



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senate Passes Senator Fuschillo's Legislation to Help Children Whose Parents Are Physically Disabled

CHARLES J. FUSCHILLO JR. June 12, 2013

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Senator Charles J. Fuschillo, Jr. (R-Merrick) announced that the New York State Senate recently approved legislation he sponsors to help children whose parents have a physically limiting disability. The legislation (S738) would give school districts the authority to provide transportation for these children even if they live below the transportation mileage limit.

“Children whose parents cannot bring them to school because of a physical disability cannot receive busing from their school district if they fall outside the district’s busing guidelines, without exception. In these types of extenuating circumstances where a parent’s physical disability prevents them from bringing their child to school, districts should have the authority to decide whether to make exceptions and provide transportation. This legislation would give them that ability,” 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 (two miles for grades K-8, three 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 allow school districts to adopt a policy to provide transportation to children who do not normally qualify for busing if that child's parent or guardian has a physically limiting disability which prevents them from bringing the child to and from school. Parents would have to provide the school district with proof of their physical condition from their doctor. Each district's policy would have to be approved by its board of education.

New York State United Teachers supports the legislation because "it supports families who are living with a disability and who are physically unable to take their children to school."