

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Mark Diller, *District Manager*



Antony Wong, *Treasurer*
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Ritu Chattree, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

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February 28, 2023

Hon. Eric Adams
Mayor
City Hall
New York, NY 10007

David C. Banks
Chancellor, NYC Department of Education
52 Chambers Street
New York, NY 10007

Hon. Brad Lander
Comptroller
1 Centre Street #530
New York, NY 10007

James Sarkis
Deputy Director of Finance
NYC Department of Education
52 Chambers Street, #314
New York, NY 10007

Dear Mayor Adams, Chancellor Banks, Comptroller Lander and Deputy Director of Finance Sarkis:

At its Full Board meeting February 16, 2023, Community Board #2, adopted the following resolution:

Resolution on Pupil Transportation

1. **Whereas**, New York City public schools exist to serve all the city's Public School students; and
2. **Whereas**, in accordance with Chancellor's Regulation A-801, the Department of Education (DOE) provides transportation to all eligible New York City students in public, charter, and non-public schools. In partnership with the Metropolitan Transit Authority (MTA) and our school-age and preschool bus companies, our mission is to ensure safe and reliable transportation to and from school; and
3. **Whereas**, 150,000 NYC students attending public, charter, and non-public schools are eligible for pupil transportation, including 65,000 students with IEPs and 6000 students in temporary housing; and
4. **Whereas**, Curb-to-school or specialized bus service is provided to students experiencing medical, health, or disability-related conditions or special circumstances prevent them from being able to walk or utilize other forms of transportation to get to and from school; and
5. **Whereas**, under the DOE Transportation Rights, students should expect Dependable and timely school bus service, travel on a school bus that is properly equipped and inspected for

safety, including an inspection by the NYS Department of Transportation performed every six (6) months, and the shortest and safest bus route to minimize travel times to and from school; and

6. **Whereas**, NY City Council’s 2022 Year In Review¹ summarizes its hearing on School Bus Transportation Services, with links to the recording of the event and to the existing laws on Office of Pupil Transportation (OPT) reporting; and
7. **Whereas**, Manhattan Community Board 4 ACES Committee held a public hearing² on school bus service (which included interviews with PIST and OPT), the outcome of which was a letter to Mayor Adams, the NYC Comptroller, and others, advising an audit of pupil transportation and consideration of expanding non-profit NYCSBUS³; and
8. **Whereas**, for a safe environment free from discrimination, harassment, and bullying; in accordance with Chancellor’s Regulation A-832 any such incidents should be reported to their school’s Respect for All liaison (RFA) or emailed to RespectforAll@schools.nyc.gov; and
9. **Whereas**, families can report any behavioral or safety incident on the school bus to their school for documentation and appropriate follow-up and filing a complaint to initiate an unbiased investigation performed by the appropriate investigatory unit or agency; and timely resolution of any complaints and/or concerns; and
10. **Whereas**, in summer of 2021 and 2022 the DOE, having failed to provide school bus service to students mandated for summer/extended school instruction, offered free car service for Students with disabilities and students in temporary housing in order to attend the Summer Rising program. In summer of 2022 most families were not aware of the rideshare options and very few families were able to make use of this accommodation due to the lack of communication and numerous technical glitches; and
11. **Whereas**, in March 2021, DOE announced a long-term investment in student bus transportation in the acquisition of Reliant Transportation and the establishment of the non-profit organization New York City School Bus Umbrella Services Inc. (NYCSBUS)⁴ to service 950 school-age bus routes annually for the DOE; and
12. **Whereas**, in New York City, District 75 schools provide instruction for the most severely disabled students in the New York City Public Schools). During the pandemic, Under Chapter 683 (a summer 2020 federally funded program that pays Special Education schools to provide year-round instruction), families who depended on summer programs for mandated 12-month services, encountered numerous instances of late pick-up, no social distancing on minibuses, children dropped off at the wrong location/site, children reported lost for numerous hours and reports of busses with no functioning air conditioning when the outside temperatures were well over 80 degrees; and
13. **Whereas**, despite numerous promises from OPT that buses would be in place for the first day of the 2022-2023 school year, parents reported children not being picked up, children being

¹ https://iqconnect.lmhostediq.com/iqextranet/view_newsletter.aspx?id=175896&c=NYCCSPK

² <https://cbmanhattan.cityofnewyork.us/cb4/wp-content/uploads/sites/10/2022/12/19-ACES-letter-to-Mayor-Comptroller-DOE-re-Improving-Student-Busing.pdf>

³ <https://comptroller.nyc.gov/reports/final-letter-report-on-the-new-york-city-department-of-educations-compliance-with-local-law-34-of-2019-regarding-reports-on-school-bus-transportation-services-and-school-bus-delays/>

⁴ <https://www.nycsbus.com/>

- lost, excessively long travel times, wheelchair bound students not being provided vehicles with chairlifts, and overcrowded mini buses with no air conditioning or proper ventilation⁵; and
14. **Whereas**, under Chapter 683, thousands of families were stranded for almost 3 weeks waiting for a bus route to be assigned, missing mandated instruction and other in-person services and being forced to pivot to remote learning; and
 15. **Whereas**, only 40% of NYC families have established New York City Schools Account (NYCSA) accounts and the rest were unable to access busing information when in the past, OPT sent busing information as a written notice 10 days prior to school starting; and
 16. **Whereas**, incoming kindergarten families did not have access to busing information since NYCSA accounts are only established once the students are enrolled, nor did non-public school families, leaving tens of thousands of students stranded without access; and
 17. **Whereas**, the staffing of bus paraprofessionals is an immense obstacle in the transportation of our students leaving many unable to board their assigned bus; and
 18. **Whereas**, the extent of late, no-show, merged and doubled-up routes in Summer to Fall 2022 can partly be explained by the shortage of licensed school bus drivers throughout New York and other states, a problem that reflects nine years of NYCDOE allowing routes to be put out for bid without an Employee Protection Provisions (EPP) compensation package for the workers; and
 19. **Whereas**, in April 2022, New York Appleseed released extensive research briefing⁶ on the history of the New York City Yellow Bus Service and the impact of workers going on Strike due to the lack of Employee Protection Provisions (EPP) that is not sustainable under the national Bus driver shortage; and
 20. **Whereas**, Metrocards intended for families and Students in Temporary Housing as well as High School students for pupil transportation have not been distributed and are sometimes unavailable, leaving students very little choice but to crawl under the turnstile in order to get home, making them vulnerable to arrest and incarceration under the §165.15⁷ Theft of Service law, which makes the “intent to obtain...public transportation service without payment” punishable up to one year in jail; and
 21. **Whereas** CECD2 passed Resolution 194⁸ on 4/12/22 advising MetroCard usage times for traveling to and from school and school-related activities be expanded to board a bus or enter the subway up to 4 times per day between 5:30 AM and 10:00 PM; and
 22. **Whereas**, School bus delays spiked this fall to levels higher than any point in the last five years, according to figures revealed during a City Council hearing Monday Nov 21, 2022, representing a growing hardship for families who depend on yellow buses to get their children to school.; and
 23. **Whereas**, in October 2022, there were nearly 14,500 school bus delays⁹ lasting an average of 41 minutes, a nearly 30% increase in delays; in October 2021 bus shortages left some schools without the ability to initiate bus routes for any students for several days, forcing families to take time off from work in order to transport their children; and
 24. **Whereas**, parents have the right to receive information or communicate with a staff member at their school or Department of Education (DOE) office in their language regarding any and all matters related to transportation; and

⁵ <https://nypost.com/2022/07/23/nyc-students-stuck-on-hot-school-buses-during-heat-wave>

⁶ https://www.nyappleseed.org/wp-content/uploads/NYA_YellowBusReport_April2022_Final-1.pdf

⁷ <https://www.nysenate.gov/legislation/laws/PEN/165.15>

⁸ https://drive.google.com/file/d/1_d9Z0gE39jpLNHftnK9OPSgXz1Ns9ZOo/view?usp=sharing

⁹ <https://ny.chalkbeat.org/2022/11/21/23472253/nyc-school-bus-delay>

25. **Whereas**, language barriers and technology constraints place an undue burden on families that are already struggling.
- A. **Therefore, Be It Resolved** Community Board 2 Manhattan (CB2) implores the DOE to prioritize expanding quality NYCSBUS from the current 950 bus routes in order to service the 150,000 students eligible for transportation;
 - B. **Be It Resolved** that CB2 asks that attendance rates be collected on the number of students excluded from rightful service due to busing deficiencies, and that those data be made public and disaggregated by borough and by district;
 - C. **Be It Resolved** that CB2 ask that OPT actively prioritizes students who require a specialized learning classroom environment, particularly students experiencing in behavioral challenges and/or safety concerns, for the ‘fewer students on route’ accommodation in regards to transportation;
 - D. **Be It Resolved** that CB2 demands a more stringent oversight of OPT practices including but not limited to a reporting system of when site visits to bus companies are done, when bus inspections and repairs are cataloged, a transparent record of specialized vehicles and routes for students in need of ambulatory services, and how many routes are assigned to one driver;
 - E. **Be It Resolved** that CB2 ask that a pilot program for the recruitment, training and nomination of sub-paras strictly for the use of servicing students in need of bus paras be created under the supervision of the District 75 Superintendent to allow a faster expedition of the sub para nomination process and allow more parents to apply;
 - F. **Be It Resolved** that CB2 demands that OPT improve 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;
 - G. **Be It Resolved** that CB2 demand a more transparent and accessible complaint system for families and schools to report instances of no pickup, maintenance issues, missing children, safety concerns, and infractions on safety protocols;
 - H. **Be It Resolved** that CB2 ask for OPT to acknowledge and study the deficiencies that occurred during Summer Rising and Chapter 683 and schedule discussions with stakeholders on how to staff and problem solve promptly without relying only on a possible extension of any car service contract in anticipation of unmet student transportation needs;
 - I. **Be It Resolved** that CB2 ask that OPT maximize climate control on the vehicles, preferably with clean HVAC technology that is at least as energy efficient as New York City MTA buses used in public transportation; and
 - J. **Be It Resolved** that CB2 ask that OPT shorten the maximum route duration and create routes that adhere to them; enforce limited time travel as granted by an IEP;
 - K. **Be It Resolved** that CB2 demands OPT to proactively inform families (thru backpack mail, email, social media and information sessions) and schools about transportation rights including how to get accommodations; publish the different accommodations available and the codes to support the school based transportation liaisons on the Transportation section of the DOE website; how to add yellow bus service when changing schools or housing, especially for those residing in family residences; how to lodge a complaint; and how to seek a variance. We also ask that all forms and information are accessible and available in any language the DOE serves;

- L. **Be It Resolved** that CB2 demands that every student living more than .5 miles from their school has access to a monthly unlimited MetroCard for afterschool, mandated internships and programs, sports, and other education obligations
- M. **Be It Finally Resolved** that CB2 demands the creation of a school transportation oversight committee made up of parents, paras, and DOE representatives of each sector that is tasked with implementing OPT policies and troubleshooting i.e., transportation coordinators, routers, principals to mitigate and mediate all concerns related to the functions of OPT.

Vote: Unanimous, 43 Board Members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Jeannine Kiely, Chair
Community Board #2, Manhattan



Patricia Laraia, Chair
Schools and Education Committee
Community Board #2, Manhattan

JK/EM

cc: Hon. Brad Hoylman-Sigal, NYS Senator
Hon. Brian Kavanagh, NYS Senator
Hon. Deborah J. Glick, NYS Assembly Member
Hon. Grace Lee, NYS Assembly Member
Hon. Jumaane Williams, NYC Public Advocate
Hon. Mark Levine, Manhattan Borough President
Hon. Erik Bottcher, Council Member
Hon. Christopher Marte, Council Member
Hon. Carlina Rivera, Council Member
Hon. Mark Treyger, Council Member
Sayde Campoamor, Chief Equity Officer of NYC Comptroller
Lupe Hernandez, Community Organizer for Education and Opportunity of the Office of the Public Advocate
Community Education Council District 2
Sara Catalinotto

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52 Chambers Street, #314
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Dear Mayor Adams, Chancellor Banks, Comptroller Lander and Deputy Director of Finance Sarkis:

At its Full Board meeting February 16, 2023, Community Board #2, adopted the following resolution:

Resolution to Expand MetroCard Availability, Hours & OMNY Accessibility

1. **Whereas**, schools distribute student MetroCards to eligible students at the beginning of each semester, and as needed during the school year;
2. **Whereas**, students can use the school distributed MetroCard at every subway and local bus;
3. **Whereas**, student MetroCards are:
 - Distinct and separate from MetroCards sold to the public,
 - Only able to be used for three trips each school day; allowing middle and high school students to travel to school, from school to an after-school activity, and from that activity home,
 - Only to be used by the student to whom it was assigned,
 - For use for school and school-related activities between 5:30AM and 8:30PM only on days when the student's school is open for classes (generally Monday-Friday),

- Valid for one school semester; new cards are issued at the beginning of each semester by schools;
- 4. **Whereas**, many schools hold Saturday classes for academic intervention; academic & sporting events and practices are often held on the weekends across the city;
- 5. **Whereas**, students and families must absorb any transportation costs for students to travel for school-related activities on weekends;
- 6. **Whereas**, many extracurricular activities, especially for high school students, can run beyond the current 8:30PM curfew for MetroCard usage, and on weekends;
- 7. **Whereas**, schools have access to one-day, two-trip MetroCards, that can and be given to students for weekend use as needed and required if use of MetroCards cannot be extended to the weekends;
- 8. **Whereas**, the logistics and required tracking of two-trip MetroCards is an unnecessary burden on schools;
- 9. **Whereas**, the phone-based [One Metro New York](#) (OMNY) system for mass transit is currently not available for student travel.

THEREFORE BE IT RESOLVED, that Community Board 2 (CB2) urges MetroCard usage times for traveling to and from school and school-related activities be expanded to board a bus or enter the subway up to 4 times per day between 5:30AM and 10:00PM, every day of the week.

BE IT FURTHER RESOLVED, that CB2 encourages the NYC MTA to enable high school students to be allowed to use the new phone-based One Metro New York (OMNY) system for their public transportation, enabling them to use school funds for their travel without the complication of MetroCards.

Vote: Unanimous, 43 Board Members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Jeannine Kiely, Chair
Community Board #2, Manhattan



Patricia Laraia, Chair
Schools and Education Committee
Community Board #2, Manhattan

JK/EM

- cc: Hon. Brad Hoylman-Sigal, NYS Senator
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Hon. Carlina Rivera, Council Member
Hon. Mark Treyger, Council Member
Lupe Hernandez, Community Organizer for Education and Opportunity of the Office of
the Public Advocate
Community Education Council District 2
Sara Catalinotto

Resources & Links:

Parents to Improve School Transportation: <https://www.pistnyc.org/resources/school-transportation-from-temporary-housing-transporte-a-la-escuela-desde-alojamiento-temporal>

NYC DOE Transportation Overview: <https://www.schools.nyc.gov/school-life/transportation/transportation-overview>

NYS Assembly bill A8244: <https://legislation.nysenate.gov/pdf/bills/2021/A8244>

MTA Student MetroCards: <https://new.mta.info/fares/student-metrocard>

One Metro New York (OMNY): <https://omny.info/>