated.
- (3) The protocol for use of cellular phones / radios by bus drivers should be clarified. Is it permissible to use these while driving? Only while stopped? Are these intended for the bus matron instead?
- (4) There is no explicit treatment for how the data gathered by these tracking devices will be protected from unintentional distribution (hacking) or regulated/prohibited for intentional distribution (3rd party data sharing by NYC DoE, OPT, busing companies). Will students' privacy be protected?
- (5) I suggest that the following be added to the top for context and to emphasize the importance of school busing to students getting a free and appropriate public education: "Transportation is a related service for special education students as defined by the Federal IDEA 2004 law — 34 CFR §300.34(c)(16)"
- (6) There is no protocol for how the data will be used to improve student transportation: \*Will too-long (out of

IEP compliance) routes be flagged automatically?

\*Will 'lemon' buses (those with chronic break-downs) be flagged automatically?

\*Will drivers be penalized for speeding?

\*Will drivers be penalized for waiting an extra minute when a child has trouble transitioning onto the bus?

\*Will the efficacy of the route be assessed and poorly designed routes flagged for improvement?

\*Will adjustments be automated for predictable traffic conditions (i.e., garbage pickup times on narrow streets)?

\*Will there be an automated process to give students 'make up' time when the bus is late getting the student to school?

\*Will special education students continue to be segregated from non-special education students during transportation? (Will they be allowed to integrate with supports?) Or will there continue to be dual, segregated routes?

I do hope that you can incorporate some of these suggestions into the current draft. I also note that, if transportation is required to adhere to the IEP guidelines wrt limited time transportation that NYC DoE may be compelled to operate schools in more wide-spread locations. I think that this change would also benefit many students.

Thank you.

**Rachel Ford** 41-15 45th Street, 4M Sunnyside, NY 1104  
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October 12, 2018

**New York City Council Education Committee**  
Oversight Hearing for “DOE’s Office of Pupil Transportation”

RE: Public Testimony Related to Int. 451, Int. 926, Int. 929, Int. 1099, T. 3033, T. 2962, and Res. 540.

Dear Education Committee:

My name is Rachel Ford. I live in Sunnyside, Queens—part of the district represented by Council member Jimmy Van Bramer. Thank you for inviting the public to be part of this process regarding proposed legislation regarding the NYC Department of Education’s Office of Pupil Transportation (OPT).

I am a mother of two NYC school bus riders: my 9-year-old daughter is at Growing Up Green Charter School. My 11-year-old, autistic son relies on specialized transportation to get to a middle school program for children on the autism spectrum at MS442 in Windsor Terrace. My family has been repeatedly traumatized by inconsistent and poor school bus service provided by OPT.

My son has specialized transportation with medical accommodations of limited time travel, no more than 60 minutes; air-conditioning (yes, air conditioning is considered a medical accommodation); and door-to-door service on his Individualized Education Plan (IEP). In the 2017-2018 school year, he went without the specialized transportation mandated on his IEP for 54 school days, that’s 30 percent of the school year. These 54 days included no bus service at all for first two weeks of school and repeated switching of bus routes, greatly altering arrival and departure times. Currently, there is no way for the public to know how often buses are late, no-shows or even what the common school bus routes are. Council member Mark Treyger’s proposed legislation (T2018-2962) requiring the DOE to report every quarter on student transportation services would provide much needed transparency for parents, educators and legislators to advocate for and to make timely improvements.

I want to share that the aforementioned erratic bus route and switch ups had profound emotional impact on our son as he started to refuse to take the bus to school, thus unnecessarily complicating our morning school routine for three months. Further, it was clear on the numerous times we called the OPT customer service line that his exact location was not known or indeed, what path the bus was taking. There is nothing more frightening as a parent than not knowing your child’s exact whereabouts—this is why Int. 1099, the proposed bill for GPS/tracking devices on all school buses is so critical.



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For the start of the 2018-2019 school year, my children experienced weeks of no-show buses, extremely late buses and in my son's case, a nearly 4 hour bus ride across Queens and Brooklyn.

On September 7, 2018, a Boro Transit bus came and took 3 hours and 40 minutes to drop off our son at MS 442. It typically takes 30-35 minutes to get from our home to MS442. My son missed three periods of special education and academic instruction. As this occurred in first few days of school, he also missed crucial orientation information and spent the next two weeks trying to catch up on learning missed classroom procedures. Worst of all, he was greatly traumatized by the experience of not recognizing where he was, or why the bus was taking so long (see his texts to me in the image at bottom right). We called the Office of Pupil Transportation and P-311 trying to find out what was going on with our son's bus. If my son had not had a device with GPS, I would have had to call 911 as no one at OPT could reach the bus company and tell me where my son's bus was for 3 hours and 40 minutes.

Officials at OPT could not explain what had happened on 9/7/18 and would not provide an alternate route until I specifically asked that my son be placed on a new route that originated in Queens and that he be assigned a bus run by a different bus company, Reliant.

Lastly, I want to express the importance of proper vetting and training of bus drivers and matrons. The recent coverage in *The New York Daily News* that school bus drivers and matrons with criminal records are routinely hired and placed on routes with our kids is unacceptable. Given the many challenges with the city's school bus system, trained and vetted drivers who can safely take our kids from school to home is just common sense. Moreover, school bus drivers and matrons should be subjected to the same background checks as anyone else being considered for employment in the NYC Department of Education.

Again, thank you for your time in considering my family's experience with OPT.

Sincerely,



Rachel Ford

Bertram- make sure they know where you are going.

+14702232427 - You want me to tell them now?

+14702232427 - I told them.

+14702232427 - They said they had other pick up's to do.

+14702232427 - 🤔 is what I feel like doing right now.

+14702232427 - I'm so sad.

+14702232427 - I'm late for school.

+14702232427 - Do you know where sunnyside avenue is? Is that where we live?

+14702232427 - I feel like I'm so far away from home.

+14702232427 - There are 8 more pick up's.

+14702232427 - Or maybe 4 more pick up's.

+14702232427 - I am going to watch some gravity falls to take my mind off this.

## Testimony for 10/16/18 City Council Hearing on School Transportation

Lisa Cox, mother of Charlotte Cox, PS11 Student  
David Cox, father of Charlotte Cox, PS11 Student  
Robin Lockwood, PS11 PTA Co-President and parent

Dear All,

Thank you for this opportunity to share our story with you. While the specific incidents involving our family's experience with the bus are quite upsetting, the response and failure to act by the DOE/OPT is beyond reproach.

To provide some background, last Fall (2017) we had three very disturbing incidents take place involving our four-year-old daughter, Charlotte, and the bus, with the most serious resulting in Charlotte being abandoned at the wrong stop. Fortunately, Charlotte was found by a good samaritan, who ultimately delivered her into the custody of the NYPD. At the time that Charlotte, a four year old child, was wandering the streets, I received a hysterical call from our babysitter that Charlotte was not on the bus when it arrived at our stop, with the bus driver having no idea if she had ever even gotten on the bus. As you can imagine, being told that your daughter is missing, who, at this point, was now unaccounted for for what was approaching an hour and could be anywhere between 1st Avenue and 8th Avenue, is something that I would not wish on anyone.

Needless to say, our experience highlighted a number of meaningful safety issues involving the school buses. For example, the bus drivers had zero responsibility for where children would exit the bus, the bus drivers did not even have a list of children on the bus, and there was no system in place for the bus drivers to contact the parents / guardians of the children on the bus in the event of an emergency.

Since then, in working with the PS11 Administration, the PS11 PTA, and the President of District 2 CEC, we have been advocating for a number of basic safety protocols to be implemented for school buses on a city-wide basis. We should point out, however, that while we received a ton of support from the PS11 community as well as various city councilmembers, the response from the DOE/OPT could only be described as a combination of gross negligence, resistance, and, quite frankly, a blatant and sickening disregard for child safety. For example, after describing what happen to us, we were told that it was not possible to communicate accurate information about bus stop locations, bus drivers had zero responsibility for where children exit the bus, and that it was the fault of our four year old daughter that she got off at the wrong stop. In our research, it seems that this was not the first time this has happened. To further our concern, one year later, no one can answer the direct question, "who is responsible for my child when on the bus." At this point, we can only assume that no one is, and if that is in fact the case,

shouldn't parents be made aware so they don't chose to put their children's lives at risk? That is why we are here. This needs to change.

After a great deal of well-spent blood, sweat, and tears working with the DOE/OPT, and, in turn, the contracted bus companies, we were able to enact a set of policies and procedures at PS11 to materially improve the safety of our children. For example, children now wear lanyards with their designated stop and the bus drivers have a detailed rider manifest, complete with parent/guardian contact information, and designated stops for each child on the bus.

While we have made great progress around improving the safety of children at PS11, we would like to continue to work with the powers at be to improve the safety of children on a city-wide basis. Specifically, it remains unclear to us i) whether similar systems to what have been adopted at PS11 have been mandated for other schools, ii) who is ultimately responsible for the safety of children from the time that they leave their school to the time when they are delivered to a parent or guardian, and iii) who is responsible for ensuring that children are ultimately delivered to a parent or guardian.

Although we do feel better about the safety of our daughter and other children at PS11 who ride the bus, we are here to advocate for the safety of children on a city-wide basis. Given our experience, we know, with certainty, that the current policies and procedures are putting the lives of children at risk. We are the adults in the room, we are responsible for the safety of these children, we have been fighting for over a year, we are not going away, and we refuse to wait for a child to be killed in order for changes to be made.

At this time, we are going to turn in over to Robin Lockwood, Co-President of the PS 11 PTA to review the bus policy we created for PS 11. While simplistic in nature, it is was the best, low cost option we could implement. The proposed legislation of putting radios and monitors on the bus is far better, however this has provided a bandaid for our school at a time when no one else would help us.

Robin to review the PS 11 Bust Policy (attached)

Thank you again for providing this opportunity to speak. We are demanding change and here to do anything and everything need to support this cause.

#### **Detailed Overview of Charlotte Cox**

Last Fall, our daughter, Charlotte Cox, at the time a 4 year old Kindergarten student at PS11, experienced 3 separate and extremely dangerous situations on the NYC school bus last Fall (Afternoon bus: M9450, stop 31st Street and 2nd Avenue at 3:32pm).

#### **9/15 Incident**

OPT Incident Number: 90404210

This incident occurred on Charlotte's first day riding the bus home. She mistakenly got off of the bus with a friend from class at a stop around 18th Street and 1st Avenue. Fortunately, that friend's mom was able to reach out to Lisa upon realizing that there was no one at that stop to pick Charlotte up. It was then we realized there could be a significant issue as after many calls to the OPT and countless minutes on hold, we were told that the bus driver did nothing wrong as he/ she does not control where children exit the bus, nor is responsible for checking to make sure there is an adult present to receive them.

### **9/20 Incident**

We did not report this incident to the OPT, given our frustration with the long wait times when calling and the complete lack of attention the OPT had given us to our first issue.

This incident occurred on Charlotte's second day riding the bus home. Unfortunately, the bus stop that the OPT provided us on their website (31st Street and 2nd Avenue) was actually not correct. Rather, the correct stop is apparently 31st Street and 1st Avenue. As such, we were not at the correct location to pick Charlotte up and, fortunately, Charlotte did not get off of the bus. Realizing that something was wrong, Charlotte and an older child on the bus were able to call Lisa to inquire about her correct stop. At this point, the bus was at 57th Street and 1st Avenue, so the bus had to circle back to drop Charlotte off. It was at this point that Lisa introduced herself and our babysitter to the bus driver, exchanged phone numbers, and pleaded with him to keep an eye on Charlotte and to not let her off of the bus if one of them was not present. He reassured us he would, and even texted Lisa back.

### **9/26 Incident**

OPT Incident Number: 90416306

This incident occurred on Charlotte's third day riding the bus home. She mistakenly got off of the bus at a stop around 28th Street and 1st Avenue. Unfortunately, the bus was running late that day, so given Charlotte's previous issue coming home, we think that she was worried that she missed her stop again and got off early. When the bus arrived at 31st Street and 1st Avenue, Charlotte was not on the bus and the bus driver had no idea as to whether or not she ever got on the bus. Fortunately, someone (we are not sure who) found her and brought her to the Police Station at Bellevue Hospital. The police officers then reached out to Lisa. Please note, Bellevue Hospital is next to a Men's Homeless Shelter with registered sex offenders residing there. We are kept awake at night thinking of what could have happened to Charlotte if not for the kindness of a stranger that was able to bring her safely into police custody.

### **Summary of Folks Contacted**

We had several discussions with the OPT on these issues (note the incident numbers above), but had been told that it is basically the policy for General Education students for the drivers to have no responsibility around where students are exiting the bus and who (if anyone at all) is picking them up. We have followed up with several City Council people to see if there is anything that can be done around changing these regulations.

#### Individuals from the DOE / Office of Pupil Transportation (OPT)

- Chancellor Carmen Fariña
- Elizabeth Rose, Deputy Chancellor of Operations
- Mark Rampersant, Security Director
- La-Nikka Parker-Moore, Transportation Account Manager
- Uri Fraenkel, Assistant Regional Director
- Jennifer Greenblatt

#### City Council Members

- Daniel Dromm, Chairperson of the Education Committee
- Daniel Garodnick (District 4) and Ellen Gustafson (Director of Operations for his office)
- Rosie Mendez (District 2)
- Ben Kallos (District 5)
- Corey Johnson (District 2)

After weeks of calls and emails, we were able to schedule a meeting with the OPT to discuss our issue and how to improve (and create) some bus safety.

#### **11/20/17 DOE/OPT/ PS11 Meeting:**

Meeting attendees from the DOE/ OPT: Erika Lassi Luisa, La-Nikka Parker-Moore, Mark Rampersant, Lysette Takor

We reviewed our personal story, and reiterated that we were eager to be a part of creating a policy that will protect all of our students that take a school bus. We had all carefully reviewed the Chancellor's Regulations and OPT policies and there is nothing in writing pertaining to a child leaving a school bus at a NON-DESIGNATED stop. At the conclusion of the meeting, the OPT requested that PS11 (Principal Bender) begin the process of creating a safe policy for our students. We created a sample Bus Attendance Sheet, in order to give bus drivers a complete list of students that are riding the bus each day and where their designated drop offs are. We recommended the bus driver would simply need to check off that each child was delivered to that spot. This would not cost any money and not create any significant delays in bus service. It would, however, be a clear policy about who is accountable for our children once the school releases them to a bus driver. This was just one example of a fix to this urgent matter.

As a follow up to the meeting, we asked for:

1. The creation of policy for accountability for ALL students taking the bus. There is currently NO policy on record indicating who is responsible for our students once they get on the school bus. There is no policy or regulations pertaining to a child that gets off at a NON DESIGNATED stop. There is also no policy on how a bus driver dismisses children, unless they are dismissed at a DESIGNATED stop and the guardian is not there. We are asking for a policy to be created and implemented by January 1, 2018.

2. The OPT website has incorrect information about bus stops. We are asking that OPT to take responsibility for ensuring that all information about designated bus stops be updated and accurate at all times.
3. At the meeting it was stated that bus drivers are not contractually obligated to take attendance or be held responsible for which child gets off at a specific stop. We would like to receive a copy of that contract for review.

The most concerning parts of this meeting was the reluctance of the OPT to acknowledge there were bus issues, their recommendation that PS11 should create / suggest a policy, and the attitude given to us as parents and to PS11 that it was somehow our fault that Charlotte was put into this dangerous situation.

**For 11/29 call with Matt Green and Eric Bottcher**

We reviewed our story, as well as the people we had reached out to for support. We asked for their support to:

1. Have the DOE / OPT create a policy for accountability for ALL students taking the bus to be implemented by January 1, 2018
2. Have the DOE / OPT take responsibility for ensuring that all information about designated bus stops be updated and accurate at all times
3. Follow-up with the DOE / OPT regarding the three to dos coming out of our November 20, 2017 meeting

Matt and Eric were both extremely sympathetic, understood there were significant problems at hand, and were committed to helping us work toward a solution.

**11/30/17 FOIL requests:**

We requested the following 5 FOIL reports:

1. Please provide all communication (phone logs, emails, reports, conversations, etc.) related to Charlotte Cox with both the DOE and the OPT.
2. Please provide details on all situations where NYC public school children have exited a NYC public school bus either at the wrong stop or without a guardian present to meet them for the past 30 years.
3. Please provide the current NYC public school bus driver contracts.
4. Please provide detailed information how NYC public school bus contracts are chosen (e.g. bidding process, why the decisions are made, and who makes/ approves the final decision).
5. Please provide the historical cost of each bus contract for NYC public schools for the past 30 years.

All of our FOIL requests were denied. We find it very concerning that all the information we requested, especially as it pertains directly to our daughter and her bus issues, was denied.

**1/29/18 Meeting with Council Member Treyger's office (organized and led by Matt Green)**

We informed Council Member Treyger's team of our struggles with lack of bus policy and lack of response/ communication from the DOE/ OPT. We reviewed our newly created PS11 bus policy and request it be rolled out for all NYC schools.

- Please see attached bus policy created for PS11 and reviewed at this meeting

**2/14/18 OPT Meeting:**

Moshe Becker, Alexandra Robinson, Eric Goldstein, Paul Weydig

We reviewed the newly created PS 11 Bus Policy and requested it be rolled out for all NYC schools by the end of the year.

- Please see attached bus policy created for PS11 and reviewed at this meeting

After the meetings with Council Member Treyger's office on 1/29/18 and the OPT meeting on 2/14/18, we continued to follow up with the OPT and Corey Johnson's office every 2-3 weeks on the roll out of bus procedures.

Communication from the OPT was sent 2 days before school started in September 2018 basically reviewing the bus policy of PS 11 as "guidance" for other schools with K-2, but not making anything mandatory.

After this was communicated to the schools, we have continued with requests to the OPT for this policy to be made mandatory with no response.

Thank you all for your time. We are here today as we are committed to working with your team to continue to improve the safety of the over 150,000 children riding DOE/OPT-governed buses on a daily basis. We must work together to make change, so please let us know how we can support this urgent and meaningful legislation being proposed.

# FOR THE RECORD

## Testimony of Pooja Joshi O'Hanlon

By Email

The New York City Council Committee on Education

Regarding

Int. 89-A, Int. 451 and Int. 1099

**“Introduction of bills to improve school bus service overseen by  
DOE’s Office of Pupil Transportation (OPT)”**

October 15, 2018

Thank you Council member Treyger for convening this hearing, and thank you my Council member Dromm for introducing and/or supporting the introduction of bills to improve school bus service that is overseen by the DOE’s Office of Pupil Transportation (OPT). My name is Pooja Joshi O’Hanlon, I am a resident of Jackson Heights, Queens and I have two children in the public school system that take the school bus everyday back and forth from school.

The proposed bills call for improvement in oversight and reporting of the school bus experience for the students who ride it as well as making technologically timely upgrades to the buses themselves. As a parent who entrusts her children to the Office of Pupil Transportation five days a week during the school year I am in full support of these bills.

The start of the school year started out quite badly for us. Since the first day of school our expected bus did not show up. I am not simply reporting a delay, but a straight up no-show. Our school was unsuccessful in getting a resolution from OPT or the bus company vendor Grandpa's Bus Company. At the end of the first day of school students also had to wait for an hour after dismissal for the bus which once again did not show up. The same happened for the next few days. Our school administration advised parents to make arrangements for pick up and drop off for the next few days. It was also extremely hard to reach the customer service line at the OPT with wait times ranging from 11 minutes to 40 minutes and once I got through, it was hard to connect with the bus company. The lack of information on the cause of these no-shows was both confusing and concerning. As a working parent, I heavily rely on the bus company to get my children to and from school so you can imagine the stress this lapse in service caused for our family.

I understand that the first few days of school are always rocky as various systems are finding their footing. This is our fourth year being bused to school and while there are always expected/unexpected delays a blatant no show is a failure of exceptional proportions. I do not presume to know the reason or complexity behind changing bus vendors (last few years we had Pioneer Bus Company servicing our route) but I am hoping that the NYC Department of Education did not compromise on safety, service and reliability in order to prioritize cost savings.

Despite OPT’s assurances, our bus problems continued into the second week of school. While the issues have since been resolved (after considerable parent outcry, negative press and intervention by local electeds), I can no longer fully trust the bus company Grandpa’s Bus Company or that the OPT is putting the safety and security of its riders first. My older child has been riding the bus for few years, but my younger one who recently started kindergarten is now nervous about riding the bus. The OPT and bus company have the sole responsibility of getting students back and forth from school safely and on time.



For this the routes and stops should have been practiced day before school starts, not on the first day of school and continuing. Since making our experience with the bus public on in our school and on our parent groups in our school district I learned that the bus issues had impacted not only our school's bus routes but also other routes in school district 30 and across New York City.

Therefore **Int 89-A** – By Council Member King – to amend the administrative code of the city of New York, in relation to requiring the department of education to report average pupil transportation times, **Int 451** - By Council Member Dromm - to amend the administrative code of the city of New York, in relation to the creation and distribution of a school bus bill of rights and **Int 1099** - By Council Members Kallos, Treyger, Deutsch, Brannan, Yeger, Dromm and Ulrich - to amend the administrative code of the city of New York, in relation to requiring the placement of two-way radios, cellular phones and tracking devices on school buses are timely, much needed and have my full support. Thank you very much for reading this.

FOR THE RECORD

Testimony of Meghan Cirrito

The New York City Council Committee on Education

Regarding

Int. 89-A, Int. 451 and Int. 1099

"Introduction of bills to improve school bus service overseen by

DOE's Office of Pupil Transportation (OPT)"

October 15, 2018

Thank you Council member Treyger for convening this hearing, and thank you to the Education Council as a whole for engaging with community members to improve the education experience of New York City school children. Special thanks to my Council member Jimmy Van Bramer for his responsiveness throughout the the first few weeks of the school year as bus service was unreliable and unsafe. Additional thanks to Kevin Moran for truly listening to parents and implementing immediate corrective measures to school bus service. His actions have demonstrated that both he and Chancellor Carranza are serious about ensuring safe and reliable bus service for all students. I know Mr. Moran will need the full support of the City Council behind him in order to ensure his success in fundamentally changing the Office of Pupil Transportation for the better.

My name is Meghan Cirrito, I am a resident of Long Island City, Queens and Chair of the Gantry Parent Association, an education advocacy group that focuses on Long Island City. Students in Long Island City primarily attend schools in District 30 and many utilize school bus service.

I have two children - one is in 2nd grade in the public school system who has taken the school bus to Astoria since Kindergarten. My younger son will be in Kindergarten next year and my family hopes to utilize the school bus for both boys.

In addition to speaking for my own family today, parents in my community have asked me to speak on their behalf, as well. Many families in Long Island City entrust their children to the Department of Education and the Office of Pupil Transportation each day. As a community, we support the proposed bills that call for improvement in oversight and reporting of the school bus experience. In addition, we believe it is imperative to make immediate technology upgrades to the buses themselves.

This year was not my first year as a parent dealing with a rocky start to the school year with the bus. Each year there are delays and confusion. The expectation from parents and school administrators is that school buses will not have made practice runs prior to the start of school, drivers will not know the routes, and that students will not necessarily have an assigned bus stop. Each year this chaos is expected and considered by the OPT, DOE, and bus companies to be completely normal and acceptable. It is not. The debacle with Grandpa's Bus Company at the beginning of the current school year only underscores how deeply flawed school bus service in New York City truly is.

My son's school year began with a no-show school bus on the first day of school. Parents at our bus stop scrambled to help each other get the kids to school - one parent offered to arrive to work late so that others could attend scheduled meetings or clock-in to work so as not to lose income. We were instructed by the school administration to pick-up our students directly from school, as they could not guarantee the bus would be available to bring them home again in the afternoon. Again, families were forced to make last-minute and, in some cases, expensive accommodations to make sure their children arrived home safely. By the end of the first week, afternoon bus service appeared to be more reliable. The next week, the morning bus began to arrive. Unfortunately, my son and his schoolmates were forced to endure a 3 hour bus ride in blistering heat on Monday, September 17. Parents were feverishly trading messages on our WhatsApp group to determine where the bus was and where our children were located. Literally, for hours OPT and the school bus dispatcher were unable to give us an answer as to where our children were and if they were safe. My son reported that children with cellphones contacted their parents for reassurance and to provide location information and Kindergarteners were in tears, desperate to get home after only a few days into their first days in elementary school.

Parents consistently encountered long waits when calling the OPT - waits that were maddening not only because they were long but because the OPT was the only link to our children's physical location on some mornings and afternoons. While the OPT has a process in place - call, file a complaint, the OPT contacts the bus company, and the parent follows up with a complaint number - this process doesn't work in real-time and it certainly doesn't work when the bus company is absolutely derelict in their duties.

In my opinion, Grandpa's Bus Company failed completely at providing safe and reliable school bus service. Their drivers were untrained and unprofessional. Their vehicles are outdated. Their leadership is completely absent. Even making the front page of **The Daily News** failed to shame the owners and management at Grandpa's Bus Company to make immediate changes to their service model in order to ensure the safety of our children.

I strongly urge the City of New York to reevaluate bus contracts and renegotiate the terms of service with current bus companies and the drivers' unions. This Fall has shown that business as usual in school bus contracts is putting New York City school children in danger. The leadership of the Education Council is desperately needed to make the important changes in these entrenched bus company relationships. School bus companies will not become more responsive, organized, or responsible unless their hand is forced.

Therefore **Int 89-A** - By Council Member King - to amend the administrative code of the city of New York, in relation to requiring the department of education to report average pupil transportation times, **Int 451** - By Council Member Dromm - to amend the administrative code of the city of New York, in relation to the creation and distribution of a school bus bill of rights and **Int 1099** - By Council Members Kallos, Treyger, Deutsch, Brannan, Yeger, Dromm and Ulrich - to amend the administrative code of the city of New York, in relation to requiring the placement of two-way radios, cellular phones and tracking devices on school buses are timely, much needed and have our full support. Thank you very much.



Extraordinary reach.  
Unconditional care.  
Life-changing results.

Testimony by:

Stephen Hanmer

Director of Education and Permanency Support

**SCO Family of Services**

to

**New York City Council Committee on Education**

Tuesday, October 16<sup>th</sup>, 2018

Good afternoon. My name is Stephen Hanmer and I am the Director of Education and Permanency Support for SCO Family of Services. SCO Family of Services is a non-profit organization that helps vulnerable New Yorkers build a strong foundation for the future. SCO has provided vital human services throughout New York City for more than 100 years and operates 65 programs in Brooklyn, Queens and the Bronx serving over 41,000 people annually and employing over 2,700 staff throughout New York communities. SCO's vast array of programs include early childhood programs; after school programs; transfer high schools; homeless shelters, and foster care programs. I work in our foster care programs, which currently care for approximately 800 children and youth in family and residential settings.

Thank you Council Member Treyger and all of the Members of the Education Committee for holding this very important hearing on School Transportation. As the City engages in this important conversation about school transportation, **it is vital that the City address transportation for students in foster care.**

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, and reliable transportation to school.

For students who have been separated from their families, school is 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 keep students in their original schools when they enter foster care or change foster care placements and to provide transportation to their original schools**, unless it is in their best interests to transfer to a new school.

However, New York City, unlike for children living in shelters who receive busing, does not guarantee bus service to students in foster care. The City allows students in foster care to apply for busing through the DOE's Office of Pupil Transportation, which regularly denies requests. In such cases, the City will provide only a MetroCard or car service reimbursement.

When the City does not provide bus service, the only way children in foster care can get to school is if foster parents, foster care case planners, or a small number of vehicles operated by ACS are available to transport them. These arrangements do not sufficiently address the demand for transportation. Many

foster parents are unable to spend hours each day transporting a student all the way to school and back home due to competing child care and job-related obligations. Foster care case planners have full-time jobs focused on reunifying families and keeping children safe; they should not be serving as transportation chaperones. While ACS will reimburse foster care agencies for the cost of car service, they will not reimburse agencies for chaperones to accompany the students and will not even reimburse agencies for the transportation cost of the return trip for the foster parent.

Many times it is transportation to the school that makes it hard to find quick and adequate foster home placements. When a child comes into foster care, school transportation should not be an additional barrier to immediate foster home placement and stability. If we can ensure that every child in foster care will receive transportation (just like children in shelters currently do) we will get children more quickly placed in foster homes and allow staff to focus on key needs instead of running around trying to figure out how to get a child to school

SCO Family of Services recommends the following:

1. The City provide yellow bus service or other door-to-door transportation to kindergarten through sixth grade students in foster care (as is currently the case with children living in shelters).
2. The DOE and ACS work together to develop policies and create feasible transportation options for students in foster care of all ages.
3. Transportation reporting bills that are currently under consideration require the DOE to report on transportation for students in foster care specifically.

In closing, on behalf of the children and youth in Foster Care served by SCO Family of Services, thank you Council Member Treyger and members of the Committee on Education for your leadership and commitment to ensuring that every child in New York City living at home, in a shelter or in Foster Care receive a quality education.

Parents to Improve School Transportation (PIST NYC) Testimony  
City Council oversight hearing on busing policy bills - October 16, 2018

The Disability Rights movement says “Nothing about us without us.” We hope you continue to seek input from self-advocates who have been or are school bus riders themselves. When it comes to young children riding the bus, the others who grapple with the issues are their families, educators, and experienced school bus crews. These advocates all have organizations that are easy to find.

Regarding [Int 0451-2018](#) we're glad Council member Dromm agrees with us about sending home regulations and how-to's in various languages. School staff could also benefit from such documents. However (1) it has to be refined by the organizations above, who know the frequently asked questions about how busing is done now and (2) it should not be called a Bill of Rights, since we already have a document by that name which shows how busing should be done instead, which we still intend to get on the NYC ballot.

Attached you will find the real School Bus Bill of Rights, which by the way is endorsed by other parent groups and school bus unions (ATU 1181-1061 and Teamsters' local 553). We have also compiled just a few of the better busing ideas that have gone ignored thus far.

From our statement on the latest OPT scandal, a reminder that “at a 2013 mayoral candidates' forum, Bill DeBlasio agreed to ‘an independent commission on school busing, with representation from disability advocates, unions, and parent groups, on standards for bidders, routes, safety, training, and fair labor practices.’

From a 2016 report of a 2013 study the DOE funded:

“Existing processes for bus scheduling and routing, for example, did not draw on the day-to-day experiences of bus operators or families and so were much less efficient than they otherwise could be... the field research was distilled into a report recommending three service prototypes to test... However...the prototypes were never implemented.”

Notes from 2015 when a series of meetings were facilitated by the teachers' union between OPT directors and District 75 parent council, PIST and others. This also talked about training, climate control and “Change the routing system to make it more efficient. Consider one program one bus to cut down on length of transport time, number of buses idling at the school.”

A 2013 letter to the outgoing and incoming administrations by Civil Rights Attorney Norman Siegel recommended better training standards; sensible contracting and routing; and an independent busing liaison -- such as the MTA now has for its riders with disabilities.

We generally support any Intros that address aspects of the problem, but urge that those closest to the situation have the final say in making the solutions meaningful. I leave you with three examples:



- (1) GPS is only as good as the thought that goes into it. Drivers are stuck with parameters set by the same corner cutting bureaucrats who think all kids can get from stop to seatbelt in 30 seconds flat--and that a bus can be at three schools in the same minute. Read the letter from PIST mom Nicole from Inwood, and listen to the unions, including TWU who know the limitations of MTA level GPS.
- (2) We know two parents and a driver-trainer who've become experts on car safety seat models and which ones are compatible with which bus types. I trust their oversight more than I trust budget researchers up in an office.
- (3) The best solutions will fail if we don't have a stable workforce providing this service. Running school busing based on low bids and high profit has left us with a severe driver shortage, and with many workers ready to strike or even quit. We ask this body for support in seeking a meeting between the Chancellor, bus parents, and bus unions, as soon as possible.

Thank you.

Attachments:

- A 2018 PIST statement on the firing of OPT CEO Eric Goldstein, also at:  
<http://www.pistnyc.org/pist-statement-on-latest-opt-scandal.aspx>
- B PIST NYC School Bus Bill of Rights revised October 2017, originally drafted December 2010, also at <http://www.pistnyc.org/bill-of-rights.aspx>
- C Letter from Attorney Norman Siegel's firm November 2013, also at  
<http://www.pistnyc.org/norman-siegel-issues-report-and-recommendations.aspx>
- D Excerpts of notes from Parent meetings with Alexandra Robinson of OPT in school year 2015-16.

We refer you also to the following:

2013 parents' open letter to the DeBlasio administration on our busing issues at  
<http://www.pistnyc.org/our-top-busing-issues-for-incoming-nyc-administration.aspx>

Cover and page 9 of Innovation Toolkit study published 2016, also at  
[https://www.crpe.org/sites/default/files/innovationtoolkit\\_1.2016\\_final.pdf](https://www.crpe.org/sites/default/files/innovationtoolkit_1.2016_final.pdf)

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## Parents to Improve School Transportation (PIST NYC) Statement on the Current Busing Crisis 9/23/18

We in PIST NYC have been saying for eight years that school transportation is run by the wrong people. The fact that the Chancellor has denounced one company and fired the top Office of Pupil Transportation executive is refreshing, but our children's safe travel and access to education remain at the mercy of companies and executives whose first priority is money.

Any true overhaul would not just change some faces, but would change the structure and empower the real stakeholders in school busing: the disability community; families of riders of all income levels, races, and languages; the workers who drive and attend to them; educators. Each of these already have organizations that represent us.

For years, these stakeholders, along with civil rights lawyers, have stated practical methods for fixing everyday school bus route problems. Parents to Improve School Transportation and Amalgamated Transit Union local 1181-1061 have been advocating for a **School Bus Bill of Rights to prevent route problems systematically.**

These suggestions are all on record; we have documentation from various City Council hearings, proposals raised to the now-Mayor and now-Public Advocate by Attorney Norman Siegel, notes from multiple parent discussions with Office of Pupil Transportation Director Alexandra Robinson, and a study paid for by the Department of Education itself. Further, at a 2013 mayoral candidates' forum, Bill DeBlasio agreed to: "an independent commission on school busing, with representation from disability advocates, unions, and parent groups, on standards for bidders, routes, safety, training, and fair labor practices." Was Chancellor Carranza advised of any of this?

What is missing from most coverage of the scandal is this: The sad state of New York City school busing got worse after **Bloomberg's administration undermined the Employee Protection Provisions (EPP) that the union had won fair and square.** The companies are impelled to use strict cost-cutting to lower their bids for DOE/OPT contracts; they offer worse pay/benefits and conditions to school bus drivers, attendants and mechanics; hundreds were made jobless or found retirement more appealing; **the result is a shortage of trained, experienced bus professionals.** [Indeed, a cohort of school bus companies has been in court lately, trying to eliminate EPP altogether against the testimony of parents, workers, and one or two other companies. If they win, we expect more of the same. Even if they lose, these proceedings stall the start of new route contract bids; so OPT recently extended contracts that in theory might not have been renewed otherwise.]

No wonder school bus routes are doubled-up and miserable this Fall! Consider it on a small scale: Any time there is **only one driver willing to tolerate a low wage job--where there used to be two drivers enjoying a secure career,** that's when students get picked up late or

not at all, have routes which stop at four schools instead of one or two, get yelled at, or worse. When there is **little to no investment in climate control or upgrading of vehicles**, that's when children get dehydrated, or their car seats or wheelchairs do not attach properly, or the bus breaks down.

Multiply this by thousands, and you will understand our doubt that merely removing CEO Eric Goldstein or Grandpa's Bus would make all 150,000 riders safer (We also think the figures and emphasis on background checks are overstated to sensationalize rather than solve the problem).

Any true overhaul of school busing would have a long term goal of **public ownership** of the bus yards, to stop a chunk of our tax money in the busing budget from going straight to profit for individual companies--to spend it instead on upgrading and "greening" the vehicles. We look forward to civil service-type standards for regulating employee recruitment, training, and retention.

In the meantime:

New York City students deserve a skilled workforce that is compensated with EPP, and is listened to about ways to improve the situation.

We believe that unionized bus crews are the buffer against employer moves that harm young people, whose lives and education matter!

We want to see workers and parents empowered to achieve expedited grievances about long, overcrowded routes.

We want a mass way to enforce and strengthen existing regulations on travel time limits, bus temperatures, and other conditions, rather than leaving it up to individual political appointees or company owners.

As always, we urge all NYC communities and labor to get involved in our campaign for a School Bus Bill of Rights.

For more information, please write to [pistnyc@gmail.com](mailto:pistnyc@gmail.com)  
<http://www.pistnyc.org/> <https://www.facebook.com/PISTNYC/>  
For information in fluent Spanish, please contact  
<https://www.facebook.com/groups/221709251868819/>

③

## SCHOOL BUS BILL OF RIGHTS

**Problem prevention--Get the students to school and home on time in sound condition so their educational civil rights are not violated!**

1. Shorten the maximum route duration times and create routes that adhere to them; enforce limited time travel where granted by an IEP.
2. Create routes that prevent unnecessary travel time and idling time by minimizing number of school sites + pickups per bus; instead, factor in more than the current 90-second grace period for students with disabilities to meet their a.m. bus and enough time for seat belts, wheelchair harnesses, car seats to be secured.
3. No more hot or freezing cold buses! Maximize climate control on the vehicles, preferably with HVAC technology that is at least as energy efficient as city buses.
4. Improved training for all drivers and attendants. Uniformity in training including first aid, car seats, disability awareness/acceptance, bullying, and how to do bus evacuation drills. Update the modules parents created years ago; allow parent leaders to vet the training vendors and to do quality control visits or presentations to training in progress.
5. To further prevent bullying, restrict the range of ages and IEP classifications routed together on each bus (split K-12 category into smaller groupings and be sensitive to needs of those with and without emotional disorders).
6. Hire attendants on ALL routes--general education students also need supervision.
7. Recruit and retain enough drivers, attendants and mechanics to staff enough buses in advance of school day one (using the number of routes that existed the previous November); apply Employee Protection Provisions across the industry to promote continuity of the workforce.
8. Proactively inform families (thru backpack mail) & schools on busing rights including: how to get accommodations; how to add busing when changing schools or housing, especially for those in shelter system; how to complain to a borough director; how to seek a variance. Make forms accessible and available in more languages.
9. Make it practical for bus crew and student's family to communicate about delays. Make sure companies and OPT customer service have enough people to actually answer the phone and are not hanging up on parents, lying to us, or insulting us.

**Continues→**

**Problem Solving and Long term changes:  
OPT is not resolving complaints efficiently**

1. The Mayor can follow through on his Yes response at 2013 candidate forum that DOE will seek recommendations from an independent commission on school busing, with representation from disability advocates, unions and parent groups, on standards for screening bidders, creating routes, safety, training, and fair labor practices.
2. City can implement civil rights law firm's proposal that they create Busing Liaison position, independent from OPT and the bus companies, whose only job is resolving bus complaints.
3. Promote and fund school-by-school team approach involving educators, parents, and bus workers for understanding riders and resolving conflicts in a restorative way.
4. These same parties assess the route rosters toward end of school year and advise OPT on what stays the same / what changes.
5. DOE should share the innovation proposals that were designed after 2013 focus groups but never implemented.
6. System of Route clinics at start of year with paid time for participating on-the-ground experts like driver, parent coordinator, router (Boston model).  
and/or
7. Fund a community-based program of monthly borough meetings involving parents, drivers, company, OPT staff to make corrections and share information.
8. Protocols for special situations eg. accommodating family with siblings in different schools--or in same school but not all qualify for special education route; interim services or metrocard families (especially in temporary housing) who were not properly advised on paperwork requirements while they wait for forms to be completed by health provider and processed by OPT.
9. Conduct Feasibility study for de-privatizing NYC school busing (eg DOT or DOE purchase buses and enforce quality standards as a public service / legal right of the children, not for profit). This could include an audit of OPT and bus company books as compared to the bid specifications.

Proposed to City Council Education Committee by Parents to Improve School Transportation

May 2017



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November 26, 2013

Mayor Michael R. Bloomberg  
City Hall  
New York, NY 10007

Dennis M. Walcott  
Chancellor, New York City Department of Education  
52 Chambers Street  
New York, NY 10007

Dear Mayor Bloomberg and Chancellor Walcott,

In August, 2013 our firm was contacted by a coalition of parents who rely on the Department of Education's Office of Pupil Transportation (OPT) to transport their special needs children to and from school. OPT is required to provide adequately for their transportation under the Individuals with Disabilities Act (IDEA), but these parents reported that serious systemic and individual problems with the bus service provided by OPT were having an adverse affect on their children.

Reports from the start of the 2013-14 school year include frequent violations of allowable travel time and Individualized Education Plans (IEP), unannounced and frequent route changes, last minute cancellations and late pickups, excessive waiting time on buses, inadequate training of drivers and matrons, improper or inadequate oversight of children, communication breakdowns between OPT and the bus companies, and poor communication with parents.

These incidents reflect a failure by OPT and the Department of Education to deliver services that meet their own standards and legal obligations. Children have suffered physically and emotionally, and this has deeply disturbed parents who are already under stress caring for their vulnerable children and seeking to foster their education and socialization.

Since the start of the school year our firm, working together with Parents to Improve School Transportation (PIST) and individual parents, has met with OPT staff members and written letters detailing specific problems to Mr. Eric Goldstein, CEO of the Office of School Support Services at the Department of Education. This joint effort not only hastened the resolution of most parental concerns, but revealed the need for an independent advocate to work with OPT on behalf of parents and children.

According to many parents, the busing problems documented at the start of this school year recur annually. In order for OPT to change this pattern, quickly solve problems as they arise, and limit the

harm to children, we recommend the appointment of an independent liaison to work with the families and OPT. This year two people, working part time in our office on behalf of almost forty families, helped to quickly resolve a wide range of problems while providing parents with a much-needed independent advocate.

### Summary

At the start of each school year, parents and children are severely impacted by a wide range of problems with bus routing and staffing. These include:

1. Transportation for special needs children requires that buses have adequate air conditioning and heating, and be staffed by drivers and matrons who know their routes and the needs of the children they serve. However, buses frequently lack adequate air conditioning, causing children to arrive at school or home dangerously dehydrated. And because of the OPT contracting process, the bus companies, drivers, matrons, and routes change from year to year. Each fall new drivers learn their routes while school is in session, leading to weeks or months of significant lateness in the morning and afternoon. Matrons are similarly unfamiliar with the children in their care. Some lack the training and experience required to assist special needs children properly, who often cannot adequately communicate their needs or their fears. To function effectively in school, at home, and in various therapeutic activities after school, it is critical that the children have a stable routine, and familiarity with those who assist them. Lateness and other schedule disruptions whose cause they cannot fully comprehend, and being entrusted to strangers who do not know them or understand their needs, make the beginning of each school year a fearful ordeal.

Among many disturbing reports we received at the start of the 2013 school year, bus drivers operated their vehicles in an unsafe manner; matrons were overheard by parents using abusive language towards the children; younger special needs children were subjected to abusive language by older children on the bus; one parent observed a matron improperly buckling her child's wheelchair into position, posing a serious safety threat; and in another instance, a matron incorrectly insisted that a child on her bus be dropped off at the wrong home address, despite being told by the doorman that the child did not live there; to make matters worse, the child's parent was not notified and spent frantic hours trying to locate her child.

Some problems originate with the management of the bus companies. Children on one route were subjected to unusually long trips to and from school that violated their IEP and that caused them to miss hours of schooling each day, simply because the bus company had improperly instructed its drivers to avoid the Midtown Tunnel in order to save on toll costs. When we and the parents brought this matter to the attention of OPT, the company



was reprimanded and ordered to take the Tunnel, but it was too late to remedy a more than a week's worth of missed school and long, hot days in traffic.

2. We received many complaints about the excessive number of children assigned to a bus route and overcrowding on busses. When too many children are assigned to one bus route, problems result: travel times violate their IEP, they are chronically picked up late, arrive late to school, are delayed coming home, and often arrive in a debilitated condition that impairs their capacity to learn or to participate in therapy. Similarly, when buses are over-crowded the drivers and matrons cannot attend to the children in their care adequately, often fail to communicate with parents as required when a child will be picked up or delivered home late. More than a month of disruption, worry, suffering, and lost learning resulted from such overcrowding and over-scheduling of routes. It required hundreds of phone calls and emails by parents, and a series of letters from our office detailing the problems, before OPT adjusted the schedules, redesigned routes, and assigned additional buses.
3. Related but not exclusive to the problem of overcrowding is the excessive waiting time that children experience on the bus before and after school. Many bus routes deliver and pick up children at two schools. Problems arise when the schools have different opening and closing hours. Although a child may have been picked up at home on time, he/she is delivered to school late because other children on the bus are being dropped off first at a school whose opening hour is later than their own. The delay causes them to arrive at their own school after classes have begun. The problem occurs again at the end of the school day: some children must wait on the bus, often in hot or cold conditions, for others whose dismissal time is later than that of their own school.

Once again, after some weeks of effort, OPT addressed these problems by adding more routes, and assigning one bus per route, per school. Despite the fact that similar and predictable problems arise each year, parents and children were subjected to considerable hardships before solutions were found.

4. Because travel and wait times are long, even a child who has planned ahead and addressed their needs prior to boarding the bus will occasionally require a restroom en route. OPT should work with the families, schools, and bus companies to create a protocol to address this need.

Enclosed is a sample of 38 cases in which we represented parents and children whose concerns were resolved by OPT. In connection with that effort we want to mention the work of two OPT staff, Richie Scarpa and Jon-Erik Arenas, whose efforts to resolve problems met with parental approval.

In light of the effort made by the parents, Melissa Russo of WNBC-TV, our office, and OPT, we believe that most issues of the kind outlined above could be avoided through a series of reforms. We recommend that:

1. Standards for drivers and matrons should be strengthened, and that all bus employees who work with special needs children be properly trained and certified;

2. The bus contracting process should be reformed to ensure that the companies and their employees are able to meet their obligations before the start of the school year;
3. OPT must significantly improve its route planning and scheduling, and better anticipate the recurring need for more buses and more routes to serve the children in its care adequately;
4. Because problems will always arise, an independent liaison/advocate should be authorized to work with OPT, parents, and school staff to anticipate and resolve issues as they arise.

The documented hardships imposed on parents and children for almost two months at the start of the 2013-14 school year are not inevitable. If our recommendations are followed, all students, especially those most in need, are far more likely to arrive at school and home safe, happy and ready to learn.

Sincerely,

s/Norman Siegel  
Norman Siegel  
Cal Snyder  
Jonathan Langer

cc: Mayor-elect Bill DeBlasio  
Public Advocate-elect Letitia James  
Controller-elect Scott Stringer  
Bronx Borough President Ruben Diaz, Jr.  
Brooklyn Borough President-elect Eric Adams  
Manhattan Borough President-elect Gale Brewer  
Queens Borough President-elect Melinda Katz  
Staten Island Borough President-elect James Oddo

Eric Goldstein

D

### Excerpts of parent council meeting notes 2015

From Summary of key issues , at end of series of meetings

#### 3. Issue

Busing. Regulations have not been updated in over 25 years. DOE should review them. Students may spend too much time on buses. Busses may have inadequate safety, temperature. (Look at PIST recommendations to see if they should be included)

#### Recommendation

- Every school needs to organize a communication system between matrons and drivers and the bus company and school with the parents. Parents need to know if a bus is late, had an accident, has a new driver, etc.
- Matrons and Drivers need training on behavior management given my disability experts.
- Change the routing system to make it more efficient. Consider on program one bus to cut down on length of transport time, number of buses idling at the school
- Air conditioning, heat, and matrons should be on busses with students with special needs.
- DOE should advocate with the state legislature to cut down on the time allowable for special needs students to be on a school bus
- Doe needs to hold bus companies accountable for holding school bus drills.
- When an incident happens on the bus, a parent should be notified by the bus company or school within 24 hours. Incident reports must go to school with a copy to parents within 24 hours.
- DOE should direct bus companies to stop pressuring parents to sign forms to waive matron escort to the door.

#### 8. Follow up

A. We would like to see a DOE commission with special ed parent representation on Inclusion Issues to review policies and problems etc.. (Safety, communication etc.)

B. Another meeting before the end of the school year to follow up on these recommendations

C. A meeting with parents, PIST, DOE and OPWDD together.

And from Oct 2015 meeting summary

### **OPT Meeting with Alexandra Robinson Oct 20<sup>th</sup>, 2015**

#### Busing complaints/Routing-

- This year was a smoother opening than last year with fewer complaints with the exception of a problem in Staten Island.
- They ease off of bus company violations the first few weeks as some are due to school and parent mistakes (children put on the wrong buses)

- Most complaints are with the bus companies that have the largest number of pupils (Staten Island-Reliant, Logan and affiliates in Queens and New Dawn in Bklyn I didn't catch the Bx)
- OPT was going to send us a complaint form that parents use but got back to us to say it's on line. We asked if we can create one to hand out.
- We discussed the problem with out of date blue cards. We agreed it would help if it was possible to have a system to collect card updates in June so OPT can use info for its August beginning of the year bus scheduling. (We discussed with Special Ed Dept.)
- We discussed the issue of students in the shelter system. There are 20,000 students in shelters; and 63% of those are on buses and the rest have metro cards. (Is there a way to lobby Dept. of homeless hsg services to give voucher reimbursements so more funds would be available for busing)
- The Ed liaisons need to update info so OPT knows when students have left shelter system. Ms Robinson said this is their biggest issue, they don't know when families leave the shelter. (Maybe with the new BFSO transportation liaison this will happen?).

#### GPS

- NAVMAN system is working well. Will be in 500 buses by the end of the week. It will be in every Boro. At this point about 1400-1500 buses don't have. It may take 3-5 years for all to have this.
- 2/3 of the fleet has GPS
- There will be a pilot for video cameras on buses next. Each bus company will have 15-20 buses outfitted for testing systems.
- We raised the issue again of an app for parents to track where the bus is. Ms. Robinson said that there is no DOE policy on this and that student privacy issues need to be worked out. (Maybe DOE has info on this?)

#### Other

- We discussed the problem with students having to wait so long for a replacement bus if there is a breakdown. Ms Robinson said they do what they can to find alternative buses. Parents should be called. If not the vendor will receive a violation. If a bus is involved in an accident students must wait until the police come, but if a parent comes to the scene and asks the Principal if they can take their child home they can do so if it's a minor fender bender.
- Buses should enter into OPT system when they are running late. If they don't and a parent reports it they will receive a violation.

#### OPT Follow Up:

- OPT will send us a copy of the training modules.
- ? OPT will work on a parent complaint form ( Parents can take a stab at this)
- Blue card update

## FOR THE RECORD

**Testimony for City Council Committee on Education Hearing on the DOE's  
Office of Pupil Transportation  
Elizabeth Van Horn, Program Manager, Court Appointed Special Advocates  
of New York City**

Thank you for the opportunity to speak with you today. My name is Elizabeth Van Horn and I am the Program Manager for Court Appointed Special Advocates of New York City.

The mission of CASA-NYC is to ensure that children in foster care have their needs met and rights protected; that they move out of foster care and into permanent, safe and loving homes as quickly as possible; and that young people aging out of foster care have the resources and support they need to live independently. Family Court Judges assign CASA to a case when they determine a child in foster care needs the additional support of a one-on-one advocate. Our staff and volunteer Advocates work diligently to help children and families navigate the many systems they come in contact with, both during and after foster care placement, including the education system.

CASA knows all too well how critical it is that the City address the gaps in transportation for students in foster care. One of the most important and challenging tasks of CASA advocates is to ensure that children have stability in their education during and after foster care placement. School has the potential to be an important stabilizing factor in the lives of children who are experiencing instability in every other area of their lives. For many children coming from homes where they have experienced abuse or neglect, school is a safe place where they have built community, experienced stable routines, and connected with caring adults and peers. When a child is able to continue attending their school of origin without interruption during foster care placement, school can provide a sense of consistency and stability in the child's otherwise chaotic life. Unfortunately, the existing policies and procedures related to school transportation too often add to the chaos and exacerbate the trauma of separation from family.

While the Every Student Succeeds Act and the Fostering Connections to Success and Increasing Adoptions Act require local school districts and child welfare agencies to collaborate to provide transportation and keep foster students in their original schools, existing NYC systems often make it difficult or impossible to do so.

Requests for busing through the DOE's Office of Pupil Transportation are often denied or take long periods of time. When bussing is not provided, caregivers are required to take children to school on public transportation. We have seen many cases where this requires crossing several boroughs and hours of travel in both directions, often with younger children in tow. It is very common for foster parents to be grandparents who may have difficulty navigating the subway systems, or to have competing employment or child care obligations. While students receive MetroCards for transportation, agencies don't receive full reimbursement for the caregiver's travel.

Children transitioning into care, moving from one foster home to another, and reunifying with family after foster care placement should be supported in these transitions as much as possible. The troubles of arranging transportation to school are an additional burden and add to the chaos for many. Determining a new school route can be a daunting task for anyone, more so for foster youth that have already experienced a myriad of changes. Having increased and more reliable access to transportation for youth in foster care would decrease the risks and increase their opportunity to succeed in school and adjust to new living circumstances. Even with the transportation resources that are available today, foster youth are often told to anticipate many days in the interim before bussing can be arranged. Youth often spend the time in between missing academic instruction or school in its entirety due to having to find alternative routes to attend their school of origin. Once they get behind in school, it is very difficult to catch up. This is why children in foster care are at such great risk of being left behind academically and have significantly lower rates of graduation than other children. Children in foster care need and deserve school stability and continuity.

One example is a family I have worked with for over five years. Ten year old, Jason, the eldest of five children, had been in foster care for 6 years. While in foster care Jason moved from school to school as he moved from foster home to foster home. Jason recently reunited in a shelter with his mother, and even though he has an IEP, arranging bussing became almost impossible. Maintaining his school placement and special education services was the focus of CASA's advocacy work, to ensure the transition home went as smoothly as possible. He missed the first few days of school because his bussing route still had not yet been determined. Once they were told that bussing had been arranged, there were several days when his bus did not show up. His mother could not afford to take both Jason and his 7-year-old sister to their separate schools as funding does not provide resources for her round trip transportation. The result was multiple days of missed school. Once morning transportation finally seemed to be working smoothly, several weeks into

the school year, his bus did not show for afternoon pick up, and he had to wait at the school until after 5pm when a foster care agency staff member was able to pick him up in a cab and bring him home. In this case, the joy of reunification between mother and son was stifled by failure after failure in the school transportation system. This kind of situation can be prevented in the future if additional resources become available for transportation for foster care involved children.

CASA-NYC joins our colleagues in recommending that the City provide yellow bus service or other door-to-door transportation to kindergarten through sixth grade students in foster care, create feasible transportation options for students in foster care of all ages. We recommend that the transportation reporting bills under consideration require the DOE to report on transportation for students in foster care specifically.

Thank you. I would be happy to answer any questions you may have.





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FOR THE RECORD

FOR THE RECORD

FOR THE RECORD

**EDUCATION COMMITTEE HEARING TESTIMONY**  
**October 16th 2018**

Good afternoon and thank you for the opportunity to provide public comment today. My name is Nina Trumbo, and I'm the Strategic Researcher and Policy Analyst at ALIGN: The Alliance for a Greater New York. ALIGN is a longstanding alliance of labor, community and environmental justice organizations, that works at the intersection of economy, environment, and equity.

As the hearing today highlights, our city's school bus system is broken. This hurts parents, teachers, and most of all our children, particularly those with special needs. In the first four days of school, the number of complaints about late or no-show buses were 30% higher than last year. Meanwhile, the 9,000 diesel and gasoline-powered buses that take children to school continue to emit exhaust that harms the environment and the health of drivers, children, and communities living near school bus depots. We welcome the initiatives being proposed today to improve service and transparency in the industry. However there are systemic problems across the industry that require a fundamental change in the way school bus companies are run.

Last month, a growing coalition of parents, educators, and environmental, labor, and community advocates that we convenes called for the creation of a pilot worker-and-parent-owned electric school bus cooperative with the support of Council Members Rosenthal, Espinal, Rodriguez, Powers, Levine and Cornegy. In a cooperative model, workers and parents are joint owners with a say in how the company is run, which will greatly improve service. By using electric vehicles, the company will also reduce pollution that contributes to climate change and poses a risk to public health.

New York State has announced that it will use the \$127.7 million received from the 2016 Volkswagen settlement to increase the number of electric vehicles in the state – and explicitly stated this investment “recognizes the promise of cooperative and community ownership models.” The City can build on its existing commitments to vehicle electrification and support for worker cooperatives by backing our proposed pilot. This will be an important step in reforming the school bus industry and building an economy in which workers have agency, communities have clean air to breathe, and our kids have a reliable journey to school and back each day.

Thank you.

## FOR THE RECORD

Testimony from Emily Foley, Manhattan resident  
Parent of Margaret Foley, a NYC preschooler with special needs  
Cell phone: 857-234-1662

I am the parent of a 2-year-old child that attends special education preschool at the Harlem Child Development Center. My daughter Margaret has Down syndrome, and with it, complex medical issues. She has a feeding tube because some basic things, like drinking liquids, are not safe for her to do. She also has an intellectual disability. She is non-verbal, has sensory issues, and low muscle tone. Margaret needs the educational and therapeutic supports provided by a special education preschool. I was lucky that the Harlem Child Development Center accepted Margaret, but I was also wary that she would need to travel by bus 5 miles each way.

Margaret has been taking the bus for ~ 5 weeks, and the difficulty started immediately when the bus company (Philips) refused to provide Margaret with a car seat, which was mandated on Margaret's Individualized Education Program (IEP), a step that required approval from an NYC department of education physician. Before bussing began, I contacted the bus company and they assured me that Margaret would have a car seat. Well, that never happened. Instead, when I followed up with the bus company on the missing car seat, I was met with rude and skeptical Philips bus company employees. One even went so far as to question whether my daughter needs a car seat, because, in her estimation, 'nothing is wrong with her spine'. Perhaps this bus company employee is also a medical doctor, but I doubt it. But more importantly, the bus company had no qualms with dismissing a legally binding document that stipulated Margaret's transportation needs. I should also mention that the bus company refused to let me provide a car seat. So, as a parent, I was stuck.

I then filed an incident report at OPT. I then followed up every day, or every other day, for the next 4 weeks. Most of those phone calls ended with a vague, 'someone will call you back'. I got one phone call back that entire time, and it was someone telling me to wait 5 more days and to then call back and see if problem was resolved. OPT should have immediately told the bus company to comply with the IEP. It should have been straightforward. But that was not our experience. Instead, it was me making call after call, begging people at OPT to help resolve the situation. Meanwhile my 2-year-old daughter spent 2h/day, for 4 weeks, without the proper supports on the bus.

Was this a problem for Margaret? I wish she could tell me, but she is non-verbal. What I do know is that children like Margaret are dependent on the NYC special education system, including bussing services, to allow them to have educational opportunities. I can choose the school she attends, but I can't choose the bus company. From my limited interactions with OPT, I worry what lies ahead for a child like Margaret, who will depend on bussing for years to come.

**Sharone David's Account and Testimony - Oversight Public Hearing on School Transportation**

This year, we were very excited to send our son to a new school. He is on the autism spectrum, but also considered to be intellectually gifted. We were relieved to find him a placement in a public school that would support his special needs, but would also provide him with an inclusive learning environment and challenge him in his areas of strength. Unfortunately, this school was a 40 minute drive away, but we knew this kind of placement was not easy to come by. Thus began our ordeal with OPT (Office of Pupil Transportation) and two separate bus companies.

For the first 2 weeks of his school bus transportation, our son was late 40 minutes or more to his new school. He missed many hours of special education services. Worse, this impacted his ability to acclimate to the new school. After numerous complaints to OPT, they assigned a new route with a different bus company. The first day of this new route, we rushed to be ready for the new, one hour earlier, 7am pick up time but had to wait an hour till the bus finally arrived. No one called us. My son said to me, "mom, I think changing buses was a bad idea." The change had indeed made things even worse, by an hour on each end. For the next 3 days, my son spent over 3 hours on the bus in the morning. He missed 2 and 1/2 class periods a day, that's a large chunk of his special education services. He was sad to have missed chorus - recreational programming critical to building his social skills. The bus company's excuses were not honest - bus broke down (it didn't, bus got caught behind a garbage truck - really, two days in a row?)

And throughout this entire ordeal - we received untimely or no communication from OPT or the bus company whenever the route changed or pick up time changed. One morning, we missed the bus because it came before our pick up time and no one had alerted us. My son began his school day at 10:30 am that day. Why didn't anyone let us know? We were told that it was entirely up to the discretion of our driver and/or attendant whether they would give us their contact information or alert us and it was up to us to create a rapport with the driver or attendant to obtain their good will.

Because of this lack of communication and fixed policy in regards to alerting families about bus pick up times and drop off , I have urged my council member, Daniel Dromm to co-sponsor proposed bill: Int 1099-2018, requiring the placement of two-way radios, cellular phones and tracking devices on school buses. Thank you, Daniel Dromm for agreeing to co-sponsor. I believe that placing a tracking device on the school buses will make both OPT and the bus companies much more accountable to the families they serve and hopefully we can then have an app where parents can follow their children's bus along the route. This will provide the information that we need to plan our time efficiently and to make sure that our children are not missing valuable school time - and of course, help us keep track of where our children are in case of an accident or emergency. I'm also hoping that more effort will go into finding routes that work before Day 1 and that OPT and the bus companies will not treat our children, many who have special needs, like Guinea Pigs along for the ride as they sort out their routes.

Thank you for your time and consideration.



FÉLIX W. ORTIZ  
ASSISTANT SPEAKER  
51<sup>st</sup> District  
Kings County

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

COMMITTEES  
Ways and Means  
Rules  
Labor  
Correction

October 16, 2018

Honorable Mark Treyger  
Committee on Education  
New York City Council  
250 Broadway, Room 1785  
New York, NY 10007

Dear Chairman Treyger:

Last week, a disabled student was left riding on a school bus for 3 hours. This is proof that our city school bus service has deteriorated beyond anything reasonable.

The Sunset Park incident was covered by a news service and can be viewed at <https://www.facebook.com/FelixWOrtiz/videos/722995368057689/>

It is completely irresponsible for the NYC schools to make a disabled Sunset Park High School student ride for 3 hours on a school bus, and yet similar situations happen too often. As a result of this incident in Sunset Park, I have asked Chancellor Richard A. Carranza to undertake a complete review of the bus services used to transport our students to and from city schools. My demand of the Chancellor is in hopes of creating a better and more reliable bus service for our students.

I commend you for holding a hearing on this important issue and look forward to working with you and the Council to remedy this situation.

Sincerely,

Félix W. Ortiz  
Assistant Speaker

**Testimony of Pooja Joshi O’Hanlon**

By Email

**The New York City Council Committee on Education**

Regarding

**Int. 89-A, Int. 451 and Int. 1099**

**“Introduction of bills to improve school bus service overseen by  
DOE’s Office of Pupil Transportation (OPT)”**

October 15, 2018

Thank you Council member Treyger for convening this hearing, and thank you my Council member Dromm for introducing and/or supporting the introduction of bills to improve school bus service that is overseen by the DOE’s Office of Pupil Transportation (OPT). My name is Pooja Joshi O’Hanlon, I am a resident of Jackson Heights, Queens and I have two children in the public school system that take the school bus everyday back and forth from school.

The proposed bills call for improvement in oversight and reporting of the school bus experience for the students who ride it as well as making technologically timely upgrades to the buses themselves. As a parent who entrusts her children to the Office of Pupil Transportation five days a week during the school year I am in full support of these bills.

The start of the school year started out quite badly for us. Since the first day of school our expected bus did not show up. I am not simply reporting a delay, but a straight up no-show. Our school was unsuccessful in getting a resolution from OPT or the bus company vendor Grandpa's Bus Company. At the end of the first day of school students also had to wait for an hour after dismissal for the bus which once again did not show up. The same happened for the next few days. Our school administration advised parents to make arrangements for pick up and drop off for the next few days. It was also extremely hard to reach the customer service line at the OPT with wait times ranging from 11 minutes to 40 minutes and once I got through, it was hard to connect with the bus company. The lack of information on the cause of these no-shows was both confusing and concerning. As a working parent, I heavily rely on the bus company to get my children to and from school so you can imagine the stress this lapse in service caused for our family.

I understand that the first few days of school are always rocky as various systems are finding their footing. This is our fourth year being bused to school and while there are always expected/unexpected delays a blatant no show is a failure of exceptional proportions. I do not presume to know the reason or complexity behind changing bus vendors (last few years we had Pioneer Bus Company servicing our route) but I am hoping that the NYC Department of Education did not compromise on safety, service and reliability in order to prioritize cost savings.

Despite OPT’s assurances, our bus problems continued into the second week of school. While the issues have since been resolved (after considerable parent outcry, negative press and intervention by local electeds), I can no longer fully trust the bus company Grandpa’s Bus Company or that the OPT is putting the safety and security of its riders first. My older child has been riding the bus for few years, but my younger one who recently started kindergarten is now nervous about riding the bus. The OPT and bus company have the sole responsibility of getting students back and forth from school safely and on time.

For this the routes and stops should have been practiced day before school starts, not on the first day of school and continuing. Since making our experience with the bus public on in our school and on our parent groups in our school district I learned that the bus issues had impacted not only our school's bus routes but also other routes in school district 30 and across New York City.

Therefore **Int 89-A** – By Council Member King – to amend the administrative code of the city of New York, in relation to requiring the department of education to report average pupil transportation times, **Int 451** - By Council Member Dromm - to amend the administrative code of the city of New York, in relation to the creation and distribution of a school bus bill of rights and **Int 1099** - By Council Members Kallos, Treyger, Deutsch, Brannan, Yeger, Dromm and Ulrich - to amend the administrative code of the city of New York, in relation to requiring the placement of two-way radios, cellular phones and tracking devices on school buses are timely, much needed and have my full support. Thank you very much for reading this.

Testimony by Matt Berlin, Senior Consultant, The ICA Group  
Before the New York City Council Committee on Education

October 16, 2018

Good afternoon.

My name is Matt Berlin. Between 2009 and 2013 I was the Executive Director of the Office of Pupil Transportation. Since leaving OPT I worked briefly at Tweed, was the General Manager of Citibike and returned to work as a corporate CFO.

I am supportive of the Council's efforts to create more transparency in the way school busing operates and to improve reporting about school bus service.

Regulation and reporting are important. But my experience in school busing suggests that some of the problems of poor bus service are the result of a system that systematically excludes families and educators from the design of the service. In a world where everything has changed, school busing in 2018 looks a lot like the service did in 1968.

I believe that the reason there has been so little innovation, the reason why service is often poor, is that the people with the most information about how the service should work – the workers who interact with kids, the families, the schools, even the advocates who care about children and the environment – they are systematically excluded from school busing. School busing in New York involves administrators in the DOE talking to school bus company owners and their office staff. I know because I was part of that system, and it is ineffective. A better way is to focus on helping families, workers and schools cooperate to deliver better service.

A year and a half ago I joined the ICA Group, a small consulting firm in Massachusetts that specializes in worker ownership. As part of an initiative funded by the City Council to promote employee owned businesses, ICA is working to create the nation's first cooperatively owned bus company: A transportation firm owned by its workers and the families they serve.

We are working closely with members of this City Council, the National Resources Defense Council, League of Conservation Voters, Sierra Club, Align, Advocates for Children, IncludeNYC, The Interagency Center, NY Lawyers for the Public Interest, NY Communities for Change, The Center for Family Life, ATU 1181 and others. We take as a model the Bronx's Cooperative Home Care, a \$60 million home care agency that has provided superior service in a difficult industry for forty years. Cooperative is highly regulated, it is successful in an industry with tight margins, it has managers and work rules and people who get fired for not doing their job. What distinguishes Cooperative is that it provides exceptional service to its customers by focusing on supporting front line workers. And in addition to providing exceptional service, it retains wealth to the communities where it operates and fosters innovation in homecare nation-wide.

As part of our efforts we have completed our business planning. We have begun to schedule meetings with families, the first such meetings ever, meetings I should have chaired when I ran OPT, to discuss how they would like to improve busing. And the mechanics we have spoken with have pushed us to focus on electric busing and we are convening our environmental partners to guide our electric bus purchases.

We welcome this committee to join other members of the City Council to join us in our efforts.

Thank you.



October 16, 2018

New York City Council

Committee on Education

City Hall

City Hall Park

New York, NY 10007

Re: NYC DOE School Bus Issues

City Councilmembers,

Our daughter Sally N. Kabel passed away on September 19<sup>th</sup>, 2018 at the age of six after battling numerous health challenges for the majority of her short life. She had a complex medical history including infant leukemia at the age of 10 months which included two years of intense treatment that led to seizures, three broken bones and a weak immune system.

Sally attended Pre-K in 2016 following cancer treatment, and developed epilepsy as a result of the cancer treatment. Also while there she had pneumonia three times. After the third occurrence, she required continuous oxygen support via nasal canula and on July 10<sup>th</sup>, 2017 Sally was medically approved to return to school. Her Pre-K, William O'Conner Midwood, informed us she would require a 1:1 nurse and bussing changes. I called the District 20 office and was told it would take weeks to get the paperwork done. She would not be able to attend school for the summer, but everything would be in place for her to begin school in September 2017.

At this time I did not understand why it would not be possible to have a change on health status and take weeks to be able to attend school again, even though she was medically cleared.

All paperwork was approved by August 14<sup>th</sup>, 2017 and Sally was assigned a nurse. Sally would attend Manhattan Star Academy on Manhattan's Upper West Side, with school beginning at 9am.

On September 7<sup>th</sup>, 2017 Sally was sick the first day of school. A day earlier I left a message for the bussing company and nurse notifying them that she would not be attending school the first day.

On September 8<sup>th</sup>, 2017 the bus arrived at 6:45am, but her nurse did not. I called OPT because Sally's start time was 9am and she had limited time travel. I called several times over the next few weeks regarding her limited time travel and rerouting. Each time I explained that Sally was

medically fragile, had a nurse and both oxygen/CPAP. Every time the conversation only addressed speaking with the router.

Also on September 8<sup>th</sup>, Horizon Health called to notify me that they had reassigned Sally's case. On September 11<sup>th</sup>, 2017 I received a voicemail from Milagros, the nurse from Supplemental Health, notifying us that she had been reassigned. Sally could not attend school without a nurse.

It took until September 25<sup>th</sup>, 2017 for Sally to be reassigned a nurse. I called OPT again to address Sally's limited time travel for bussing. I had in previous calls gone through all her transportation needs, limited time travel, oxygen, AC and nurse. This time OPT notified me that Sally could get on the bus, but the nurse could not. A code was missing which would allow the nurse on the bus. I made the same detailed call several times over for almost three weeks. This was the first I had been informed of the need for an additional code for the nurse.

OPT explained after the error was changed in the DOE system it would take two weeks for it to update. My husband and I began transporting Sally from our home in Bay Ridge, Brooklyn to Manhattan Star Academy on West 68<sup>th</sup> Street in Manhattan for two weeks where our new nurse would meet us.

On October 10<sup>th</sup>, 2017 the bus finally arrived to pick up Sally and her nurse, however they did not have a car seat for her. I followed up with the DOE to fix this safety issue, but the coding for it was never fixed. The bus company thankfully added a car seat due to the urging of the bus matron for Sally's safety.

Over the next year I tried to address the long commute with both the DOE and OPT with no success. Sally had many illnesses and hospitalizations, but she loved school, learning and her class friends. She was so excited to get on the bus to go to school, and so upset to get off the bus at home!

At the end of June 2018 I received the paperwork for September. Unlike the Turning Five process, Sally was now at the private school. There were no end of year meetings. There was no point person to ask questions and receive documents. I made several attempts in the previous year to address the bus time limit issue and have a car seat officially added with no success.

The new summer bussing company refused to give her a car seat without a code. I emailed expressing how dangerous sitting in a large bus seat was for Sally's breathing challenges. The issue was not fixed. Her nurse sat and bolstered her into the safest position she could and monitored her closely.

This should not have had to happen.

Sally was very sick at times, keeping her alive was our number one priority, as was working with specialists to diagnose and treat her. School was her happy place. Psychologically she needed it to stay positive and keep going.

It was challenging to find and figure out who would receive her 2018 paperwork. By August 15<sup>th</sup>, 2018 I submitted Sally's paperwork. On August 30<sup>th</sup>, 2018 I started emailing the DOE because the coding was incorrect again, nursing staff was short.

Again, Sally could not begin schooling. Sally turned six on September 11<sup>th</sup>, 2018 and did not get to celebrate her last birthday with her friends at school. On September 15<sup>th</sup>, 2018 we brought Sally to the NYU Langone (Manhattan) emergency room and she went into septic shock. Sally died on the afternoon of September 19<sup>th</sup>.

The doctors at NYU and Memorial Sloan Kettering over the years did everything they could to save her and give her the best quality of life they could. As a mother I can forgive medical science for not having the knowledge and advancements required to save her life. They did everything they could.

What I cannot forgive is the system for making it so hard for us to send Sally to school, her happy place that she needed more than ever. There needs to be a central communication system. A code entered today in the DOE should be seen by OPT that same day. If your child attends a private school they should be provided the same access to DOE support. The medical paperwork is inadequate and confusing for doctors to fill out. This needs to be changed. As a parent, I should never have to fight to educate an employee at the DOE about coding. If your child is under height and weight safety guidelines a car or booster seat should be provided, especially a child with medical needs. I spent hours on hold trying to address routing and timing issues.

As parents we entrust the safety and well-being of our children to you.

You failed Sally.

You have failed too many. I spent countless hours and days the last month of our daughter's life battling to get her back to school where she could be happy. Those are hours wasted that should have been spent with her that we can no longer have back.

No parent should ever have to endure what we did ever again, the system needs to be fixed. Now.

Sincerely,

Nicole I. Kabel

Mother of Sally N. Kabel



Testimony of

Jennifer March  
Executive Director

Presented to the  
New York City Council  
Committee on Education

***Oversight: DOE's Office of Pupil Transportation***

October 16, 2018

Good afternoon. My name is Jennifer March and I am the Executive Director of Citizens' Committee for Children (CCC). CCC is an independent, multi-issue child advocacy organization dedicated to ensuring that every New York child is healthy, housed, educated, and safe.

I would like to thank City Council Education Chair Mark Treyger and all the members of the City Council Education Committee for holding today's hearing on DOE's Office of Pupil Transportation. CCC remains grateful to the City Council and the Administration for their long-standing commitment to strengthening and supporting the City's public school system serving over 1.1 million students in over 1,800 schools.

We strongly support the legislation under consideration today which would require the Department of Education (DOE) to report on the policies, procedures and practices of the Office of Pupil Transportation including average pupil transportation times, school bus drivers and attendants, investigations, and services, as well as the creation and distribution of a School Bus Bill of Rights.

As the DOE and the City Council move forward with efforts to increase transparency in and strengthen the school transportation system, we echo recommendations made by our colleagues at Advocates for Children asking that the reports resulting from these bills be required to disaggregate information specific to different student populations, including children living in shelters and children in foster care, in addition to students with disabilities. We also recommend that the City Council and the DOE take additional steps to ensure that the needs of the most vulnerable students, including children living in homeless shelters, children in foster care, and children with disabilities, are addressed.

As you may be aware, CCC is a co-convenor of the Family Homelessness Coalition, a coalition representing service providers, housing providers, children's organizations, and advocacy organizations, working to advance a coordinated, multi-agency, collaborative effort in New York City focused on the needs of homeless children and their families to prevent homelessness where possible, improve the well-being of children and families in shelter, and support the long-term stability of children and families who leave shelter.

We therefore support recommendations that would increase coordination among City agencies that play a role in facilitating transportation options for students living in shelters, including the creation of an interagency task force to address the barriers to attendance at school and after-school programs, as proposed in Int. 150-2018 sponsored by Council Member Levin. We also encourage the Administration to create a protocol to facilitate coordination between the DOE and the Human Resources Administration (HRA) to streamline the provision of bus service for students living in domestic violence shelters.

We urge the Administration to provide bus service to children living in conditional shelter placements while a shelter eligibility determination is pending. Currently, a family must wait 3 to 5 weeks for shelter eligibility to be determined before the DOE will arrange for yellow bus service for school age children. This policy leads children and families who are already experiencing disruption in their home environment to also experience disruption in school, including in some cases frequent absenteeism. Similarly, we strongly recommend that the City

develop strategies to ensure that children living in shelters who are enrolled in the City's 3-K and Pre-K programs be provided with yellow bus service to minimize disruption when they enter or transfer shelters. For many families experiencing housing instability, schools, early education and after school programs offer a safe and familiar support system for children and parents, and disruption has a cumulative impact on not only their education and development but also their health and well-being.

We urge the City to increase collaboration with the Administration for Children's Services to ensure that children in foster care are able to remain in their school of origin and arrive to school safely. We also recommend that the DOE ensure that children in foster care who are in kindergarten through sixth grade are provided with bus service or other safe and direct transportation alternatives. Under current policies and practices, the Department of Education only guarantees bus service to students in foster care who have special transportation recommended on their IEPs. Other students in foster care must apply for busing through an "emergency exception request" form, which are often denied. 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 also echo calls for a more streamlined process when recommending transportation accommodations on students' IEPs and urge the DOE to take steps to ensure that the Office of Pupil Transportation is facilitating coordination between schools, 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.

In conclusion, we greatly appreciate the City Council's commitment to education and seeking to ensure every New York City student receives a high-quality education. We are thankful for the commitment put forward by the Administration and the City Council to address the longstanding challenges that stand in the way of providing children and families with safe and reliable transportation to school, and hope that every effort can be taken to ensure the needs of the most vulnerable children served in City public schools are met.

Thank you for the opportunity to submit testimony.

Testimony

Of

**Chad Tindel**  
**Parent of New York City Kindergarten Student**

before the

**New York City Council Committee on Education**

On

**Int 1099-2018 and T2018-3003**

October 16, 2018  
250 Broadway  
New York, NY

Chairman Treyger, and other members of the committee, thank you for inviting parents here today to speak on the proposal by Mr. Kallos to equip school buses with GPS tracking devices and to make that data available to schools, parents, and caregivers.

I strongly support the passage of this legislation. Our oldest child started Kindergarten this year and due to the strange way that district 24 in queens is laid out, the closest G&T program is a 1 hour and 20 minute school bus ride from home. Of course with the normal variance in NYC traffic, he might get home any time within a 30 minute window. Waiting outside with his 1 and 3 year old brothers for the bus to return is trying enough on a day with nice weather, but as winter approaches we are dreading the afternoons that are freezing cold or snowing (which likely will increase the variance on bus driving times as well).

As someone new to the world of public schools in NYC, I was shocked to find that he had no bus assignment until the second day of school, that there was no way to track the bus on its route, that nobody at the school could give me a good answer for what happens in the event of an emergency or if the bus breaks down. I've been able to watch uber drivers approach my location for 7 years now, I can see real time snow plow information for my street, why can I not watch my child's school bus approach the stop?

There are so many vendors already providing this service in other places like "TrackSchoolBus", "Here Comes the Bus", "Yellow Live", and many others. The technology problem is solved, all that remains is for us to have the political will to get it done. For the sake of the hundreds of thousands of parents of NYC school bus riders, I hope we can get it done!

Thank you for your time.



Council Member Kallos:

I would appreciate if you would add the following statement to the official record for tomorrow's hearing on OPT/busing/bus tracking.

My 11-year old daughter has attended non-public special needs schools in New York City since she was four years old and has taken a mini bus to school every year since that time. I cannot remember a time when the system was not plagued with problems, particularly at the beginning of the school year. This year was no exception. September had not even ended yet and the bus had already dropped my daughter off over half an hour late to school on two separate occasions and broken down on two other occasions. This is simply shameful. Not only does this cause my daughter, who is already dealing with a lot of issues, anxiety, but it forces me to scramble in the morning, change my schedule to take her to school, and sometimes pay unnecessary costs for transportation to ensure that she does not arrive at school unacceptably late.

This pattern has repeated itself every year with slight variations. A few years ago, my daughter was placed on a bus that started off at a very early hour by picking up classmates in Brooklyn, swung over to the upper west side where we live, and eventually dropped the students off at school on the upper east side. To make matters worse, the bus was taking a roundabout route to get from Brooklyn to Manhattan to avoid a direct route that had a toll. Not surprisingly, the bus consistently arrived at school well past the start time. This pattern continued until enough parents complained to OPT and the route was changed.

These are the issues we have been dealing with for years. Attention must be paid to this persistent problem that will not be fixed until the government steps in. Moreover, a school bus tracking app, while not something that would resolve these problems, would go a long way towards assisting parents in knowing where their child is and how long they will have to wait until the bus arrives. It would help to alleviate the stress and frustration that comes with waiting endlessly for a bus often with poor communication from the driver and matron.

If I can provide additional information or assistance in addressing this matter, please do not hesitate to contact me.

Thank you,  
Abigail Levy  
Parent  
(917) 558-3964

Good morning,

I just found out (a little late) about the hearing for OPT so I won't be able to appear in person and I know this written testimony (written on the run) may be a bit late but I am hoping it will be of use in the process.

My son, (dob 10/2004) is severely disabled both physically and developmentally. I have always told my friends that one of the many stress-inducing aspects of my daily life with him is dealing with OPT and the bus service. The beginning of the school year in September and the summer program are times to brace myself to see how delayed or disorganized the bus service would be and just pray that I would luck out and get a nice driver with a normal route. This barely ever happened. The delays were numerous, many buses didn't have the AC that my son required to prevent seizures (and which was on his IEP), and although we had some really nice drivers over the years, there were many that were so rude (and sometimes volatile) that I wondered how they were allowed to work with my son's population.

There is one particularly harrowing story that I would like to share that exemplifies the dysfunction of the OPT system. One bus driver during a summer program (I believe it was the summer of 2017 but I would have to double check my notes to confirm) that would bang doors, grab my son's poncho and throw it saying "he doesn't need this s\_\_t", told my son to "shut up", and loudly stated repeatedly that my son was the most annoying kid in the world (since my son is disabled he vocalizes like a baby but in the body of a big boy). He also threatened our respite worker when she put her head into the bus to see if the AC was cold and to get my son. I complained repeatedly to OPT and to the bus company regarding the driver's attitude and the lack of AC with no response. The same bus driver kept on appearing. It got so bad that my son's transport paraprofessional was so stressed by traveling with him and feared the driver to the point that she quit for these reasons. Even though we were assigned another backup paraprofessional, we ended up also fearing for the safety of my son and refused to put him back on the bus. We preferred the inconvenience of dropping and picking him up ourselves by traveling on the MTA bus (from 28 East 22<sup>nd</sup> Street to 101 West 116<sup>th</sup> St) than to risk his safety with the ill-tempered driver. We were able to use the MTA bus because it was the summer and the weather permitted us to wheel him over to the bus stop and wait for the bus but if this incident had happened in the cold, snowy weather, my son would have had to miss school because we wouldn't have had a safe bus to take him to school.

I have many other stories to share regarding the many delays and the inefficient (sometimes almost absurd) routes that we experienced over the years. But I wanted to share this one incident to highlight the lack of training and supervision of the staff that works with our children on the buses, as well as the unresponsiveness of the system to our complaints to keep our children safe.

If you have any questions or would like to reach me, you can reach me at [linda@colanyc.com](mailto:linda@colanyc.com) or at 212-677-2915.

Thank you for listening,

Linda Larach

28 East 22<sup>nd</sup> Street

NY NY 10010

My name is Jasmine Tay and I am writing in support of the proposed bill to add a communication and tracking devices to school buses. I feel strongly about this issue following an incident in 2017 involving my 5 year old.

On April 10 my son was to be picked up from PS 333 Manhattan School for Children on the UWS at 2:52 and brought to his home on the UES. The bus was late to arrive at the school, eventually picking the students up at 3:45. After one hour of waiting for the bus to arrive at home, I contacted the OPT to find out the status and found out the bus was in Brooklyn as the driver thought the address was a Brooklyn address. My son arrived home at 6:30pm - 3 hours after he normally does.

Throughout this time I was not contacted once by the bus company to advise me that the bus was late, or that my child was in Brooklyn. Additionally, the bus company refused to provide an exact location, despite being in direct contact with the driver.

This incident should not have happened. My son should not have been taken an hour away from his home, to another borough, without our knowledge and with no contact from the bus company once the error was realized.

I urge you to take into account this testimony and implement this technology to improve the integration and communication between OPT, parents and contracted bus companies. This will have a direct impact on the safety of all children who ride the bus.

Thank you,  
Jasmine Tay  
6466710927  
[Jaz.tay@gmail.com](mailto:Jaz.tay@gmail.com)

Office of Council Member Ben Kallos

16<sup>th</sup> October 2018

**SUBJECT: Formal complaint of OPT, Bus Conditions and support of Bill 1099-2018**

Dear Sirs,

On behalf of a group of parents of the Upper East Side, we hope this letter finds you well and that the new school year brings great results for our kids and teachers alike in all our shared endeavours as always.

We would like to start by thanking the very recent efforts by the newly appointed Head of OPT, Mr. Kevin Moran for his support in looking to address our challenges experienced along with Mr. Uri Fraenkel.

We are a group of about 30 parents on the Upper East Side of Manhattan who all attend Chelsea Prep PS 33 and are serviced by the M9280 bus in the afternoon and M1278 in the morning.

Since the start of the school year we have had terrible challenges with our bus system affecting, not just the almost 40 children, but the knock on effect for their siblings, parents, grandparents, caregivers etc.

Moreover, we as a parent body, are very seriously concerned with the very real and concerning effects the ordeals were having to our children's health as most had been complaining of nausea due to the extremely long journeys, wait times, and trips in unbearably hot buses with no air conditioning. We have had a few children vomiting, several children completely soaked with perspiration when they exit the bus after an almost 2 hour journey, and some of the children are kindergarten grade who struggle to go that long without use of a toilet.

This does not begin to mention the challenges we have all faced in the afternoon of missing "paid for" after school programs, siblings being late for their other activities while we wait for their brothers/sisters for over 70 minutes in some instances, older caregivers waiting at the side of the street for hours in extreme weather conditions, unknowing if the bus is simply late, broken down, nearby or still at the school.

There have also been challenges for children to attend to their homework as they now arrive around 5pm after a school day, exhausted and unable to address their studies due to nausea, which begs the question to the benefit of putting the kids through this daily ordeal for learning, when they are being hindered in their efforts!

On a positive note, despite starting the school year where system was so badly and incredibly broken, a lot of recent activity mainly due to the quick and thoughtful actions of the new Head of OPT Kevin Moran has seen positive change on the timings of our route for the time being.

However this came about due to a collective effort from our combined group of parents, communication between us, and a simply wonderful administrator who cared, listened and thought to make a few changes.

Unfortunately, the challenges with bus services are wider than I believe these issues speak of.

Since the start of the school year, our afternoon bus again has suffered at least 5 "mechanical failures". While we accept that these things can happen as we are not unreasonable people, we question why the fourth occasion in three weeks was noted and observed at 2.20pm, a mere 10 minutes before dismissal, when the buses should be outside the school. A replacement bus is not located for some time and the bus has then to travel from the depot to the school. Needless to say we only saw the kids home just before 5pm (again) and on raising a challenge with the OPT, who blame the bus company, or with the school, who blame OPT for late notification, we wonder how an already proven faulty bus can remain in service, or not be checked earlier in the day, or we as a parent body not be informed until closer to 3pm with no information other than the bus is 45 mins late. The kids have to wait around over an hour, and then an hour or so bus trip in a very hot humid un-air-conditioned bus that is more akin to a sauna than a proper mode of transport.

The lack of coordination between the school, OPT and the bus company seems staggering, and the inability to properly address the challenges of parents with their concerns on the one thing that is most precious to them all in this World i.e. their children, has shown itself to be nothing short of completely incompetent and moreso uncaring.

These are elements that can be addressed, structured properly, organised, and developed in a timely manner.

I would also contest that communication and liaison needs to be affected better, so that one central point has oversight and you can no longer be pushed from pillar to post.

Not being unrealistic, we accept there are counter arguments, processes and budgets that come into play with each of these arguments, but we also believe that we need to outline and strive for these elements for several obvious reasons, with health and safety of the kids paramount to these.

The main points we believe are critical to be raised and discussed, other than the common sense of proper structuring and communication are as follows:

Air conditioning - it is without reason that we expect our children to persevere in incredibly hot stuffy buses that have no air conditioning at all and are often stuck in traffic and less than smooth rides for up to ( and in some cases over) 1.5 to 2 hours. I have personally seen several children getting off our bus completely soaked in perspiration, others literally turning green with nausea and still others who have succumbed and were ill and vomited. I know these are changing weather patterns these days and heat will be the issue in a few short months, but the reality is that adults would not suffer these conditions in a short subway ride yet we expect our kids to tolerate these conditions, then jump off a bus and suddenly turn around impeccable homework!

GPS - In this day and age the majority of public transport has a form of tracking and ETA for waiting passengers to understand wait times. The lack of a tracking system ensures we have several elderly relatives and caregivers waiting by the side of the street in extreme conditions for an hour or more as we have absolutely no idea whatsoever where the bus is or if it is close by or has even left the school. While there are some children that have tracking devices on their phones or watches, our issues are enhanced on days these very kids are not on the bus or they have reached their destination so the rest

of us are flying blind thereafter! These cargo are our most precious items and not knowing where they are or when they may return is difficult when there are easy alternatives to have this addressed.

Bus company -there is little need to point out to you that it would seem there is little ability for the OPT as a company to hold the vendors (bus company) accountable for delivering a service efficiently and on time while also ensuring there are enough sanctions to hold them to a proper standard. From all we have learned the ability for the router to hold the bus company to task and to address inadequacies or demand a proper and timely understanding of the state of the buses is not existent. It is abundantly clear that there is a very bad need for a complete revision of the terms of the contracts with your vendors at the bus company and to hold clear and definitive structures for reporting, updating and communicating

The current communication system is bureaucratic, archaic and does NOT function. The golden response that information will be updated on the website as it occurs is a myth and parents are literally the last people to know of an issue with a bus a few hours after the fact! There are several layers to address in alerting a bus issue when the system can very easily be addressed to be more streamlined and direct.

Ownership - Currently the system is widely dispersed enough to allow one side lay blame with the other with a result that any concerned parent is passed from pillar to post. The structure needs to be revised and a direct owner to be able to develop a result and communicate it.

Having led the conversations on behalf of over 45 of the parents on the Upper East Side bus route, I have come to appreciate a lot of the structures and challenges, and coupled with my own business experience, identify a lot of easy wins and common ground that can be met. I am available at any stage to assist in any way I can in achieving our common goal for our children.

May I apologize for the length of the mail, and I hope you will forgive the tone in some instances, but please know I have tried to be selective on the several challenges and concerns so that we can try to pinpoint what can be and what needs to be addressed.

Thank you once again for your very kind consideration and I wish you a great long weekend.

Many thanks.

Regards,

Kieran Foley.

Representing over 35 families on the Upper East Side attending PS 33

Tel: +1 646 420 7899

Mail: Kieranfoleyis@hotmail.com

Dear Mr. Kallos,

I understand there is a NYC Council Committee on Education hearing on the Office of Pupil Transportation tomorrow, which we cannot attend due to our work schedules. In lieu of attending in person, we respectfully request that you add our written testimony below to the official record.

Our seven-year-old daughter has been provided busing by OPT to and from school since she was four years old. This service has been critical to her educational success, as she has significant and global developmental delays which manifest most prominently in limited communication skills. Up until July of this year, our experience with OPT has been good -- pick-up and drop-off times have been reliable, and bus matrons have been proactive in informing us of delays and supportive of our daughter's needs. There are hiccups at the start of a new school session, but these have generally smoothed out after the first week of two. Since then, bus service has been unprofessional and extremely frustrating.

In July of this year, my daughter was assigned a new route for the summer session. Her 1-hour Limited Travel Time (LTT) mandate, supported by her pediatrician, had been dropped from her file without warning to us. This resulted in many commutes that exceeded 1 hour, several going as long as 2 hours. Despite many complaints to OPT, this was resolved just as the summer session ended, after 2 months of our child enduring horrendously long commutes - many times she had a toileting accident on the bus (she has not fully achieved toileting skills) or had to skip a meal due to lack of time between drop off at home and bedtime (we track her meals to make sure she keeps her weight up).

Since the start of the school year in September, we have been given no pick-up time or drop-off time from our daughter's bus company or driver. The bus shows up anytime within a 35-minute window in the morning and anytime within a 1.5 hour window in the afternoon, with no notification from the attendant or driver. The matron speaks no English, which requires the driver to answer when we call to inquire about timing and puts the safety of all children on the bus at risk. We have filed multiple complaints, including the exceeding of our daughter's 1-hour LTT mandate and risks to safety due to driver misconduct, with no promise of improvement.

Basic standards, such as ensuring English skills in attendants, mandated provision of attendants' cell phone numbers, and GPS tracking for caregivers, should be implemented to support the well-being and safety of our city's most vulnerable children. And a clear and responsive escalation path for concerns would reassure parents that OPT indeed takes these interests to heart.

We're happy to share more details about our experience. Appreciate your consideration.

Best,  
Ulka and Scot Campbell

Good afternoon,

I am writing this on behalf of my son. An autistic, non-verbal toddler who cannot speak for himself. A happy, trusting boy who depends on bus services to transport him to school so he can receive valuable services that may one day help him to become a productive, independent adult. Our bus system as it now stands is failing our children. As a working parents I cannot be on the front lines of this battle as I would like to be to fight for what these children deserve. The bus companies receive money on a daily basis to transport these children safely from their homes to learning environments. Often these conditions are not adequately staffed and buses are overcrowded with more children to ratio of adults that can be safely evacuated from the bus in the event of an emergency. The buses are run down, often without adequate cooling and heat. These children endure dangerously hot conditions in the summer and cannot verbally express they are in danger of heat stroke, which can result in organ failure and death. In the winter they wear coats in their car seats because it is freezing on the bus for lack of heat which according to the American academy of pediatrics and the department of motor vehicles, is a life threatening danger to wear bulky clothing in car seats. These car seats are also run down, the straps cannot be adequately fastened to ensure the safety of the children in an accident. This causes panic for parents who entrust the department of education with their precious children. Often forcing us to spend money on tracking devices to give us some kind of peace.

I implore you to hear the testimony of parents of children who cannot speak for themselves and entrust that we can make a change today to benefit the children in your care. We can stand up to bus companies who do not take the funds they are given to do what it is intended to do and instead line their pockets for financial gain and profit. This needs to end now. Our children do not need to suffer. Regulations need to be in place to ensure the car seats are up to date, clean and safe. Buses shouldn't be so out of date in 2018 that they constantly break down. It is a human right, not a medical accommodation to provide an atmosphere where children's health and safety on a bus is not at risk due to the negligence of bus company owners and it is our obligation to enforce that the funds given are being used accordingly to ensure the paramount safety of these precious children.

Thank you for your time and consideration of this matter.

Respectfully,

Samantha Costa



Written Testimony on the need for GPS Tracking in OPT busses.

Julia Garland  
221 McDonald Ave  
Brooklyn, NY 11218

My son, is a 12 year old boy diagnosed with several things, (ADHD, Non-specified mood regulation disorder, slow processing, ODD) but the one that effects his life the most is severe anxiety disorder. My son was assigned to a new bus route after his first few days of school for no reason that we were told. On 9/26 he boarded the route M998 at 6:30AM and did not arrive at his school until 10:45AM.

Because my son is 12, he had a phone with him and we were able to track his location and progress. I cannot imagine my anxiety (let alone his anxiety) if we had not known where he was for the extra almost 3 hours. 4 hours and 15 minutes is enough time to get to Cape Cod, who knows where they could have been. If I had not known where my child was through my own GPS devices I would have been in a total panic instead of just extremely upset and worried for him and the other students on the bus.

Even with the personal GPS information we had this was still an incredibly tense and anxiety producing event that is still effecting my son. But if we had known nothing... I cannot, I will not even imagine that scenario, it is too painful.

No person, let alone no child, let alone no special needs child, should ever be on a bus for 4 hours and 15 minutes just to get to school. Being able to fix these atrocious situations requires data. GPS data. My son was the only child on his bus at his school so when we

pulled him from the bus until things were fixed, OPT could not even tell me what time bus route M998 was arriving over the next few days. I had to find out the name of the other school on the route, call and explain myself to the kind receptionist, and ask for the arrival time from a school my son doesn't even attend. OPT was unable to get this information but I did at a ridiculous cost of time to myself.

I could go on about the continuing adverse effects of this horrible ride on my son but that is not the point of this testimony. The point is that no parents should ever be unsure of their child's location for over 4 hours. Technology exists to keep parents informed and to help routing. Use it. Get GPS into every bus the DOE uses.

**Testimony of Meghan Cirrito**  
**The New York City Council Committee on Education**

Regarding

**Int. 89-A, Int. 451 and Int. 1099**

**“Introduction of bills to improve school bus service overseen by  
DOE’s Office of Pupil Transportation (OPT)”**

October 15, 2018

Thank you Council member Treyger for convening this hearing, and thank you to the Education Council as a whole for engaging with community members to improve the education experience of New York City school children. Special thanks to my Council member Jimmy Van Bramer for his responsiveness throughout the the first few weeks of the school year as bus service was unreliable and unsafe. Additional thanks to Kevin Moran for truly listening to parents and implementing immediate corrective measures to school bus service. His actions have demonstrated that both he and Chancellor Carranza are serious about ensuring safe and reliable bus service for all students. I know Mr. Moran will need the full support of the City Council behind him in order to ensure his success in fundamentally changing the Office of Pupil Transportation for the better.

My name is Meghan Cirrito, I am a resident of Long Island City, Queens and Chair of the Gantry Parent Association, an education advocacy group that focuses on Long Island City. Students in Long Island City primarily attend schools in District 30 and many utilize school bus service.

I have two children - one is in 2nd grade in the public school system who has taken the school bus to Astoria since Kindergarten. My younger son will be in Kindergarten next year and my family hopes to utilize the school bus for both boys.

In addition to speaking for my own family today, parents in my community have asked me to speak on their behalf, as well. Many families in Long Island City entrust their children to the Department of Education and the Office of Pupil Transportation each day. As a community, we support the proposed bills that call for improvement in oversight and reporting of the school bus experience. In addition, we believe it is imperative to make immediate technology upgrades to the buses themselves.

This year was not my first year as a parent dealing with a rocky start to the school year with the bus. Each year there are delays and confusion. The expectation from parents and school administrators is that school buses will not have made practice runs prior to the start of school, drivers will not know the routes, and that students will not necessarily have an assigned bus stop. Each year this chaos is expected and considered by the OPT, DOE, and bus companies to be completely normal and acceptable. It is not. The debacle with Grandpa’s Bus Company at the beginning of the current school year only underscores how deeply flawed school bus service in New York City truly is.

My son's school year began with a no-show school bus on the first day of school. Parents at our bus stop scrambled to help each other get the kids to school - one parent offered to arrive to work late so that others could attend scheduled meetings or clock-in to work so as not to lose income. We were instructed by the school administration to pick-up our students directly from school, as they could not guarantee the bus would be available to bring them home again in the afternoon. Again, families were forced to make last-minute and, in some cases, expensive accommodations to make sure their children arrived home safely. By the end of the first week, afternoon bus service appeared to be more reliable. The next week, the morning bus began to arrive. Unfortunately, my son and his schoolmates were forced to endure a 3 hour bus ride in blistering heat on Monday, September 17. Parents were feverishly trading messages on our WhatsApp group to determine where the bus was and where our children were located. Literally, for hours OPT and the school bus dispatcher were unable to give us an answer as to where our children were and if they were safe. My son reported that children with cellphones contacted their parents for reassurance and to provide location information and Kindergarteners were in tears, desperate to get home after only a few days into their first days in elementary school.

Parents consistently encountered long waits when calling the OPT - waits that were maddening not only because they were long but because the OPT was the only link to our children's physical location on some mornings and afternoons. While the OPT has a process in place - call, file a complaint, the OPT contacts the bus company, and the parent follows up with a complaint number - this process doesn't work in real-time and it certainly doesn't work when the bus company is absolutely derelict in their duties.

In my opinion, Grandpa's Bus Company failed completely at providing safe and reliable school bus service. Their drivers were untrained and unprofessional. Their vehicles are outdated. Their leadership is completely absent. Even making the front page of *The Daily News* failed to shame the owners and management at Grandpa's Bus Company to make immediate changes to their service model in order to ensure the safety of our children.

I strongly urge the City of New York to reevaluate bus contracts and renegotiate the terms of service with current bus companies and the drivers' unions. This Fall has shown that business as usual in school bus contracts is putting New York City school children in danger. The leadership of the Education Council is desperately needed to make the important changes in these entrenched bus company relationships. School bus companies will not become more responsive, organized, or responsible unless their hand is forced.

Therefore **Int 89-A** - By Council Member King - to amend the administrative code of the city of New York, in relation to requiring the department of education to report average pupil transportation times, **Int 451** - By Council Member Dromm - to amend the administrative code of the city of New York, in relation to the creation and distribution of a school bus bill of rights and **Int 1099** - By Council Members Kallos, Treyger, Deutsch, Brannan, Yeger, Dromm and Ulrich - to amend the administrative code of the city of New York, in relation to requiring the placement of two-way radios, cellular phones and tracking devices on school buses are timely, much needed and have our full support. Thank you very much.

Dear Council Members

My name is Goussy Célestin and I reside with my husband and two sons in Jackson Heights, District 25. Our sons attend school in district 2, as this is a school that serves both my son with special needs (ASD) as well as my neurotypical son. Our family is grateful to be part of a school community that recognizes and serves a neuro-diverse population of students.

I am writing to you in urgency regarding an issue I've been trying to mitigate and resolve with the Department of Education and Office for Pupil Transportation regarding bussing for my son since June. It seems that the DOE does not have a family-friendly policy when it comes to siblings commuting together on the bus, even if they attend the same school, particularly in my case where one of my sons has an IEP and the other doesn't.

My 8 yr old son, Evan is on the spectrum and attends the ASD NEST program at PS 19. My 5 yr old son, Isan just entered kindergarten at PS 19. Evan gets bussing between our home and school, meanwhile Isan is not allowed on Evan's bus, nor is he to receive GE bussing. I am currently commuting Isan in to school, after seeing Evan off at the bus in the morning; racing and shuttling between 3-4 trains to get my 5 yr old to school. Also, while I have been able to do so for these past couple of days of school, it will soon be impossible for me to commute Isan to school because of my work. My husband can not commute Isan in either, as he himself is a DOE teacher at a school in Harlem and leaves to go teach before any of us leave the house, due to his own commute.

I've gone through many channels to address this and the DOE's policy overlooks families like mine who have multiple children attending the same school who need bussing.

This policy does not bode well for someone with autism like Evan, who needs routine and the feeling of safety to not further trigger anxiety.

Recently, Evan's anxiety level has increased and my sense is its because of Isan not being with him. This is something that concerned me which I tried to help him navigate by talking with him before the school year started to let him process why they were going to school together but via separate ways. In my initial letter to Mayor DiBlasio, I shared that part of Evan's challenge being on the spectrum, directly relates to his social skills development and anxiety. Having Isan on the bus with him can serve to ease Evan's anxiety and help him socially and be more at ease. He very rarely talks to or even looks at the bus driver and matron when they address him. He rides the bus to and from school "in his own shell" (I know this because I often ask the driver and matron about his time on the bus). Isan's presence grounds him and keeps him present and less disconnected or "off in his own world" as the tendency can be with autism. This is one of the specific things his therapists at school have been working on with him. I'm concerned that adding to Evan's anxiety can impact his learning process.

Even setting my own logistical employment issues aside that this commuting/bussing issue causes, which are *very real* issues, because I do want to keep my job as a teaching artist/fellow educator- my concern for the boys' needs are truly at the center of this. How can Evan and Isan can ride the bus to and from school together, given the concerns I've shared? What is the process that can allow for Isan to ride the bus to school with Evan?

I am appealing to you to address this issue in a way that considers families like mine. I feel blessed to have a school that can accommodate both of my sons' needs, ASD and Neurotypical; a place where they both can learn and grow. PS 19 is family. But this commute/non-bussing policy for siblings is not only non-family friendly, my employment stands to be heavily impacted should I continue to commute Isan to school in the mornings, after seeing Evan off at the bus- the bus that is going to the same place I am taking 3-4 trains in rush hour morning crowds with Isan. Additionally, Isan's education is impacted on the days I have to travel for work and can not commute him. Please help. I have already reached out to Councilmember Dromm, Chancellor Carranza, and have written a letter to Hon. Mayor DiBlasio's office seeking help.

I am requesting that the DOE consider a provisional setting that allows for siblings traveling to the same school from the same home to ride the bus together, even when one is a special education, while the other isn't.

Please help get my boys together on the bus to school, so Evan can feel more secure and centered, so Isan does not have to miss school days while I work and so I can keep my job to continue caring for my family. That would be the utmost family affirming decision to make.

With Deep Respect,

Ms. Goussy Célestin  
89-10 35th Ave  
Jackson Heights, NY 11372  
917-701-6375

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**Cheers,**

Goussy Célestin

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Dear members of the Committee on Education,  
Thank you for your willingness to address the numerous issues facing special education transportation at the upcoming meeting [on October 16](#).

Although I am unable to attend in person, I wanted to express my support for the proposed Local Laws 451, 926, 929, 1099, T2018-2962, and Resolution 540.

I urge you to consider how special education transportation affects not only of the students involved, but also their families.

My son benefited greatly from therapeutic services and supports beginning with Early Intervention when he was an infant.

Although he is now a teenager, his diagnoses and disabilities have increased rather than decreased as he got older because more challenges emerged.

For him, receiving a free appropriate public education has often entailed attending specialized schools and programs that weren't available in our neighborhood.

As a result, he has been receiving transportation from the NYC Department of Education through the Office of Pupil Transportation for more than nine years.

We are incredibly grateful for the busing service, and have had the pleasure of working with a number of kind and caring bus matrons and drivers.

However, the feeling among the parents in New York, as posted on the message boards and listservs to which I belong, is to expect a lot of hiccups in school transportation at the beginning of each year.

Sometimes the bus never comes, or the student gets to school a few hours late, or it takes three hours to come home.

We parents have learned to anticipate that there will be these kinds of inconveniences and do our best to prepare our children for the unknown.

But children who are anxious or have sensory issues or have trouble being flexible or experience a variety of other difficulties cannot ever be prepared for these kinds of situations.

When the bus is two hours late, a student might arrive at school agitated and out of sorts, making the day's lesson often impossible for them to be emotionally calm enough to process and absorb. Or they might come home and lash out at a parent and perhaps refuse to do homework, which also has a detrimental affect on their ability to be properly educated.

As you recall, a few years ago there was a bus strike that affected thousands of students across the city. I was fortunate to be able to offer to drive and pick up a few other children in our neighborhood who also attended a specialized program with my son for students who have autism. But hundreds of parents were forced to scramble for alternative arrangements to transport and pick up their children from schools that weren't in their neighborhood, at great cost in terms of both out-of-pocket expenses and negative impact on their ability to continue to arrive at work on time and complete their shift or daily required hours.

Passing Local Law 1099 and ensuring that it is thoroughly implemented would give many parents peace of mind as well as essential information about where their students are after they have left the school property.

Such data would have been extremely useful for me on October 5, when my son's bus broke down on the way home from school. The matron called to alert me, but didn't know the specific address I should go to to find the bus and pick up my child.

During the hearing, I would be interested to hear from OPT about why there is little information available to parents that is actionable and useful.

We are told to ask our school but aren't directed someone in a particular role at the school, such as the school psychologist or transportation liaison or busing coordinator. It's possible the transportation liaison and busing coordinator are roles held by the same person, but parents wouldn't know.



So then a parent calls the school's main office, and many times the staff member answering the phone doesn't know who at the school deals with busing. The parent might then send an email to the principal and wait weeks for a response, if one ever arrives. Perhaps the parent will make a note to call to follow up if the parent doesn't hear back in a few days. But then that phone message might not be returned. And so on.

That is the process for simply obtaining a form for Limited Time Travel, air conditioning, a mini-bus, or other types of medically necessary accommodations.

What happens once the parent has had the student's doctor complete the form is anyone's guess. Where does the form go? Who reviews it? When is a request for medical accommodations discussed and approved, and by whom? How long is the review process? How will a parent know the outcome of this type of request? What is the appeals process if the request is rejected?

I have scoured the DOE's Standard Operating Procedures Manual for information about how this works, compared notes with at least a dozen other parents in person, and read numerous attempts to answer these questions on listservs and message boards.

Some advocacy organizations such as IncludeNYC have created info sheets about busing, but those don't answer all of our questions.

It is absurd that parents are forced to read the SOPM, effectively a DOE employee handbook for procedures relating to special education, to get information.

And yet that is what I have been doing up until a few months ago, when the new Chancellor updated the DOE website and *removed the link to the SOPM*.

As a result, parents are now sharing PDF versions of the SOPM they had the foresight to download (even though the site specifically said not to download any version as the document was being continuously updated, though that was put up by the previous Chancellor).

Parents are spending countless hours trying to work with a complex bureaucracy to get their kids to school -- students whose education and lives are already disrupted by their disabilities.

As I was writing this, my son walked in and said there was no air conditioning on the bus. He wears a back brace for scoliosis and a protective undershirt, and developed a rash today from sitting on the bus for an hour-long ride home in 82-degree heat.

I fought for his IEP to specify that air conditioning be provided as a medically necessary accommodation, but the replacement bus being used after his regular bus broke down last week doesn't have AC.

I then made yet another call to OPT to file a complaint. I have a chart I fill in each time I call listing the date, incident, complaint number and staff member who took my call. Since school started in September, I have called OPT on nine separate occasions to report violations including exceeding my son's limited time travel (as specified on his IEP), bus being 25 minutes late for pickup, and the above-mentioned breakdown and lack of air conditioning on the replacement bus.

Parents must be vigilant, proactive, and meticulous in keeping records.

This is just for the transportation related to getting our special needs students to and from school!

We are already exhausted from the work of supporting our children and their multifaceted needs in activities of daily living as well as in school, plus researching ways to foster their emotional, social, and physical well-being.

Thank you for your time and consideration.

Sincerely,

Amy Hochstein

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**Testimony for City Council Committee on Education Hearing on the DOE's Office of Pupil Transportation**  
**Elizabeth Van Horn, Program Manager, Court Appointed Special Advocates of New York City**

Thank you for the opportunity to speak with you today. My name is Elizabeth Van Horn and I am the Program Manager for Court Appointed Special Advocates of New York City.

The mission of CASA-NYC is to ensure that children in foster care have their needs met and rights protected; that they move out of foster care and into permanent, safe and loving homes as quickly as possible; and that young people aging out of foster care have the resources and support they need to live independently. Family Court Judges assign CASA to a case when they determine a child in foster care needs the additional support of a one-on-one advocate. Our staff and volunteer Advocates work diligently to help children and families navigate the many systems they come in contact with, both during and after foster care placement, including the education system.

CASA knows all too well how critical it is that the City address the gaps in transportation for students in foster care. One of the most important and challenging tasks of CASA advocates is to ensure that children have stability in their education during and after foster care placement. School has the potential to be an important stabilizing factor in the lives of children who are experiencing instability in every other area of their lives. For many children coming from homes where they have experienced abuse or neglect, school is a safe place where they have built community, experienced stable routines, and connected with caring adults and peers. When a child is able to continue attending their school of origin without interruption during foster care placement, school can provide a sense of consistency and stability in the child's otherwise chaotic life. Unfortunately, the existing policies and procedures related to school transportation too often add to the chaos and exacerbate the trauma of separation from family.

While the Every Student Succeeds Act and the Fostering Connections to Success and Increasing Adoptions Act require local school districts and child welfare agencies to collaborate to provide transportation and keep foster students in their original schools, existing NYC systems often make it difficult or impossible to do so.

Requests for busing through the DOE's Office of Pupil Transportation are often denied or take long periods of time. When bussing is not provided, caregivers are required to take children to school on public transportation. We have seen many cases where this requires crossing several boroughs and hours of travel in both directions, often with younger children in tow. It is very common for foster parents to be grandparents who may have difficulty navigating the subway systems, or to have competing employment or child care obligations. While students receive MetroCards for transportation, agencies don't receive full reimbursement for the caregiver's travel.

Children transitioning into care, moving from one foster home to another, and reunifying with family after foster care placement should be supported in these transitions as much as possible. The troubles of arranging transportation to school are an additional burden and add to the chaos for many. Determining a new school route can be a daunting task for anyone, more so for foster youth that have already experienced a myriad of changes. Having increased and more reliable access to transportation for youth in foster care would decrease the risks and increase their opportunity to succeed in school and adjust to new living circumstances. Even with the transportation resources that are available today, foster youth are often told to anticipate many days in the interim before bussing can be arranged. Youth often spend the time in between missing academic instruction or school in its entirety due to having to find alternative routes to attend their school of origin. Once they get behind in school, it is very difficult to catch up. This is why children in foster care are at such great risk of being left behind academically and have significantly lower rates of graduation than other children. Children in foster care need and deserve school stability and continuity.

One example is a family I have worked with for over five years. Ten year old, Jason, the eldest of five children, had been in foster care for 6 years. While in foster care Jason moved from school to school as he moved from foster home to foster home. Jason recently reunited in a shelter with his mother, and even though he has an IEP, arranging bussing became almost impossible. Maintaining his school placement and special education services was the focus of CASA's advocacy work, to ensure the transition home went as smoothly as possible. He missed the first few days of school because his bussing route still had not yet been determined. Once they were told that bussing had been arranged, there were several days when his bus did not show up. His mother could not afford to take both Jason and his 7-year-old sister to their separate schools as funding does not provide resources for her round trip transportation. The result was multiple days of missed school. Once morning transportation finally seemed to be working smoothly, several weeks into the school year, his bus did not show for afternoon pick up, and he had to wait at the school until after 5pm when a foster care agency staff member was able to pick him up in a cab and bring him home. In this case, the joy of reunification between mother and son was stifled by failure after failure in the school transportation system. This kind of situation can be prevented in the future if additional resources become available for transportation for foster care involved children.

CASA-NYC joins our colleagues in recommending that the City provide yellow bus service or other door-to-door transportation to kindergarten through sixth grade students in foster care, create feasible transportation options for students in foster care of all ages. We recommend that the transportation reporting bills under consideration require the DOE to report on transportation for students in foster care specifically.

Thank you. I would be happy to answer any questions you may have.



**The Citywide District 75 Council**

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**THE CITYWIDE COUNCIL FOR DISTRICT 75**  
**INITIAL REPORT ON THE BUSING SITUATION FOR CHILDREN**  
**WITH SPECIAL NEEDS ENROLLED IN D75**  
**OCTOBER 16, 2018**

Since the existence of District 75, there has always been issues and problems with the school busing system. The problem has been aggravated with the increase in student population throughout the years. District 75, which is different from Special Education, educates the most severely challenged children in The City of New York. Children with conditions like Cerebral Palsy, Down syndrome, autism, blindness, multiple disabilities, developmental disabilities and similar conditions are being educated in the only school district in the nation that specializes in the education of children with the above-mentioned conditions. The Citywide Council for District 75 represents the parents and students in District 75, and it is an advisory body to the Chancellor of the Department of Education of The City of New York.

As per our estimates, 95-98% of children enrolled in District 75 are transported daily from and to school in the yellow school buses. This makes the population of students in District 75, the most vulnerable to issues and problems the buses have.

For instance, there are children with IEP mandate not to travel more than 60 minutes each way, to and from school, and although most IEP mandates are being followed, there are several students who wait for months to have this mandate followed. In order for a student in District 75 to have restricted time to travel a medical reason must be submitted to OPT, by either a Pediatrician, or a Neurologist, making this restriction a health issue.

There are also children who are enrolled in District 75 who require a nurse to accompany the student on the bus; however, the Office of Pupil Transportation (OPT)/yellow-bus companies, sometimes takes several weeks, if not months, to accommodate the students. If a student requires a nurse to accompany her/him on the bus, it is because of a health issue, serious health issues.

District 75 also have students who are non-verbal, which makes to file a complaint much more difficult. Parents rely on physical inspection to see if their non-verbal children are hurt, scratches, black and blues, scrapes, have been noticed by parents who cannot get a straight answer from drivers, matrons or school personnel, leaving the parent wondering where the incident happened and more important, what happened.

District 75 also have student who are wheel chair bound, and in case of an accident, those children are strapped inside the bus. Parents believe OPT has the strategy to save their children in case of an accident or fire, but it is not known to the public or the parents.

Parents from District 75 call the bus companies that transport their children to find out why a bus is late, or worse, where are their children when it is after 4:00 p.m. When that does not work, they call and complain to OPT, which is the procedural way OPT has told the parents to follow. Parents get complaint numbers and many parents have so many complaint numbers about the same issue that they collect them. Many times the Citywide Council for District 75 have received reports from OPT with declining number of complaints, but at the same time, our phones ring off the hook with complaints, which means that complaints do not decline, but increase.

Parents complain about the way children are left on buses after the bus route has finished and buses go to their depot. Parents complain about the way children are not being dropped off at the right address and the way drivers and matrons treat the children. Parents complain about how late children reach school missing the first, and sometimes the second, period of classes, on a daily basis. Parents have voice their frustrations complaining to OPT, with no results whatsoever. There have been times when OPT has blamed the school and the school blames OPT for these debacles.

For more than a decade, the Citywide Council for District 75 has held public meetings, public hearings, have dedicated Calendar Meetings, to listen to the parents' complaints about the issues mentioned above and more.

In 2017, the Citywide Council held Public Hearings in each county of the City of New York. Many parents attended the Public Hearings and the hearings confirmed the severity of the situation regarding busing. There was a mother in attendance who, with tear in her eyes, begged the Council help her because her daughter has a condition that her heart could stop if she is not taken care constantly, the reason for a nurse to ride along with the child, but she could not get OPT to approve it.

There are also other issues, for instance, members of the Citywide Council for District 75 did an investigation about the drop-off sites of children in D75 schools. The investigation yield the following:

- Cars parked at the curb site where children are supposed to be dropped off
- “No Parking” signs being covered by tree branches, and during the months of September, October, November, May, June and July, tree foliage cover the signs.
- Bus drivers dropping off children in the middle of the street as opposed to the curb side
- Buses arriving late to school, and some bus routes arrive late every day
- No enforcement from the police department about the “No Standing” “No Parking” signs.

A big problem is that when a driver is removed from one route due to numerous complaints, or mistreatment of District 75 students, and or their parents, the same driver, after being removed from that route, appears at another route or a different LLC company.

#### **CITYWIDE COUNCIL FOR DISTRICT 75 ADVICE REGARDING SOLUTIONS TO THE BUSING SITUATION:**

Complaints are numerous, and most of them are of similar nature. As stated above, Children enrolled in District 75 are the most vulnerable students in the New York City Department of Education, 95 to 98% of the children in District 75 utilize the yellow school buses to go to school and back home every day. It is our firm believe that the Office of Pupil Transportation is not the only problem concerning the busing situation, but it is a big part of it. Our request and advice to the City Council's Education Committee and especially its Chairperson, Council Member Mark Treyger are the following:

1. Create an independent Panel to oversee every complaint launched against any bus company that does not perform its job. This panel should be composed of parent,

officials from OPT, a representative of the Office of the Chair of the New York City Council's Education Committee, and the District 75 Superintendent's office. The majority of the Panel must be parents of children who utilize the yellow school buses.

2. The panel should meet on a regular basis, either once a month or bi-monthly
3. The panel should create a new and better system of accountability for the bus companies.
4. Decision of the Panel must be final.
5. School buses companies' contract must be transparent and the name of the owners must be part of public record.
6. School bus contracts must state any relation by blood; or, any previous business relationship up to three (3) years prior to the signature of the new contract, to any other bus company operating within the five boroughs of The City of New York. In other words, one person or family or umbrella company shall not own more than one bus company operating within the five Boroughs of the City of New York
7. And owner of a yellow bus company must not own more than two yellow school bus companies, or be related to anyone who owns another yellow bus company.
8. School bus contracts must have a limit lifespan, for instance, two years, renewable for another three (3) years, if and only if, there are no "unresolved" complaints at the time of the signature of the new contract.
9. The Panel shall have an input in all school bus contracts
10. Bus companies would have no more than 48 hours to fix any problems or issues that have been reported to the panel. Otherwise, another bus company would take over the student route and it would count against the bus company when renewing the contracts.
11. Bus companies that solve the issues and complaints against them, within 48 hours will count in favor of the bus company when signing new contracts.
12. Bus companies must provide at least 4 different working phone numbers so that parents and/or OPT could communicate with them
13. Drivers must give a company provided cell phone number so that they could be contacted by the parents
14. OPT will be supervised by the newly created Panel and will answer to the Panel.
15. All buses must have working Air Conditioning systems by the end of 2018
16. All buses must have working GPD systems and OPT must do random checks of the system. Should a bus company fail to have the GPS system working, this would be entered into their record and will affect negatively against their future contracts
17. All buses must be required to have cameras installed so that there would be a record of how drivers perform
18. Should an incident with any of District 75 children occur, the driver must notify the parent immediately, right after she/he has notified her/his company and OPT.
19. OPT shall notify the parent as well should an incident with a child from District 75 occur
20. OPT shall respond to all inquiries regarding any concern, question, inquiry from any parent within 24 hours and solve any immediate issue within 1 hour.

The Citywide Council for District 75 is extremely concerned about the safety and health of all children in District 75. It is our firm believe that items 1 through 20 are necessary to improve the busing situation. An independent body overseeing the complaints is a must.

We truly hope our requests/suggestions are heard and implemented. The parents of children in District 75 have suffered for so long and our suffering has been ignored year after year. Society treat our children as second class citizens, we hare mocked and sometimes abused, our children deserve a better bus

service, better treatment, respect. Our children in District 75 have a great deal to offer, even when most people believe that they have so little to contribute.

Sincerely,

The Citywide Council for District 75

John Camacho, President

Latisha S. Corbett, Treasurer

Diane McNeil, Secretary and Public Advocate Appointee

Hasan Sonny Dibra, Council Member

Amy Ming Tsai, Council Member

Craig E. Spencer, Council Member

Armando Perez, Council Member

Tiffany Lawson, Council Member

Nosheen Kanwal, Council Member

Prepared by John Camacho, President and submitted to the NYC City Council



## THE CITYWIDE COUNCIL FOR DISTRICT 75

Tiffany Lawson  
Council Member, Citywide Council for District 75  
3802 Avenue P  
Brooklyn New York 11234

Tuesday October 16, 2018

My name is Tiffany Lawson, Citywide Council Member for District 75. I'm testifying against the safety, management, competency, and cooperation of The Office of Pupil Transportation.

Unfortunately, my experience with The Office of Pupil Transportation has been disheartening to say the least. It is with great expectation that this testimony will compel The Office of Pupil Transportation to personally augment the training, professional etiquette, and job description of all employees of contracted bus companies including; bus drivers, matrons, and one to one busing companions.

- During my son's Early Intervention years, I was allowed to ride the bus with my son to school every day for one month. The matron slept for most of the trip, was on her cell phone, and did not properly strap the children into their seats.
- I will not go into detail of the inhumane heat the children face every summer riding the school buses. I supply my child and his one to one with a fan and extra water because of the extreme heat on the buses.
- During my son's CSE experience, he had a paraprofessional in school, and a one to one on the bus. Kevin was sent to school without bruises; however he came home with bruises all over his abdomen, and arms; not reported by the school, or documented by the nurse. I reported the finding to The Administration for Children Services to perform a thorough investigation, the next day without communication between the bus company and I, Kevin's bus route was changed without an explanation. I took Kevin to school for the next few weeks, refusing to let him ride the bus. Ultimately, his school was changed.
- September 2018, I was verbally attacked by my son's bus driver while he was still on the bus in front of my son, his one to one, and a bus full of children. I was informed that my son would be driven all over Brooklyn, and the Police would be called due to a time constraint that I could not meet. The bus driver for my son's afternoon drop off waited five to ten minutes for me to pull up in my driveway every day, as an arrangement we worked out. The day the bus driver attacked me, it was regarding the same amount of time she had waited for me to get home for the entire month. Confused by her rage and threats, I responded in defense; my son was crying, and I was crying. I have never had another person disrespect me and rage fully raise their voice at me in the manner she did. A miss-conduct report was filed with OPT at the ending of September; I have NOT had a follow up from the Investigation Department since. In fear of

## THE CITYWIDE COUNCIL FOR DISTRICT 75

retaliation, I requested that my son's route be changed. It has not been changed thus far, and the driver refuses to speak to or look at me in the mornings.

- During the second week of school in September 2018, my son's bus broken down and showed up an hour late without a call to inform me of a late pick up. When I called the base, there was no answer. I had to pay an Uber for my son and his para to get to school.
- On October 15th 2018, my son's new bus company was a no call, no show in the morning. When I called at 6:30 am to inquire about the new pick up time; I was informed that my child was the first pick up at 6:15 am, despite it clearly stating on the OPT website his sequence number as 13 for the route. The para was unaware of the new pick up time, and so was I. **JUST TO BE CLEAR, THE BUS NEVER CAME. MY SON WAS NOT SCHEDULED TO BE THE FIRST PICK UP. MY SON'S BUSING PARA DID NOT COME BECAUSE WE THOUGHT WE MISSED THE BUS, AND I WAS LATE FOR WORK AGAIN!!!!**

The miscommunication, ill treatment of the children, and lack of appropriate supervision are a threat to the welfare of children with special needs. Parents are to be treated with respect in regards to delays, and changes in route times. I do hope change is here for the future of The Office of Pupil Transportation. I urge you to create stricter guidelines, and a comprehensive way for companies to electronically communicate with families regarding busing. Cameras would have played a vital role in every unfortunate occurrence mentioned above. Thank you for this opportunity to be a part of the solution by sharing my testimony.

Good Evening,

My family has been affected by the recent bus issues in District 30. We are working parents with schedules that are inflexible. We must make sure that every minute of our children's care is planned while we are at our places of employment.

The first issue that arose was that we planned for a 2:43 drop off time after school. This was the drop off time for the previous two years and this was the time listed on the OPT site and confirmed by the school. About a week into school, the drop off time became 3:23. This was a problem for several reasons. First, the person who was going to pick up our daughter from the bus stop is not available at this time. Second, we paid for after school activities based on the original drop off time. Third, it is cruel and irrational to have a small child riding around in a bus for almost one hour when her stop is less than a mile from the school. We were informed that the change was made because the bus was picking up students from a charter school prior to dropping off all of the children from the first pick up school. This goes against protocol. After we brought this to the attention of Dr. Composto and others, the issue was addressed. However, instead of making our child's drop off time earlier, it became even later, 3:26. We were beside ourselves.

The new route began and we were informed that the first stop was approximately 2 miles from the school, in another neighborhood, in the opposite direction of our child's bus stop. Our bus stop is 9 streets from the school, less than a mile away. This just doesn't make sense.

In the meantime, our child has yet to take the bus because we cannot afford to lose the money that we paid for her after school activity. We put a band aid on the problem and have temporarily made arrangements for her to be picked up from school. We have purchased a mobile device that has tracking and cellular capabilities because the time will come when we have no choice but to put our child on the bus. This was an unexpected expense but because of the lack of trust and transparency with the OPT and Grandpa's Bus Company, this will give us some peace of mind.

Last week, we happened to find out that the route has changed again. The new drop off time is 2:55. This still poses a hardship for us but is an improvement

to the previous time. However, we would have no idea that this change was made if we did not communicate with other parents. The OPT does not communicate major changes with all of the parents. In this day and age, there should be an automatic, electronic notification when a child's schedule is changed on the OPT site. Relying on bus drivers to relay the message to those on the bus is archaic and ineffective. The route and all changes should be affectively communicated to all parents with children assigned to a respective route in a private manner, digitally.

In order to be most efficient and allow working parents to make after school arrangements for their children, the OPT needs to collect data from students who will be bused at the end of each school year or during the summer to minimize changes in routes and to allow working parents to plan childcare. The entire system should be overhauled and routes need to be analyzed and restructured to maximize efficiency.

We were very pleased with the bus service that Pioneer Transportation had provided for our child during the past 2 years. Our child was dropped off at 2:43, which makes sense based on the proximity from school, and was extremely reliable. We never once questioned our child's safety or the reliability of the bus service during that time.

Thank you for the opportunity to share our concerns. We look forward to some reforms that will create a more safe, reliable and sensible bussing system.

Sincerely,  
Maria Panayiotou and Tom Karagiannis

**Written Testimonial for Adapt Community Network Manhattan Children's Program**  
**80 West End Avenue, 1<sup>st</sup> Floor**  
**New York, NY 10023**  
**Re: Bussing Incidents with Phillips Bus Company**  
**Date: 10/17/18**

This letter is to address the ongoing transportation issues and incidents that our school has had since the beginning of the year. We are a special needs 4410 preschool located in Manhattan with children 3-5 years old being transported via Phillips Bus Company from all neighborhoods in Manhattan, Bronx, and even a few from Brooklyn and Queens. Since the start of September, several families have encountered transportation issues ranging from delayed school start times, no-shows, negative encounters with bus drivers and matrons, and not being notified of changes in pick-up or drop-off times. On the school end, the lack of communication and follow-through is also a systemic problem. For example, we had a child who was switched to a different bus however the family and the school were never notified and there was no bus available to take her home. The mother had to make her way to the school last minute and has not put the child back on the bus since then. She brings her daughter to school and picks her up every day because she does not trust that the bus company will keep her safe. Another family recently informed us that their son will be going to a different school closer to home because they could no longer afford to take him to school and pick him up after continuous issues with transportation led them to cancel bussing altogether. I receive at least three calls a week from families that report a bus that never showed up, showed up 30 minutes late, or the pick-up time was apparently changed but no one was informed.

In addition to lack of communication, we have also had situations involving the staff at the bus company giving misinformation that could jeopardize the safety of our children and the confidence in our caregivers. In general, it took several weeks for Phillips to place appropriate seating on their busses according to the New York City transportation laws regarding car seats or booster seats. Currently, we still have children who may be placed in incorrect seating based on their weight because of confusion and inaction. In one specific incident, a child was added to a bus route without making sure that all the children's wheelchairs and adaptive strollers could fit safely on the bus. The bus proceeded to drop off five children, then went back to pick up one other child, and I was assured the issue would be remedied by PM bussing. However, it was not and the bus company suggested I place a non-ambulatory child on the bus without his stroller in a booster seat.

We value our children and families' safety and want our families to feel confident and secure in sending their young children to preschool. As a school, our experience this year with transportation has made it difficult for some of our children to have a seamless transition from home to school in an environment that is often new for most of our young children. I speak on behalf of our families when I

say the system needs fixing so that our students can arrive at preschool and at home as safely and efficiently as possible.



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**Jillian Aguis**

**Assistant Director**

**Adapt Community Network Manhattan Children's Program**

**80 West End Avenue, 1<sup>st</sup> Floor**

**New York, NY 10023**

**646-740-2525 x3216**

**[JAguis@adaptcommunitynetwork.org](mailto:JAguis@adaptcommunitynetwork.org)**

## Testimony for the City Council Hearing on OPT oversight

Thank you for this bill, I hope it will help ensure that no family goes through what my family did last year with OPT.

My name is Kim Madden and my 15 year son, Owen, started high school last year. He has a complex neuromuscular disability and seizures, uses a wheelchair and has issues with fatigue and muscle spasms. We had trouble finding the right high school program for him (in part due to another issue the council has helped with: the lack of accessible school buildings in NYC). We live on West 93<sup>rd</sup> Street and we found a school downtown on 17<sup>th</sup> street where the DOE started a small pilot program for students with physical disabilities. Although we were nervous about Owen taking the bus for the first time we hoped for the best, and Owen was excited to start at a new school.

Unfortunately, that excitement turned to exhaustion when we were confronted with a myriad of issues with paraprofessionals, nurses and busing. At first, I thought we were just going to experience what so many of Owen's friends had described: a few weeks of late buses and routing issues. In Owen's case the issues weren't resolved until mid-February. Owen's busing was delayed because there was no nurse, and they wouldn't let my son on the bus without a nurse and wouldn't let me sit with him on the bus. On the first day he had a bus the matron didn't know how to attach the tethers to his manual wheelchair correctly – something that is incredibly important for his safety. She hooked the tether on the front to a small string that attached to his brake handle which would have simply pulled his brake off and not kept him safe at all. She became irate when my husband and I tried to explain why that wasn't safe and how she would do it. I called the bus company to complain and in the afternoon the matron yelled angrily at me "YOU CALLED BROOKLYN!" That was her attitude for the entire time.

The bus came extremely late (30-75 minutes late) or was broken completely more often than not. There were three different drivers, and the last one was incredibly rude. My son missed the first and often the second period of his school day, missing out on therapy and academics. The bus company, driver and matron never let me know ahead of time that the bus was late and I spent hours with my son downstairs in increasingly cold weather on hold with OPT and the bus company. I often had to take the subway with my son to get him to school, and as you may know, the subway is not an easy place to navigate with a wheelchair. We would frequently have to adjust our trip because of broken subway elevators and I would walk with him for over a mile to get him to school from accessible subway stops with working elevators.

The pick up time in the afternoon was also an issue. In mid-October, after learning that my son was failing English, I learned that one factor was that he missed a third of every class as he was pulled out 10-15 minutes early to make his bus on time in the afternoon. I talked with the

school but they said there was nothing they could do. They explained the schedule was set and he needed to be downstairs a few minutes after 2:50 when his class ended, even though it took him much longer to get downstairs as he used a wheelchair and was far from the one small elevator in a large and crowded school with five children who use wheelchairs. I complained to OPT and was told again that he had to be downstairs by a little after 2:50 or the bus would leave without him. I asked to speak with a supervisor and she told me the same thing: my son needed to be downstairs at that time, and if it meant missing class, he had to miss class. It was only when I went to Ariana Jaffe at OPT and asked if I really had to choose between an education and a bus that the DOE said that the schedule could be changed and he could stay through class and have time to get to the bus.

I complained every time the bus was late or didn't come at all, first calling the bus company to find out if they were planning to show up and then calling OPT to complain. I collected over 20 complaint numbers that had no impact. Investigations were opened and closed but nothing happened. The driver and matron were "called in to talk" with OPT with no impact. When I finally demanded that something happen and said I wouldn't hang up until they could tell me what happened to all my complaints, I talked to a router in December, he let me know they would change drivers and for now the route would start earlier. The next day the bus was very late and the driver explained that instead of starting the route earlier, another child had been added to the bus.

In January the bus began to come earlier. The driver, who was the same one from the fall, made no secret of her animosity towards me and my son and began to show up 15-20 minutes *before* the pick up time and leave if I wasn't downstairs whenever she showed up. She did the same thing at the end of the day, when my son wasn't down at the time she got there and decided to leave. I took the subway and walked with my son in snow and ice to get him to school. I complained again to OPT, this time about the maliciousness of the driver and was told that due to the limited number of wheelchair accessible routes the only other option was another route that would take significantly longer (2-3 times as long, something my son couldn't handle).

In mid-February the driver and matron were replaced, and things finally began to run smoothly. The first few days after the change Owen couldn't take the bus because the tether for his wheelchair had broken – it looked like had been cut clean across (not frayed). I couldn't help wondering if the old driver had been angry to be replaced and had cut the tether herself -- she seemed that unhinged and unprofessional. The last time I saw her was in May, when she came in the morning as a substitute driver for one day. It was my son's 15<sup>th</sup> birthday. The driver scowled at me and didn't respond when I said good morning. I loaded my son on the lift and went to the side of the bus to say goodbye while the matron strapped his manual chair in, but



before she could finish locking his wheelchair down the driver sped off, knocking the matron to the ground and leaving my son untethered in his wheelchair. I screamed as loud as I could and ran alongside the bus yelling but the driver didn't stop or look at me and just hit the gas to go faster. Miraculously through the quick work of the matron and the nurse my son was not injured, but the matron was very shaken and quit. I picked my son up from school that afternoon and told the bus company I would never put him on a bus with that driver again. Thankfully I haven't seen her since. This year my son is lucky to have an incredibly professional, courteous driver and matron, who show up on time most days and call me if they will be late.

It's hard to describe how exhausting and stressful the situation with the bus was last year. My son missed school, meals, rest and therapy because of the ineptitude of the bus company. OPT seemed like an impenetrable bureaucracy that had no real authority over the bus company personnel. The only part OPT could change was the bus routes. They could call in drivers and matrons for a talk but at least in my son's case that didn't have any impact at all on his service. My son was worn out from it all but he was lucky since at least I was able to take time off from my job to take him to and from school. His school mates on the bus didn't have that option. On the many occasions when the bus was broken or extremely late, I would pick up Owen at school, and see the other children on his bus sitting there waiting as they didn't have a parent who could pick them up or a wheelchair accessible option to get home. I am sure their parents have even worse stories to tell than mine but they may not have the energy left at the end of the day to call and complain.

Although I couldn't stay to testify in person on Tuesday, I was so happy to hear the questions Councilmember Treyger asked about fines and bus companies, and I believe that unravelling that tangled mess is critical. In addition to asking about fines, complaints and investigations by geographic area, I think the Council should ask for that information disaggregated by bus company and make that publicly available, in the aggregate by bus company and/or owner before any bus contract is renewed. The DOE should have to justify why it renewed any contract with a company or owner where the track record shows they have continuously failed to provide safe and timely bus service.

Thank you for your time.

Kim Madden

[kimamadden@gmail.com](mailto:kimamadden@gmail.com)

October 18, 2018

To Whom It May Concern,

I am writing to inform you of my experiences with the Office of Pupil Transportation and the school busing system.

The beginning of the 2018-2019 school year in regards to busing was nothing less than horrific. The first three (3) weeks of the school year the school bus arrived late to pick up my son, who has ASD, every day. This resulted in my child arriving to school late, at times up to ½ hour late.

In addition to arriving late, day to day I was never notified by the bus company and had no idea if the bus would even be coming. During this entire ordeal, I could not contact OPT customer service, who had an average wait time of 30 minutes every morning, nor the school bus company. I had to consistently complain to the bus router, and it still took days for a change to be made.

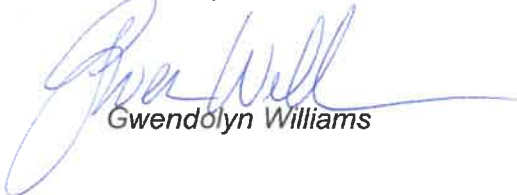
During the years my son has been riding the school bus to his school, I have endured lateness, missed pickups, employee misconduct, wrong drop-offs, schedule changes, etc. I have logged complaints with OPT customer service but saw no improvements. At this point, I do not even bother to call as the complaints seem to fall on deaf ears.

I have also logged complaints with the router and all the way up the ladder to the Director of OPT, the Parents Union, even the Public Advocate. At times only then will an issue be addressed, however, usually about one month later the issue returns or a new issue arises.

After years of this chaos, always waiting patiently to reach a resolution for busing issues, my patience has worn out. I am utterly disgusted with OPT, DOE, and the school bus companies. The sole purpose of the school bus company and the bus driver is to do their due diligence to get my son and all the other children to school in a timely fashion. However, the current system does not hold the bus companies accountable for their atrocious service. The fact that special needs children are subject to this atrocity is absolutely disgraceful.

With the recent firing of the CEO of the school busing system I truly hope that these companies and their employees (bus drivers) are vetted better and held responsible for their wrong doings. They are contracted by the City of New York and poor service should never be tolerated.

*Sincerely,*



Gwendolyn Williams

My nine-year-old son Henry Case (ID 232848143) is diagnosed with non-verbal Autism, Pica, a minor form of hemophilia called von Willebrand's Disease, and is a known runner with strong eloping tendencies. Busing has been an issue for him since he began preschool at age 3 and over the years we've determined his needs are best served by an individual bus paraprofessional. Because he attends an 853 state-funded program, that paraprofessional is hired by the bus company or the district, not by the school. However, when he entered Kindergarten in 2014, we were unable to staff the position. At that time, we removed the bus para from his IEP and added a safety harness and a limited time travel limit, hoping that this would keep him safe, both from eloping and as extra protection in the case of an accident. For four years, this was enough.

Beginning in September 2018, OPT assigned my son to route L355, which is served by Reliant Transportation. The very first day of school, his bus was found to be in violation due to a malfunctioning AC. His travel times were also exceeding the one-hour limit (90701159, afternoon drop-off). With an assigned morning pick-up time of 7:20am and a school start time of 8:45am, the bus frequently arrived more than 30 minutes over the one-hour limit on his IEP. That's 90 minutes earlier than the start of school. His 7:20am morning pick-up time remained in violation until October 16, 2018, despite over eight open complaint numbers for this issue registered in OPT's system. (90690004, 90693585, 90695245, 90698386, 90698387, 90702798, 90706028, 90708842)

Beginning on September 7, 2018 the second day of school, his matron began reporting to both the school and me, the parent, that Henry was removing his safety harness. School staff would put him in the harness when they brought him to the bus, but he would not be wearing it when he arrived home. Likewise, my husband or I would put it on him in the morning, but he would not be wearing it when he arrived at school.

His bus matron and driver have also filed complaints because he is getting out of his harness, wandering around the bus while it is moving. When the matron instructs him to return to his seat, he becomes agitated and aggressive. She has reported this to her supervisors and to OPT.

On September 25, 2018, my son took off his harness, wandered around the bus, and attempted eloping off the bus by using the emergency exit while the bus was in motion. (OPT 90688725)

My son is in a classroom with 8 students and 6 adults, including a 1:1 paraprofessional assigned to specifically to him. Given the number of other children on the bus, the matron is unable to keep constant supervision over all of the children on the bus, not just my son. Moreover, she does not have the training or expertise to work with the special needs population to manage the situation on our bus or to make an effective change in my son's behavior.

This became very evident today, October 18, 2018. On Tuesday of this week, October 16, Henry was given a new morning pick-up time of 7:35am, still 10 minutes out of compliance with his IEP, but a significant improvement to his previous pick-up time of 7:20am. This morning, the bus picked him up at 7:43am. At 8:01am, the matron called me to say Henry had taken off his harness and all of his clothes, including his socks, shoes, and underwear. When she asked him to put them back on, he said, "NO." When she tried physically assisting him to dress, he tried to hit her. She put me on speakerphone, and I told him to get dressed. He said no, but the matron told me he sat in his seat and – though nude – fastened his seatbelt and began to play with his iPad.

I told the matron to continue the ride to school and that I would make arrangements with the school to have school staff meet them at the door and assist Henry into the building. She agreed that was a good plan and we hung up. I emailed the school, including his teacher, the Principal, the Social Worker, the School Psychiatrist, the Assistant Principal, and the Education Coordinator. The Principal wrote back immediately saying they would be watching for the bus and confirmed the Matron had the school's phone number. The School Psychiatrist left me a voicemail saying the same thing.

At 8:11, I called OPT to file a complaint, so they were aware of the situation (90712751). They contacted the bus company and the bus directly to confirm what I was saying and said that I should follow up once the bus had arrived at school, in case there was anything additional to add about the situation.

At 8:49, I received a phone call from Officer Kelleher from NY Police Department's 61<sup>st</sup> precinct, saying their officers were holding Henry at East 21<sup>st</sup> Street and Avenue T. The bus had pulled over to help him dress and because he was becoming aggressive towards the matron. Officer Kelleher instructed me to travel to that location (East 21<sup>st</sup> Street and Avenue T) and that, if I could arrive before EMS, I should be able to transport him to school on my own. I informed Officer Kelleher about Henry's eloping habits, his non-verbal autism, and his von Willebrand's diagnosis and asked him to please keep Henry safe and contained so he didn't run into traffic or the nearby neighborhoods. I immediately left my home in Bay Ridge and began driving towards the bus's location. Until this exact moment, I did not know that if my son acted out on the bus, the matron's next step would be to contact the police. As a parent, I still do not know where I can find a copy of that policy.

At 9:03am, I received a phone call from Officer Ortiz, also from the NY Police Department's 61<sup>st</sup> precinct, saying that EMS had arrived and would be transporting Henry to the Pediatric Emergency room at Coney Island Hospital for a physical and a psychological evaluation. She said that this was standard procedure since he had struck his bus matron. Because I was en route, she instructed me on how to get to the hospital and where to go once I arrived. I reiterated to Officer Ortiz that Henry is a significant flight risk and to please keep him safe and contained. She said he was strapped to a gurney in the ambulance for transport. Until this moment, I did not know that the police could remove my nine-year-old non-verbal son from the bus, and transport him without my presence or consent. As a parent, I still do not know where I can find a copy of that policy.

At 9:20, while still en route, Margaret Black, the social worker at his school, Brooklyn Blue Feather Elementary School, called to confirm that I knew Henry was being taken to the Hospital.

When I arrived at the hospital, around 9:25am, Henry was in a room with two EMTs, two police officers, and his bus matron. He was reclining on a gurney, dressed, and playing with his iPad. His backpack sat nearby. His cheeks were pink, but he appeared to be calm otherwise.

The bus matron informed me that the bus was still at Avenue T and East 21<sup>st</sup> street waiting for a new matron to join the route. I asked if she needed to go back, since I was with Henry, and she said no, because the bus company was sending a new matron. She asked the officers if she could leave, now that I was there, and left almost immediately. I do not know if she returned to the bus, went home, or was present for the afternoon route.

A physician's assistant arrived almost immediately after me and began asking questions about Henry's medical history. During this time, Henry was dressed, calm, and playing quietly. Henry let her listen to his heartbeat and lungs and check his pulse. Since he was calm, I stepped out of the room to fill out paperwork.

At 9:40am, a representative from OPT called to confirm I knew Henry was at the hospital.

As soon as I stepped out of the room, Henry began calling for Mommy and became agitated. A nurse came in to check his vitals, and apparently one of the EMTs tried to physically restrain him. I heard him say "NO!" and re-entered the room in time to see Henry push the cart with the thermometer and blood pressure cuff away from his gurney. The EMT recoiled, as well, and said: "He got me." She went to the sink and washed her hands, only to realize Henry had broken skin on her wrist with his fingernails and drew blood. She seemed unconcerned, though, and left to get a bandage.

The police officers in the room were unconcerned by Henry's behavior and jokingly said they would react similarly if someone had treated them the same way. At that point, I stayed with Henry and did not leave his side again. He remained calm and content for the rest of our time at the hospital.

The hospital staff determined him to be healthy and mentally stable, so a psychological evaluation was not needed. The police officers concurred that Henry was not a threat to himself or others unless significantly and justifiably provoked.

Officer Ortiz informed me that when they arrived on the scene with the school bus at Avenue T and East 21<sup>st</sup> Street, Henry was, indeed, sitting in his seat, with the seatbelt buckled, playing happily on his iPad, except that he was nude. She asked him to put on his clothes, and he said "No." She went to talk to the matron and approached Henry two minutes later and repeated her request that he get dressed. This time, with her physical assistance, he put on all of his clothes, and socks and shoes. At no point did he try to strike her. She made a point to keep her voice calm and to ask him to get dressed, without telling him to do so. As a parent, hearing her retelling, it was apparent she had been trained to work with different segments of the population and knew how to approach a situation to achieve a positive outcome. I am incredibly grateful and lucky that such a kind and empathetic police officer responded to this call and my heart aches for what might've happened under other circumstances.

Officer Ortiz and her partner said it was clear to them that the matron did not know how to approach my son in a way to have him comply with her requests and should not be working with special needs children.

Henry was discharged with instructions to follow-up with his regular doctors if we felt he needed assistance in any way. We left the Hospital around 10:15am. I brought Henry home, rather than to school.

Based on our experience this year, and the experiences of thousands of other special needs children across the city, it is imperative that the bus drivers and matrons receive proper training for working with the populations they serve. The bus companies need to have clear, standard, readily-available policies in place for what happens when a child acts out on the bus. And, OPT needs to be able to effectively make changes to the routes to ensure children are safe and their medical needs are being met, including limited travel times.

October 17, 2018

Dear NYC City Council Education Committee,

My name is Jun Jao Lu and I am a parent of Ethan Lu, who attends Brooklyn Blue Feather Elementary School. My son goes to school via bus transportation. During the first three weeks of school, Ethan was picked up late from home and dropped off late to home. It was not 20 or 30 minutes late, it was usually two hours late pick up from home and drop off to home. On two occasions, I decided to keep Ethan home because it was 11 in the morning and the bus notified us that they are running late. There was no point in sending Ethan to school when half the day was gone.

Ethan has Autism and he thrives on routine and schedule. When his routine is disrupted, he gets cranky, anxious and irritable which impacts his behavior in school. The start of a new school year can be difficult for any student especially those with disabilities. Ethan had a difficult time the first three weeks of school as his routine was constantly being disrupted by arriving an hour to two late to school every day. His teacher reported him being very emotional and upset and difficult to console.

My son faces many challenges due to his disability. We as his parents try hard to cater to his disability and provide as much support so he can succeed in school. Please look into this matter and resolving it so that my son and other children will not have to endure the trials being bussed to school and to home late. Thank you for your time.

Sincerely,

Jun Jao Lu

October 17, 2018.

**To Whom It May Concern:**

In response to the invitation to testify about the different bus issues during this school year, as the person responsible to conduct bussing in the school unit program, I am listing the different issues that we have had until the day. It is important to note that many of them have been reported to the Office of Pupil Transportation, some of them continue to occur.

- **Late arrivals:**

- September 24, 2018. Bus route P 631 (Logan Bus Company). Bus had a breakdown even though there were different versions from the people from the bus company (the bus driver was injured, breakdowns). And the responses coming from the operators from customer services weren't always optimal. Session starts at 8:15 am. Their arrival time was 9:14 am. Ref # 90686958
- September 28, 2018. Bus route P 631(Logan Bus Company). Late arrival (9:08 am). Ref # 90694487
- September 28, 2018. Bus route P 629 (Logan Bus Company). Late arrival (8:59 am). Ref # 90694488
- September 28, 2018. Bus route P 630 (Logan Bus Company). Late arrival (9:13 am). Ref # 90694489
- October 1, 2018. Bus route P 629 (Logan Bus Company). Late arrival (8:48 am). Ref # 90695574
- October 1, 2018. Bus route P 631 (Logan Bus Company). Late arrival (8:37 am). Ref # 90695575
- October 16, 2018. Bus route P 630 (Logan Bus Company). Late arrival (8:48 am). Ref # 90710307
- October 16, 2018. Bus route P 629 (Logan Bus Company). Late arrival (8:37 am). Ref # 90710308
- October 16, 2018. Bus route P 631 (Logan Bus Company). Late arrival (8:48 am). Ref # 90710309
- October 16, 2018. Bus route P 633 (Logan Bus Company). Late arrival (8:37 am). Ref # 90710310

- **Regarding the Bus drivers and Bus matrons:**

While I understand that every person have different communication styles and individual differences, the level of training and work ethics from bus drivers and bus matrons should be homogenous, especially when working with children and youth with intellectual and developmental disabilities.

During dismissal of our students (pick up time from school), I have perceived a constant negative attitude in certain bus drivers and bus matrons towards me and the school personnel, manifested in their look of being in a rush, lack of patient, inappropriate comments, asking questions to the school personnel to find out why the students are taking so long, warning that they will make a phone call to the base to complaint, expressing that the route is so long, that they have other students that needed to be picked up too and at times saying that they will leave without the student and that the “had enough” of the situation.

Furthermore, I have also noticed the lack of cooperation from some bus matrons when it comes to helping the students to get off and on the bus, verbal and facial expressions of annoyance.

Finally, we have been encountered with the need to report most (if not all) our issues with the busses to the Office of Pupil Transportation (OPT) due to the poor customer service that operators provide in Logan Bus Company (where most of our bus routes belong to).

I am bringing this issues to your attention with the firm belief that by communicating and reevaluating our professional practices we can improve the quality of services that we provide to our children.

Sincerely yours,

Karelis Moreno  
Transition Coordinator  
kmoreno@shield.org  
718-939-8700 (Ext. 1133)



October 17, 2018

To the NYC City Council Education Committee:

Last week on Thursday, October 11<sup>th</sup>, 2018, my son Sethos R. Nero, did not arrive at school until 10:21 am. I put him on the school bus 3 hours earlier at 7:15am. The only reason I found out about this was because I happened to have a phone conference with his teacher Margaret Looman that same morning at 10:15 am. In a panic I called the bus company immediately to find out where my son was. They put me on hold. The bus driver and the matron would not give me their numbers like other drivers had done in the past in case of an emergency or to let me know that the bus would be running late, so I couldn't reach out to them. Sethos' teacher called me back while on hold with the bus company to let me know that the bus had just arrived, it was 10:21 am.


I called the bus company to complain because I hadn't been notified that there may be a problem and that my son was not at school yet. They proceeded to tell me that one of the children on the bus was a danger to himself and everyone on the bus. They had to call the police and the ambulance. They removed all the children off the bus and were standing on a corner of Flatbush Ave for over an hour and a half. I was not notified by the driver, matron or the bus company. They would not have told me any of this if I did not ask. All of these children including my son were in danger out on the street. These types of incidents apparently have happened more than just 1 time but I wasn't notified. I can't be the only parent who hasn't been made aware of this.

We need to protect our children. If there is a child that requires more support, the Board of Ed, the parents and the bus company need to work together in order to help the child. If not, when incidents like the one I have just described happen, it puts all the children and adults on the bus at risk. The matrons and the bus drivers also need to speak up on behalf of the children because they are the ones that are with them during transport.

NYC parents and guardians should be notified electronically when their child is picked up and dropped off. They should also be notified if there is an emergency immediately.

When we send our children to school on a school bus we are trusting the NYC school system to look after them. To keep their disabilities in mind when it comes to the time it takes to get them home and to get them to school. What if my son decided to jet off into the street because something interested him? He could have. I know this because he has been so close to doing it in my own care. This is one of the frightening thoughts that appear in the mind of a parent with a disabled child who is being transported on a NYC school bus.

What is the NYC City Council Education Committee going to do to help and change the bussing system?

Regards,  
  
Maria Antonia A. Nero

Concerned parent of Sethos R. Nero, a 2<sup>nd</sup> grade student at Brooklyn Blue Feather Elementary



**Written Testimonial for Adapt Community Network Manhattan Children's Program**  
**80 West End Avenue, 1<sup>st</sup> Floor**  
**New York, NY 10023**  
**Re: Bussing Incidents with Phillips Bus Company**  
**Date: 10/17/18**

This letter is to address the ongoing transportation issues and incidents that our school has had since the beginning of the year. We are a special needs 4410 preschool located in Manhattan with children 3-5 years old being transported via Phillips Bus Company from all neighborhoods in Manhattan, Bronx, and even a few from Brooklyn and Queens. Since the start of September, several families have encountered transportation issues ranging from delayed school start times, no-shows, negative encounters with bus drivers and matrons, and not being notified of changes in pick-up or drop-off times. On the school end, the lack of communication and follow-through is also a systemic problem. For example, we had a child who was switched to a different bus however the family and the school were never notified and there was no bus available to take her home. The mother had to make her way to the school last minute and has not put the child back on the bus since then. She brings her daughter to school and picks her up every day because she does not trust that the bus company will keep her safe. Another family recently informed us that their son will be going to a different school closer to home because they could no longer afford to take him to school and pick him up after continuous issues with transportation led them to cancel bussing altogether. I receive at least three calls a week from families that report a bus that never showed up, showed up 30 minutes late, or the pick-up time was apparently changed but no one was informed.

In addition to lack of communication, we have also had situations involving the staff at the bus company giving misinformation that could jeopardize the safety of our children and the confidence in our caregivers. In general, it took several weeks for Phillips to place appropriate seating on their busses according to the New York City transportation laws regarding car seats or booster seats. Currently, we still have children who may be placed in incorrect seating based on their weight because of confusion and inaction. In one specific incident, a child was added to a bus route without making sure that all the children's wheelchairs and adaptive strollers could fit safely on the bus. The bus proceeded to drop off five children, then went back to pick up one other child, and I was assured the issue would be remedied by PM bussing. However, it was not and the bus company suggested I place a non-ambulatory child on the bus without his stroller in a booster seat.

We value our children and families' safety and want our families to feel confident and secure in sending their young children to preschool. As a school, our experience this year with transportation has made it difficult for some of our children to have a seamless transition from home to school in an environment that is often new for most of our young children. I speak on behalf of our families when I

say the system needs fixing so that our students can arrive at preschool and at home as safely and efficiently as possible.

---

**Jillian Aguis**  
**Assistant Director**  
**Adapt Community Network Manhattan Children's Program**  
**80 West End Avenue, 1<sup>st</sup> Floor**  
**New York, NY 10023**  
**646-740-2525 x3216**  
**[JAguis@adaptcommunitynetwork.org](mailto:JAguis@adaptcommunitynetwork.org)**

Dilsia Peña  
1269 Havemeyer Ave Apt 1F  
BRONX, NY 10462  
[Dpena36@gmail.com](mailto:Dpena36@gmail.com)  
347-339-3443

October 16, 2018

The Honorable Mark Treyger, Chair

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, Brad S. Lander, Stephen T. Levin, Mark Levine, Ydanis A. Rodriguez, Deborah L. Rose, Rafael Salamanca, Jr. and Eric A. Ulrich

New York City Hall  
City Hall, NY 10007.

Dear Councilmember Mark Treyger:

I am writing to all the distinguished members of the City Council because my son David is currently attending 6<sup>th</sup> grade this fall. He is at The Eagle Academy for Young Men in the Bronx. My son David has an IEP with limited time travel. I am concerned about David arrival time at school since the school started this past September 05, 2018. David has been on time only four times out of 25 days of school. The school start time is 8:05am. He is usually late over 30 minutes and in one occasion one hour late to school.

The second problem that we have with the school bus is that since September 17, 2018 my son David has not been provided with afternoon pick up at his school. This is because according to Pupil Transportation the school has not provide them with the new dismissal time that it is 6:00pm. I had spoke with the school administration and they had assured me that they had informed Pupil Transportation of the new time dismissal.

My son attends a mandatory after school program for sixth graders. I had changed my work schedule to pick my son at his schools and because of this I had noticed others students being pick up by school buses.

David asked me every day when he will be able to be at his new school on time? Because I keep telling him that it will be better and that it will be fix. The same for his dismissal time.

The continue existence of this situation has created a very problematic situation besides the negative impact that there is been late to your classes in a daily basis adding to the frustration on been on the bus for 1 ½ hrs.

I have changed my work schedule three times since school started, this has created a financial burden to my family and a problematic situation on my job. There are many times that I had to take a taxi from school to home and I had to pay additional bus fare for David because the reality is that I cannot take a taxi every day.

I had over 10 complaints to Pupil Transportation regarding this matter. Some complaints numbers have two or more complaints under the same complaint.

Complaints #s: 90675037; 90692840; 90698149; 90679899; 90688986; 9069841; 90699014; 907013731; 90701994; 90703258; 90705428; 90695095

Thank you for your time and I hope that with the new laws and regulations another child shouldn't get his/ her education in jeopardy and another family being uncertain on how Pupil Transportation is not delivering a reliable service to the children and families that depending on this agency.

Sincerely,

Dilsia Peña



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Melinda Andra

Address: \_\_\_\_\_

I represent: Legal Aid Society

Address: 199 Water St

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Melissa Adre, Esq.

Address: \_\_\_\_\_

I represent: The Legal Aid Society

Address: 199 Water St, 3<sup>rd</sup> Fl. NY NY 10038

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 926 Res. No. 929

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Shelle Shimizu

Address: 177 Livingston St.

I represent: Brooklyn Defender Services

Address: " "

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. N/A Res. No. N/A

DOE OPT  in favor  in opposition

Oversight Hearing

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Melissa S. Ader, Esq.

Address: 199 Water Street NY NY 10038

I represent: The Legal Aid Society

Address: 199 Water Street NY NY 10038

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1099-2018 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Chad Tindel

Address: 3711 94th St. #1 Jackson Heights NY 11372

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1099 Res. No. 540

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Christopher TREIBER

Address: 150 West 30th Street

I represent: Inter Agency Council (IAC)

Address: 150 West 30th St

NY NY 10001

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



THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Lisa Gitelson

Address: COFCCA 254 W 31

I represent: COFCCA Testimony on Foster Care Students

Address: and Transportation

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 0929-2018 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Melinda Andra

Address: 168 South Ave

I represent: Legal Aid Society

Address: 60 Lafayette, GA

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. T2018-3003 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/19

(PLEASE PRINT)

Name: Adriana Espinoza

Address: \_\_\_\_\_

I represent: NYCCV

Address: \_\_\_\_\_

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



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1099 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10.16.18

(PLEASE PRINT)

Name: MERIDITH SOPHER

Address: 333 CLW NY NY 10025

I represent: SHELTERING ARMS CHILDREN + FAMILY SERVS.

Address: 305 7th ave NY NY 10001

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Johane Siderin

Address: 1 Centre Street 15th Fl. North Ny Ny 10007

I represent: Public Advocate Letitia James

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 929, 926 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10-16-18

(PLEASE PRINT)

Name: Shelle Shimizu

Address: \_\_\_\_\_

I represent: Brooklyn Defender Services

Address: 177 Livingston St, 7th Fl., Brooklyn, NY 11201

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

THE COUNCIL  
THE CITY OF NEW YORK

10/16

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16

(PLEASE PRINT)

Name: PAOLA MARTINEZ BOONE

Address: \_\_\_\_\_

I represent: NY LAWYERS PUB - NT

Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

10/16

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16

(PLEASE PRINT)

Name: NINA TRUMBO

Address: \_\_\_\_\_

I represent: ALIEN

Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16

(PLEASE PRINT)

Name: JUSTIN WOODS

Address: \_\_\_\_\_

I represent: NYLPI - NY LAWYERS PUB - NT

Address: \_\_\_\_\_



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Robin Lockwood

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: David Cox

Address: 303 E33rd St, Apt 2N

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: LISA COX

Address: 303 E33rd St, Apt 2N

I represent: myself

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

T-2018-3003

I intend to appear and speak on Int. No. 1099-2018 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Heather Beers-Dimitriadis

Address: 66-08 Austin St 3C R-gpPrk

I represent: SLT JHS190 + PS174

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Randi Levine

Address: \_\_\_\_\_

I represent: Advocates for Children of New York

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: JESSE CUTLER

Address: 142 JORALEMON ST #11C BKLYN 11204

I represent: \_\_\_\_\_

Address: \_\_\_\_\_



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. 285

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: THOMAS C. BRASWELL

Address: 245 PARK AVENUE

I represent: MAJOR LEAGUE BASEBALL

Address: 245 PARK AVENUE

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Meghan Cirrito

Address: 217 51st Ave #1010 11101

I represent: Gantry Parent Assoc.

Address: same

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/2018

(PLEASE PRINT)

Name: Joanna Holzman

Address: 34-15 24th St, Jackson Hts, NY 11372

I represent: District 30 Parents

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1099 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Eliyanna Kaiser

Address: 530 West 45<sup>th</sup> St. Apt 6M

I represent: myself

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16

(PLEASE PRINT)

Name: Rehmanhara

Address: senior Advisor for

I represent: Transportation

Address: DOE

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16

(PLEASE PRINT)

Name: Chanellor

Address: Richard A. Couranza

I represent: DOE

Address: \_\_\_\_\_

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



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14

(PLEASE PRINT)

Name: Alexandra Robinson

Address: Executive Director

I represent: OPT

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Celia Green CCHS

Address: D75 President's Council

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: LORI LOREY PONSISER

Address: \_\_\_\_\_

I represent: INCLUTANK

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0451 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: SARA CATALINOTTO

Address: 341 W. 24 ST. NYC 10011

I represent: Parents to Improve School Transportation

Address: pistnyc@gmail.com

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Justin Wood

Address: 151 W. 30th St, NYC

I represent: NY Lawyers

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Paula Elaine Boone

Address: 151 W. 30th St, NYC

I represent: NY Lawyers

Address: \_\_\_\_\_

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



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Kim Madden

Address: 37 W 93<sup>rd</sup> St NY NY 10025

I represent: I'm a parent of a child who bleeds the bus

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Maggie Moroff

Address: \_\_\_\_\_

I represent: ARISE Coalition

Address: 131 West 30<sup>th</sup> St

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Glennia Corsino

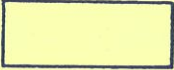
Address: 2787 Schley Ave

I represent: CCSE - Parent

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Gordon (Gren) Lee

Address: 1 St. Pauls Ct.

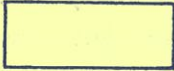
I represent: Self & The News

Address: 1 St Pauls Ct

*Foster care  
for transportation  
for children in foster care*

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Stephen Harmer

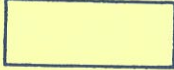
Address: 32-32 80 St Jackson Heights NY

I represent: SCO Family of Service

Address: 89-30 161 St Jamaica, NY

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Nicole Kabe

Address: 334 93rd St Apt 1A Bklyn NY 11209

I represent: \_\_\_\_\_

Address: \_\_\_\_\_



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





**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Matthew Kabel  
Address: 334 93rd St Apt 1A Brooklyn NY 11209

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 929-2018 Res. No. 540-2018  
 in favor  in opposition

Date: 10/16/2018

(PLEASE PRINT)

Name: MARIA Jaime  
Address: 870 Southern Blvd Apt 4A

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 929-2018 Res. No. 540-2018  
 in favor  in opposition

Date: 10/16/2018

(PLEASE PRINT)

Name: Nelson Mar  
Address: \_\_\_\_\_

I represent: Bronx Legal Services

Address: 349 E. 149th St., Bronx NY 10451

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

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10-16-18

(PLEASE PRINT)

Name: Eliranetun Van Horn

Address: 48 Wall Street, Suite 1100, NY 1005

I represent: Cart Awarded Special Divorces

Address: same as above

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Rebecca Green

Address: 51 Ganet Street, 7A

I represent: My special needs son

Address: Brooklyn, NY 11231

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1099 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: JESSE CUTLER

Address: 276 5th Ave NY NY 1001

I represent: LAW OFFICES OF REGINA SKYER

Address: 276 5th Ave 1001 & Assoc.

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



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. <sup>T2018-3003</sup> Res. No. \_\_\_\_\_

in favor     in opposition <sup>T2018-2962</sup>

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Adriana Espinoza

Address: NYLCU

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1099 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 10/16/18

(PLEASE PRINT)

Name: Chris Treiber

Address: 150 West 30th St

I represent: Inter Agency Council

Address: \_\_\_\_\_

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

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name: MERIDITH SORIER

Address: \_\_\_\_\_

I represent: SHELTERING ARMS

Address: \_\_\_\_\_

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

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name: Lisa Gitelson

Address: COFCCA

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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