



NYAPT

NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION

266 Hudson Avenue • Albany, NY 12210 • PH: 518-463-4937 • FX: 518-463-8743 • WWW.NYAPT.ORG

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STATEMENT OF THE NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION 2016 JOINT HEARINGS OF THE NEW YORK STATE SENATE AND ASSEMBLY 2016-2017 EXECUTIVE BUDGET PROPOSAL January 27, 2016

The New York Association for Pupil Transportation (NYAPT) is a professional membership organization representing the interests of the more than 600 women and men in our State who are responsible for the safe and efficient transportation of more than 2.3 million children to and from school each day. Our members include Transportation Supervisors who oversee and manage transportation programs, dispatchers, safety trainers, mechanics, routers and schedulers, bus company leaders, and many school bus drivers and attendants.

We are pleased to have this opportunity to share with you our comments and recommendations regarding the elements of the 2016-2017 Executive Budget Proposal as set forth by Governor Andrew Cuomo on January 13, 2016. Our focus in this statement will be on those aspects of the budget proposal that have an impact on school transportation and school bus safety for our children.

Highlights of Our Comments and Recommendations

School transportation in New York State has achieved a strong record of safety and efficiency that ensures the safe transportation of more than 2.3 million children to and from school each day. It is vital that our state continue its investment in school transportation to continue that record of safety for our children. A goal for our state should be to **increase** ridership on school buses to avail our children to the safest transportation possible. Reductions in ridership very often lead to increased injuries and fatalities.

Accordingly, NYAPT offers the following comments and recommendations regarding the contents of the Executive Budget Proposal for 2016-2017 and we further discuss these recommendations in the full text of our statement:

- **Support the appropriation of \$1,782,890,000 in expense-based Transportation Aid to provide sufficient funding to reimburse school districts for the costs of transportation in the previous school year;**
- **Request that the State Legislature (1) FULLY restore the funding that was taken from school districts under the Gap Elimination Adjustment and (2) provide at least a \$2.2 billion year-to-year increase in Education Aid, (including Foundation Aid, expense-based aids and GEA restoration) - consistent with the amounts recommended by the Board of Regents and the Education Conference Board;**
- **Recommend an increase from \$400,000 to \$500,000 for the School Bus Driver Training Program for the development and design of specific and strategically significant training programs;**
- **Recommend and urge that costs incurred providing transportation services for Universal Pre-Kindergarten students be deemed eligible for reimbursement under Transportation Aid;**
- **Recommend that funding be enriched to support the transportation of homeless students;**
- **Recommend that investments in After-School and Community School programs include consideration of transportation logistics and costs;**
- **Support the adoption of specific mandate relief measures to assist in cost control and efficiencies.**

Gap Elimination Adjustment Appeal

Before we offer our comments and recommendations about the specifics of the Proposed Executive Budget, we want to join the voices of so many others in the Education community in calling for full restoration of the funding that was taken away from school districts under the Gap Elimination Adjustment. School districts absorbed the decrease in funding that resulted from the GEA at a time when the State was trying to balance its budget. It's time for those funds to be restored. The Governor's budget proposal restores those funds over a two-year period but the time for full restoration is now.

The impact of the GEA is felt as well in school transportation in ways that often compromise safety. In order to absorb the GEA cuts, many districts have made students walk longer distances to get to school or walk longer distances to their bus stops to save money. Some districts have eliminated transportation for educational field trips, athletics or modified teams, as well as for extracurricular activities. Many districts have reduced training and maintenance staff who are part of ensuring safety for our children. Some districts have extended the operating life of school buses rather than purchase newer buses with increased fuel efficiency or green technology, safety features and other benefits. Some districts have even eliminated or downgraded the safety-critical position of Transportation Supervisor as a budget-savings strategy.

None of these steps are necessarily good for our children and their safety. A restoration of the funds lost under the GEA might free up some local funds to allow for restoring some of the safety measures and practices that were reduced or eliminated due to the GEA. We implore the Legislature to act to fully restore the GEA funds to our districts in the interests of our children.

Our Specific Comments and Recommendations

Our statement is divided into two sections: (1) reviewing and making observations and recommendations relating to the elements of the Executive Budget Proposal and (2) offering recommendations relating to concerns and needs not contained in the Executive Budget Proposal.

Transportation Aid Funding

NYAPT is pleased that the Executive Budget Proposal includes \$1,782.89 billion in funds to reimburse school districts for transportation costs incurred in the previous school year – as transportation aid is an expense-based aid. It is important to note that school districts have worked diligently to control the costs of transportation which provides access to education for some 2.3 million children in New York. This includes very specialized transportation for thousands of students with disabilities as well as transportation for non-public students, students who are homeless and other students with special needs and requirements. A key part of the cost of transportation lies in mandated safety equipment, driver preparation, customized student transportation, and numerous other service mandates that affect the overall cost of delivery. NYAPT supports this appropriation and urges the Legislature to approve it in the adopted state budget.

NYAPT also calls upon the Legislature and the Governor to explore and consider the numerous Mandate relief recommendations that NYAPT has put forth in recent years as a means for moderating the costs of school transportation for the taxpayers.

Continued Funding for School Bus Driver Training Programs

Section 22 of the Article VII legislation for ELFA authorizes the expenditure of \$400,000 for **SCHOOL BUS DRIVER TRAINING** programs pursuant to Section 3650 of the Education Law. This investment represents an expenditure of **17 cents per student rider** in New York State. Currently these funds provide for the development and delivery of a Basic Course and a Pre-Service course for school bus drivers, refresher course content for school bus drivers, a professional development seminar for school bus driver instructors and compilation of an accident data base

from which are drawn lessons and improvements for teaching to school bus drivers. The return on investment is significant in terms of our overall safety record—but more training is needed in numerous areas as we discuss below. Recall that we experienced fatality levels of 38 in the 1970's, 21 in the 1980's and 12 in the 1990's before we instituted the current program of training. In the fifteen years since 2000, we have had only 5 fatalities. While even five is too many, as a point of comparison, this investment in driver training has made all the difference, particularly in cases involving driver error accidents.

Accordingly, while NYAPT strongly supports appropriation of these funds for the coming year, we also respectfully urge the Legislature and the Governor to increase the appropriation for the School Bus Driver Training program by \$100,000 to a new level of \$500,000. These funds have remained constant since 1997, having never had an increased appropriation.

We further recommend that SED be charged to utilize these funds specifically to support development of timely training for school bus drivers and attendants in the following areas:

- ✓ Safe transportation of Pre-Kindergarten students in light of proposed increases in Pre-K enrollments
- ✓ Bullying-related and student behavior management training consistent with the Dignity Act
- ✓ Security measures to protect their bus, riders and themselves from intruders and violent incidents
- ✓ Awareness of and sensitivity to special education categories enumerated under IDEA, as required under "PJ's Law"

Funding for Universal Pre-Kindergarten Transportation Services

The lack of consistent and quality transportation services is cited as a barrier to full implementation of Universal Pre-Kindergarten and to ensuring access for all children to this important educational program. As the State takes steps to expand this important program to include all 4-year old children in the state, it is critical that the provision of transportation and funding to support transportation costs be addressed directly in this budget.

Accordingly, NYAPT strongly recommends the inclusion of funds in the State budget to support the delivery of transportation services for students enrolled in Universal Pre-Kindergarten programs. Several years ago, the State enacted a law (Chapter 242 of the Laws of 2012) that allows school districts to provide such transportation, but places the entire burden for paying for that transportation on the school districts. This needs to be corrected and districts be allowed reimbursement for the costs associated with Universal Pre-K transportation.

This can be accomplished by including transportation of UPK students as an allowable expenditure in the calculation of transportation aid under Section 3635 of the Education Law.

Moreover, we recommend that the State recognize and resolve numerous operational and policy issues related to safely and efficiently transporting children to the UPK programs. Beyond obvious questions of funding, it is important that guidelines be formulated to ensure the safety of these younger students and to ensure the capacity of our school districts and transportation providers to transport them safely and within budget realities. This includes issues such as statutorily required safety drills, deployment of safety belts and child safety seats, school bus driver and attendant training needs, and related matters.

Transportation for Homeless Students

In his Executive Budget Proposal, the Governor called for increased support for additional shelters and facilities to allow for more humane conditions for families and children facing homelessness.

NYAPT understands the socio-economic needs for such facilities on behalf of these affected families. We also understand that the transporting of students from such facilities to their schools of origin present a significant

cost to school districts. We would encourage the State Legislature to consider an allowance of a portion of the funds to enable districts to be reimbursed for such transportation in the coming year.

We also encourage the Legislature to consider amending Section 3209 of the Education Law to require that the Commissioner to determine that situations where a student will be transported more than 25 miles are in the best interests of the child. Current law sets that threshold at 50 miles which has created hundreds of instances where children are riding on a school bus from early morning to early evening at distances as great as 50 miles. Moreover, we urge the Legislature to consider requiring school districts to determine annually whether a child continues to “lack a fixed, regular, and adequate nighttime residence” that would entitle that child to transportation up to those same 50 miles under current law.

After-School Programs

NYAPT is a collaborating partner with the New York State Afterschool Network and as such, we support efforts by the group to increase funding and capacity for after-school and community school programming. NYAPT urges the Legislature, the Governor and the Education Department to recognize the significant costs of transportation and logistical concerns related to expanded after-school and community school programming.

Mandate Relief Recommendations

NYAPT has long advocated for mandate relief measures in school transportation that will help to alleviate administrative and program burdens and allow for overall operating cost reduction in school transportation without unduly affecting school bus safety. This year, we will again ask the Legislature and the Governor to work with us in enacting some or all of the following mandate relief measures:

- ❖ Eliminating the requirement for school bus operators to take duplicate sets of fingerprints for school bus drivers who will perform secondary functions as school bus monitors/attendants (*a bill on this subject was vetoed by the Governor in 2014*);
- ❖ Modifying Section 3209 of the Education Law to require that the commissioner of education determine whether it is in the best interests of a child to be transported a distance further than 25 miles and require school districts to annually determine whether a child continues to lack fixed, adequate and regular nighttime residence;
- ❖ Repealing the requirement for fire suppression devices to be installed on certain school buses;
- ❖ Repealing the requirement that school buses be equipped with ‘backlit’ **SCHOOL BUS** signage and allow for the use of reflective materials such as are used in the remaining 49 states in the country;
- ❖ Increasing coordination among school districts within BOCES regions to adopt common annual calendars and adjust bell times to allow for increased efficiency in school transportation;
- ❖ Reducing the requirement that districts provide transportation to non-public schools from the current 15 miles to a new radius of 10 miles or identify other means to mitigate the significant costs of such services;
- ❖ Requiring school transportation department involvement in CSE deliberations that will have implications for school transportation services and budgets.

A Record of Safety

School transportation in New York State has achieved an unparalleled record of excellence and safety that results from a consistent and continuing dedication to school bus driver preparation and training as well as school bus equipment standards and safety inspections. All New Yorkers should be proud of that safety record and should be satisfied and assured that their children are safer in a yellow school bus than in any other form of transportation to and from their schools. This was re-affirmed last fall at a National Association for Pupil Transportation Annual

Summit by NHTSA Administrator, Dr. Mark Rosekind and is backed up by highway safety research data. Rosekind said *"School buses are by far the safest way for children to get to and from school."*

To be more specific, national-level school bus research shows that the school bus is more than EIGHT TIMES safer than any other form of transportation including transportation provided by parents for their children. As we stated above, our fatality rates have plummeted due to increased attention to training for school bus drivers as well as for our children who ride the yellow school bus.

Our association and partner associations would argue that we need to increase the number of students who ride yellow school buses to school each day. We are greatly concerned that recent rounds of budget constrictions have put many students off the school bus in lieu of personal transportation or walking through unsafe neighborhoods and more. The yellow school bus is designed with student safety first in mind!

In Closing

School transportation services are a vital part of the education enterprise. School buses ensure that students of all needs and in all parts of the state can access their constitutionally protected right to a sound basic education.

The yellow school bus and the school bus driver are the first contact that our students make with their school each and every day – and they are the last contact they make each day as well. It is in all of our interests to do all we can to ensure the safety of that school bus, the skills and integrity of the school bus driver and the quality and safety of their entire ride and experience.

On behalf of the members of the New York Association for Pupil Transportation, we applaud the Legislature and the Governor for their support of school transportation over the years and we look forward hopefully to resolution of the issues addressed in this statement and in this State Budget.

Thank you.



Peter F. Mannella
Executive Director