

SIEGEL TEITELBAUM & EVANS, LLP

ATTORNEYS AT LAW

260 MADISON AVENUE, 22ND FLOOR

NEW YORK, NEW YORK 10016

TELEPHONE:
(212) 455-0300

FACSIMILE:
(212) 455-0301

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

Dear Chancellor Walcott:

We write on behalf of a group of parents and their children who rely on the Department of Education's Office of Pupil Transportation (OPT) to provide daily bus service to and from the New York City public schools pursuant to their respective Individualized Education Program (IEP). These parents have asked us to help identify and overcome many disturbing and persistent problems with the bus service that OPT is required to provide to their children under the Federal Individuals with Disabilities Education Act (IDEA).

During the 2012-13 school year- and in one case for up to five years- these problems have included many incidents of unannounced changes in bus companies and routes; last-minute cancellations of service; late pick-ups and changes of location; daily travel times that exceed mandated limits; failure to provide required vehicle air-conditioning; frequent turnover of bus drivers and matrons, many of whom were inadequately trained to understand and assist children; poor DOE record keeping and communication with parents; and, in general, evidence of a systemic failure to meet the needs of the children, the expectations of parents, or the Department's own standards. These shortcomings have caused significant physical and emotional suffering to children and families, and kept both parents and the Department from achieving their shared goal to foster the education and socialization of these highly vulnerable children.

Among the cases reported to us for the 2012-13 school year:

- Elias, who has learning disabilities, typically spent almost five hours a day on the school bus- far in excess of the Department's 90 minute standard for one-way transportation to a school within the same borough. Other similarly situated students were routinely in transit for four hours daily, and many parents report that the stress and exhaustion of so much travel impaired their children's well-being and capacity to learn.
- Christian and his mother were subjected to extraordinary hardships due to bus scheduling problems at the beginning of the fall 2012 term. Christian commutes from upper Manhattan to a school in Queens, and although DOE and OPT had his current address, Christian's bus was sent to his former home on the first four days of school. As a result, Christian and his mother were required to travel 45 minutes on public transportation to their previous address in order to meet the bus; although they arrived by 7am, the bus failed to arrive on each of the first two days. On the next two days, his mother accompanied him two hours each way on public transportation in order to ensure that Christian could attend class at his Queens school.

Christian suffers from motion sickness, and, because the school buses are not or inadequately air conditioned, he often arrives home weak and dehydrated from vomiting. His suffering was worsened because the bus was loaded in a hot, unshaded parking lot, exposing the children to a long wait in stifling conditions and increasing Christian's disposition to illness. Despite his suffering, and his mother's repeated pleas to allow him a drink of water, the bus company refused on the grounds that water posed a "choking hazard" to the children.

- Kwame's doctor recommended that his IEP stipulate a one-way bus travel time of 60 minutes or less. Kwame's scheduled dismissal time was 2:25, but two days each week from September into October he was on the bus 2-3 hours, a routine that continued until the press reported on it. The delay occurred because, after boarding the bus, Kwame was not brought home. Instead he was driven around for more than an hour while the bus picked up students at other schools, and as a result he sometimes did not arrive home until 5:15, and in an exhausted condition.
- Jack, 10 years old, rode the bus approximately two hours to and from school each day, causing him to miss 12 hours of IEP-mandated speech and occupational therapy. In addition, because school busing at the end of the day began 25 minutes before his scheduled dismissal time, Jack missed nearly 100 hours of instruction over the course of the school year. In addition, his chronic late arrival and early departure upset him and disrupted his schooling, and as a result his mother was forced to bring him to school so that he would be less agitated and more receptive to instruction.
- Karl, who suffers from an anxiety disorder, dysgraphia, and other conditions, had his bus arrive an hour late every day for the first month of classes. For Karl- who despite his learning difficulties is anxious to succeed in high school- the late arrival was extremely disruptive and demoralizing. Missing homeroom, as well as his first and often second class periods, kept him from adequately organizing himself and limited his ability to keep up. Karl's busing problems are not new or random, but systemic. He and his parents have struggled for years with bus scheduling issues, and also with matrons who are ill-equipped to deal with children like Karl in an understanding and supportive way.
- A brother and sister are both post-institutionalized and require special attention; the boy is epileptic and suffers from incontinence. In order to avoid morning bus travel times of up to 2 hours, the mother resorts to taking her daughter to school on the subway; in the afternoon, the girl arrives home on the bus exhausted, reducing the possibility of after-school activities, affecting her sleep, and limiting her development. The boy's needs are best cared for when he has the same bus matron for at least several months, and one who is skilled at communicating with and understanding him. Frequent and sudden changes in bus staff mean that he spends two or more hours twice each day under the care of people who know little of his needs or how to respond should he require emergency care.

Poor supervision on the bus has led to other challenges for this family, e.g., experiencing outdoor waits of up to an hour with one disabled child, while not knowing why the other is delayed or when they will arrive.

- Alejandro's bus route was changed twice without advance notice during October-November, 2012. Not only did the bus route notifications from DOE arrive *after* the bus had begun to arrive at the new time each morning, but Alejandro, who is autistic, missed school time because he was reluctant to board a bus where the faces of the driver, matron, and students were constantly changing and therefore unfamiliar to him. Although Alejandro's class time was scheduled to end at 2:30, the staff would get him ready to leave at 2:10. According to his mother, Alejandro's

school day was short-changed so that the driver could complete his route before the bus company was required to pay him overtime.

- Zariah, whose IEP mandates that she travel on an air conditioned school bus, has been forced to use buses that were insufficiently or not air conditioned for five consecutive summers. The result has been daily heat exhaustion and dehydration upon her arrival at school and home.
- Esther, who is entitled to air-conditioned bus service, experienced chaotic scheduling problems during the first two weeks of summer school in 2012. The family received notification and then cancellation of their service, assignment of a second company, and then this service was also cancelled before it began. After complaining, Esther's mother was told by OPT that bus service was not listed on Esther's IEP. When the school confirmed that Esther was in fact entitled to bus service, a third company sent a non-air conditioned bus, and it arrived without prior notice. Finally, OPT cancelled that service, and arranged for a company that proved reliable, although its buses were always crowded and had only one matron.

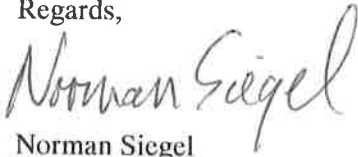
These disturbing and heart-rending reports indicate a pattern of multiple and systemic problems with DOE's provision of bus service to these children. As a class they have been poorly served, and their education and self-esteem are reported to have been harmed by a pattern of unreliable bus schedules, long travel times that violate mandated norms, a high rate of bus staff turnover, and exposure to various debilitating conditions en route.

In addition to these problems, a pattern of poorly planned, scheduled, and supervised bus service has caused these students to lose important classroom, therapeutic, and developmental time, caused their entry and exit from the classroom to become a distraction to their fellow students, and brought them home exhausted and debilitated, unable to do homework or pursue other activities essential to their well-being.

The widespread, long-term nature of these issues suggests that they have not been addressed systematically, adequately, or in a timely way. Therefore we strongly encourage DOE to engage with these and other parents of children who depend on special education bus transportation, and with other qualified stakeholders, to formally review the Department's practices, to work cooperatively to improve the bus transportation system, and to end its negative impact on the education, health, and well-being of students in the New York public schools.

We request a meeting with you and relevant DOE staff members at the earliest opportunity to discuss the contents of this letter, and we look forward to your response.

Regards,



Norman Siegel

cc: Mayor Michael R. Bloomberg