



NEW YORK STATE SENATOR

Jack M. Martins

Senate Passes Senator Martins' Legislation Giving School Boards Authority to Provide Transportation to Children in Need

JACK M. MARTINS June 15, 2015

| ISSUE: **EDUCATION**

Legislation Would Give Schools Flexibility to Provide Busing in Special Circumstances Where a Parent is Physically Unable to Take Their Child to School

Senator Jack M. Martins (R-7th Senate District) announced that the New York State Senate passed legislation he sponsored to help children whose parents have a physically limiting disability or other special circumstances. The legislation (S248B) would give school districts the authority to provide transportation for these children even if they live below the transportation mileage limit.

“Right now, providing busing is a ‘one size fits all’ approach; school districts have no flexibility to make case by case exceptions. There are people with extraordinary hardships that physically prevent them from bringing their child to and from school safely. In those circumstances, school districts should be allowed to provide transportation to these children if they believe it’s warranted. This legislation would give them that authority,” said Senator Martins.

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 Martins' legislation would give school district boards of education the authority to grant exceptions and provide transportation from an existing bus stop to children living under the mileage limit in special circumstances. These circumstances could include a child's parent or guardian having a medical condition or disability that prevents them from bringing the child to school.

The legislation has been sent to the Assembly.