



NEW YORK STATE SENATOR

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## Senators Demand NYC DOE Provide Transportation For Students With Disabilities

ANNA M. KAPLAN September 2, 2021

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New York, NY - Today, state senators joined parents and advocates to demand that the NYC Department of Education immediately provide school bus transportation to students with disabilities.

New York City provides education for many severely disabled kids by sending them to “4201 schools” which are privately run and sometimes located outside the city. The city is required

to provide - and has for years - school bus transportation with appropriately trained staff to bring students to and from these schools. These “4201 schools” typically begin their school year ahead of most public school students, and many began instruction on September 1. All other school districts across New York have already operated school buses for their disabled students in advance of the overall first day of school. However, NYC students and their families were informed just a few days ago that their school buses will not be running until September 13, and were instead offered metrocards or taxi service.

**Senator Anna M. Kaplan** said, “It’s outrageous for the New York City Department of Education to balance their budget on the backs of our community’s most vulnerable children. Their decision to deny special-needs students transportation to school until September 13 effectively kicks them out of the classroom for the first two weeks of the year, robbing them of their ‘back to school’ experience, and denying them their right to an education. The situation is a disgrace, and I’m calling on the DOE to reverse their decision immediately so that these kids can go back to school with their classmates right away”

**Senator John Liu, chairperson of Senate Committee on NYC Education** said, “The mayor promised all year that schools would reopen for all students, but the sad truth is that they once again forgot about disabled kids for whom his Department of Education is required to provide appropriate school buses. It’s just unconscionable how special-needs students and their families are always an after-thought for City Hall and the DOE. The school bus requirements for these children have long been established and provided, and we reject the eleventh-hour metrocard and taxi suggestions. There’s no reason why the city can’t get these buses rolling by next Tuesday, especially when every other school district in the state has been able to do just that. Moreover, this is yet another in a series of fiascos that raise concerns about the efficacy of mayoral control of NYC schools.”

**Senator Shelley B. Mayer, chairperson of Senate Committee on Education** said, “Every child in New York State is entitled to an education. Children with special needs as identified on their individual education plans have specific education requirements that must be met pursuant to state and federal law. These requirements, which can include transportation, apply to students who are deaf and blind as well as all children with identified special needs. I am here today to call upon the NYC DOE to stop ignoring the pleas of parents and to provide transportation, as required for children attending 4201 schools and all other special education students, that aligns with the start of their respective schools. Our stated goal when we adopted an historic amount of education funding is to prioritize the return to school for students most in need. It cannot be delayed. It cannot be placed on parents as their responsibility. Do the right thing DOE and restore transportation services as required.”

**Senator Simcha Felder** said, “Without busing, New York City is neglecting the education of its most vulnerable children. It is simply unacceptable to put these children and their families through this ordeal and the situation must be fixed immediately.”

**Senator Andrew Gounardes** said, “It is crucial for our recovery and for all children’s well being that they get back to the classroom and that we make it as easy as possible for the students and their parents. That’s why it’s beyond comprehension that the Mayor and the Department of Education are not providing essential bus services that our most vulnerable students rely on and are entitled to on day one. These students need interaction with their peers and access to specialized services they’re entitled to now, not a week from now, not when the Department of Education decides to bus them. We must commit to meeting our highest standards of support for all our schools, especially 4201 schools and those that service IEP’s, and that begins with the DOE providing busing for the first day of school for everyone.”

**Senator John W. Mannion, chairperson of Senate Committee on Disabilities** said, "There are no circumstances where it makes sense for the subway or a cumbersome taxicab system to be the only transportation options for blind schoolchildren in the five boroughs. As chair of the Senate Disabilities Committee and a former high school teacher, I adamantly oppose any attempts to limit bussing or other means of transporting students with a disability. In fact, the BOE should be doing just the opposite and making additional accommodations to ensure each child has the tools and supports they need to succeed at school."

**Senator Jim Tedisco, ranking member of Senate Committee on Education** said, "It's outrageous that New York City students with special needs who face many challenges as they get an education will not be provided transportation to school. My late brother Joey Tedisco also had special challenges and I know how important it was for him to get on the bus each day so he could get to school. I strongly support in a bi-partisan, non-partisan way the efforts of my colleagues to urgently request that transportation be provided to the students who need it."

**Dr. Bernadette Kappen, Chair of the 4201 Schools Association and Executive Director of the Bronx-based New York Institute for Special Education** said, "As the first bell of the school year starts to ring – hundreds of blind, deaf, and physically disabled students are in jeopardy of being left at the curb on the first day of school. New York City DOE has known our calendars and start dates, however, for reasons and a rationale only known to them, their bus transportation may not begin until at least September 13. The children we serve, and their families are the ones who will feel the consequences resulting from DOE's lack of communication and organization. And this is not an isolated incident – at least four schools that I represent: the Henry Viscardi School (Nassau County), Lavelle School for the Blind and New York Institute for Special Education (both in the Bronx), and St. Francis de Sales School for the Deaf (Brooklyn) are being thrown into a state of uncertainty. Any delay in returning to school is detrimental to our children's education and frankly compounds the trauma they have

suffered for the last 18 months. We urge DOE to immediately reverse their discriminatory decision so that all the children of the Association are provided with the essential services and support they deserve.”

**Evan Stein, a parent who sends son to Kulanu Academy** said, “My son, Joshua, is 13 years old and has autism. He is not able to transport himself from his home in Manhattan to his school in Queens. Since he was 4 years old, we have relied on the DOE to provide him with transportation as mandated on his IEP. This year, as his school is beginning on September 9, the DOE is not providing the transportation for the first 2 days of school. They have offered to reimburse transportation costs for Josh and a parent who can transport him. My wife and I are both Health Care Workers in Manhattan. We don’t have the flexibility to miss 2 days of work to commute with Josh to Queens, return home and then return to Queens to bring him home. This would be a hardship on us, our colleagues, and on the people we care for. We insist that the DOE provide the busing service that they are obligated to under Josh’s IEP when his school starts on September 9.”

**David C. Bloomfield, Professor of Education Leadership, Law & Policy at Brooklyn College and The CUNY Graduate Center** said, “I urge DOE to provide students with IEPs safe access to and from all school and after-school programs as required by law and common decency. Every detail of transportation routes, staffing, and parent information must be in place on Day 1 including all COVID-related precautions.”