



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senate Passes Fuschillo Bill to Help Children WITH Non-Ambulatory Parents

CHARLES J. FUSCHILLO JR. June 20, 2011

Senator Charles J. Fuschillo, Jr. (R-Merrick) announced that the New York State Senate recently approved legislation he sponsors to help children with non-ambulatory parents. The legislation (S595) would give school districts the authority to provide transportation for these children even if they live below the transportation mileage limit.

“Right now, there are parents whose health conditions prevent them from bringing their children to school. Their children can only receive school district transportation if they fall within the district’s busing guidelines, without exception. School districts should be able to make exceptions for these children transportation if they believe it is warranted. This legislation would give them that authority,” said Senator Fuschillo.

Under current law, school districts can choose to provide transportation for children who live within distances less than those required by law (2 miles for grades K-8, 3 miles in grades 9-12), so long as it is done equally to all children in all cases. Districts have no discretion to make case-by-case exceptions for any reasons, even in cases where a parent is physically unable to bring their child to school and lives only one or two houses outside the transportation cut-off line.

Senator Fuschillo’s legislation would remedy this by giving school districts the authority to adopt a policy to provide transportation on a case by case basis. The school district would have to approve a resolution determining that the child is eligible for transportation based on the fact that his or her parent is physically unable to provide their own transportation or by walking with them to school. Parents would have to provide the school district with proof of their physical condition, such as a note from their doctor.

The legislation has been sent to the Assembly for consideration.

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