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NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION

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School Starts Here!

A Statement of the New York Association for Pupil Transportation

January 29, 2013

Subject: 2013-2014 Executive Budget Proposal

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STATEMENT OF THE NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION

2013 LEGISLATIVE HEARING ON THE EXECUTIVE BUDGET PROPOSAL:

ELEMENTARY & SECONDARY EDUCATION

JANUARY 29, 2013

HONORABLE MEMBERS OF THE NEW YORK STATE SENATE AND ASSEMBLY:

The New York Association for Pupil Transportation is a non-profit professional association dedicated to the representation, support and development of the women and men who are responsible for the safe and efficient transportation of 2.3 million children to and from school each day. The work of our members is important and educationally valuable work that we take very seriously.

Our primary measurable objective is to ensure that every child arrives at school and returns home safely every day. Attaining that objective takes the effective and successful execution of many elements including selection of school bus equipment, retention of qualified school bus drivers and support staff, and planning of efficient and safety-sensitive routes and schedules. Attaining that objective also requires constant attention to traffic, weather, individual child needs, security, student behavior and more.

All of these elements must be addressed by every school district in the state and reflected in their delivery of school transportation services---whether those services are delivered directly by the district or through a competitively selected private contractor. Ultimately, the responsibility for the safety of our children lies with the leadership of our school districts and the sound management and diligence of the school transportation supervisor.

A Review of School Transportation Issues

Section 3635 of the Education Law requires all school districts to maintain and provide critical transportation services to over 2.3 million children in our state and communities. The law requires school districts to provide transportation services for any child in grades K-8 who live beyond two miles from the school they will attend and to any child in grades 9-12 who live beyond three miles from the school they will attend. In addition, school districts are required to provide transportation up to a distance of 50 miles to ensure that students with special needs are ensured access to the educational services directed in their IEP. School districts must also provide transportation to students enrolled in non-public schools up to a distance of 15 miles to ensure they can attend their schools of choice. Lastly, school districts are required to provide transportation up to a distance of 50 miles to their school of origin for students who face homelessness.

Those services are vital to ensuring access for those children to the “sound, basic education” to which they are entitled. However, in some cases, that transportation service includes personal aides, nurses or attendants or special equipment or special route establishment to meet the needs and education options of the children who reside in our districts.

Add to the equation the reality that the 2.3 million children who ride our school buses do not arrive at a terminal to board the school bus. The school bus comes to them, in some cases at their doorstep.

Clearly, responding to this wide variety of needs and demands for transportation can be costly. Transportation professionals are constantly engaged in finding creative and cost-effective strategies to meet these needs and have begun to reduce local transportation expenses. This, in turn, has brought down the year-to-year increase in the demand for Transportation Aid which is in evidence again in this year’s proposed budget. Currently, we estimate that it costs approximately \$6.76 per student per day to transport our students, inclusive of the above-cited incremental costs for transporting students with special needs, homeless students and students enrolled in non-public schools.

We continue to make concerted efforts to streamline transportation services and to deliver those services in smart and efficient ways. The evidence shows that the year-to-year increase in school transportation aid (which is expense based) has decreased each year since 2008 and we are proud to assist in the overall redistribution of funds to the classroom. To be clear, however, transportation is a mandated service that leaves little to discretion. We cannot choose to provide services below the minimums established in statute. We cannot decide to leave the children in one neighborhood standing at curbside because we ran out of funds for the year. We must provide a SAFE ride to school for all those children.

We understand the need to examine the current system of transportation and the current system for providing Transportation Aid for efficiencies and better targeting of resources. We are aware of recently published reports on this subject by independent research entities. We have taken exception to some of the findings of those reports but also are using the findings to identify areas in the funding process that might be improved.

Later in this statement we will offer an expansive list of practical steps that the state can take to reduce the costs of school transportation. We are confident that those recommended steps will save the state and local taxpayers an estimated \$200 million in the first year of implementation. We urge the Legislature and the Governor to recognize the real costs of school transportation and to collaborate with our members in addressing and removing costly mandates.

Comments Regarding the Executive Budget Proposal

Transportation Aid Levels

The \$1,722,490,000 included in the 2013-2014 Executive Budget proposal is an increase of \$60.57 million (3.7%) over last year’s budget proposal. That compares with the \$64.02 million year-to-year increase included in last year’s budget. We note that the year-to-year increase in transportation costs has decreased each year over the past 4 years, serving as evidence that school transportation managers are taking steps to enhance efficiency and cost effectiveness.

We are pleased that the Executive Budget proposal does not contain the kinds of proposals (e.g., restrictions on school bus purchases and others) in relation to school transportation that have caused school districts and transportation programs deep concern in recent years.

We appreciate that there has been no effort to reduce or withhold funds for this important function and service in our state's school districts and look forward to future efforts by the Board of Regents, the Governor and the Legislature to improve or enhance the formula.

A critical area in need of examination and solution relates to the provision of transportation services for children enrolled in Universal Pre-Kindergarten programs. We discuss this later in this statement.

Leasing Provisions

The Governor has proposed to extend the authority of section 3632 (b) (1) relating to leasing of school buses by school districts that operate their own buses. This provision has worked effectively for school districts since its original enactment in 1998.

We support continuation of the leasing provisions in the Education Law and therefore inclusion of the extension provision in the adopted state budget.

Universal Pre-Kindergarten Transportation Services

In 2012, the Legislature passed and the Governor signed into law Chapter 244 of the Laws of 2012. That law gave school districts the authority to provide transportation services for children enrolled in programs funded under the Universal Pre-Kindergarten program.

That legislation was based, quite accurately, on the premise that the absence of transportation services has a deleterious effect on enrollments and participation in the Universal Pre-K programs. It also attempted to correct the problem at the root of this absence, i.e., lack of specific authority for school districts to transport those children. What the legislation did NOT do is provide a vehicle for providing funding for school districts who want to provide such transportation. The new law presents districts with the intention to address parent concerns over transportation but the reality that, in doing so, they will do so at 100% local share; this is not feasible in light of spending and revenue restraints on school districts in these tough economic times.

NYAPT recommends and urges the Legislature and the Governor to include funds in this year's budget to support the delivery of transportation services for Universal Pre-Kindergarten students. Such transportation will involve extraordinary costs for child safety seats and, in some cases, for additional personnel such as bus monitors or attendants. These costs cannot be incurred by school districts with no state-sponsored assistance.

Modernizing School Transportation

Currently, school districts in New York State cannot claim the costs of installing telematics and GPS management systems on their school buses. Several districts have installed such systems on their school buses and are finding that there are cost savings and efficiencies that result immediately and even more so over the long run.

The technology is available to enable school districts to manage their fleets more effectively, more efficiently and more productively. Current Education Department regulations do not allow for the use of Transportation Aid for these kinds of systems.

We urge the Legislature to include language in the budget that allows for the installation of such technology and to allow school districts to be reimbursed via Transportation Aid for such costs as are incurred and within their allowed aid ratios.

Education Reform Proposals

The Governor's proposal includes provisions related to at least two strategies related to making our schools more successful and more efficient. Each has implications related to the costs and logistics of providing transportation services. School districts most certainly will have to deal with the transportation implications. Accordingly, we appeal to the Legislature and the Governor to take transportation logistics and costs into consideration when these plans are developed and implemented.

Extended Day/Extended Year Options: it is unclear how these programs will be implemented so it is not possible to estimate the implications of transportation. However, we recognize that any adjustment in the school day has a ripple effect on timing and direction of routes, as well as the number of buses and drivers needed to sustain those routes. We also recognize that, in the absence of uniformity among neighboring school districts, coordinated scheduling and shared routes can become more complicated or even unattainable. Neither of these concerns result in an inability to accomplish the objectives intended. We are merely calling attention to the kinds of questions that will arise at the local level.

Regional High Schools: any time the distance is increased between a child's home and the school building he or she will attend, there are transportation implications. This is simply a function of the fact that the school bus must travel to and from a more distant point. Similarly, many students that were designated as "walkers" at their local school may now need transportation due to the new distance and location. Moreover, any move toward regional high schools changes the 'tiering' that has become a staple in school transportation route management. To the extent that the regional high schools take the school bus outside the existing mainstream district routes, there may be an adjustment to be made in how tiering and routing are accomplished. Once again, these concerns do not suggest in any way that we not move forward with such important initiatives. We are merely calling attention to the kinds of questions that will arise at the local level.

Full-Day Pre-Kindergarten Program Expansion: we have cited above our concerns that there is no current method for providing funds for school districts that choose to provide transportation for Pre-K students. If the program is dramatically expanded and taken out to a full-day program, there will clearly be an increased demand for transportation. This will in turn demand that we deal with the issue of extending Transportation Aid to support transportation for Pre-Kindergarten students. Once again, these concerns do not suggest in any way that we not move forward with such an important initiative. We are merely calling attention to the kinds of questions that will arise at the local level.

School Bus Driver Training Program Funds

We are gratified that the Executive Budget Proposal includes an appropriation of \$400,000 for the Comprehensive School Bus Driver Training program authorized in Section 3650 of the Education Law. These funds and this program are a continuing priority for the school transportation providers in our

state. We have seen the incidence of school bus accidents, student injuries and student fatalities decrease dramatically since the creation of this program in 1997. This is the only source of funding for school bus driver preparation and training and amounts to just 17¢ per student to ensure this training is available. Given the complex nature of their work, maintaining support for such training is critical to the safety of our children.

We applaud the continued support for this program funding by the state and encourage the Senate and Assembly to include these funds in the adopted state budget. We are eager to work with the Education Department to ensure that (1) these funds are used creatively and efficiently to train and prepare our school bus drivers and (2) these funds are used to develop timely and cutting edge training materials and products for our school bus drivers.

Our association will undertake this spring an extensive survey of our members to better identify training needs for drivers, attendants, dispatchers and even school bus technicians. We will share the results and findings of that survey with the State Education Department and encourage the Department to use these findings to inform its decisions related to fund utilization. We are also aware that data about school bus accidents is collected for learning purposes and we will continue to urge the Department to incorporate that data into decisions about driver training to better ensure the safety of our children.

Recommendations Regarding Mandate Relief

We renew our call for the state to address numerous areas in which costs could be reduced through mandate relief or allowing better management of school systems that are otherwise costly. We estimate that their average cost per student for basic transportation services is less than \$1,200 per student per year. The costs of transportation increase significantly as the price of diesel fuel rises with the overall price of petroleum products nationally. We are not immune from such increases and they are completely beyond our control.

As would be the case with any other product or service, the costs of transportation also increase when we add routes and services for special purposes. No matter how we count it, it costs more to send a school bus 15 or more miles out of the school district to transport one or two children. The cost of that transportation directly affects the average cost per student. We have made proposals for ways to mitigate those costs and you're your attention to them.

Moreover, the cost of transportation is increased by the cost of mandated equipment on the school bus and we urge the state to join us in a review all elements and equipment on the school bus in terms of effectiveness and overall return on expenditure. We have made recommendations in this area and urge your review of those proposals.

We believe that the education system also needs to work more closely with transportation providers to ensure that calendars and schedules are such that transportation can be provided most efficiently, without compromising the instructional day or services. Our list of recommendations suggests that this can be accomplished by establishing a working group at each local BOCES consisting of BOCES and Transportation Supervisors to facilitate carry out calendar and 'bell time' coordination.

The state has embarked on several pilot projects intended to demonstrate the efficacy of regional delivery of school transportation services. We are aware of these pilot projects and are concerned that,

in the specifics they are proposing, they will not generate the savings anticipated but will adversely affect services that are currently being provided in a quality and efficient manner for our children.

We have offered very specific mandate relief recommendations (see attached). These recommendations will yield significant savings and we believe will be more effective in this regard than regional pilot projects. We ask only that our recommendations be given the due consideration that they deserve.

In Closing

The transportation of 2.3 million of our school children each and every day is a daunting task that is carried out with diligence and dignity by thousands of dedicated women and men every day in our state. Transportation and the yellow bus do not attract a lot of political attention because we tend to put our shoulders to the wheel each day and just get the job done for the children. We seem to have gained significant attention as the state and school districts seek ways to reduce costs and to return more dollars to the classroom. We understand that reality and have done our part in recent years to reduce the costs of transportation by eliminating late runs and sports runs and changing routing and stop selection processes. We have changed our practices on maintaining school buses and in replacing school buses in favor of less costly approaches. And we have successfully reduced the year-to-year increase in this "expense-based aid" category again this year.

Transporting our children is a promise we make to parents and children to ensure that they have access to the sound basic education to which they are entitled. It is costly to transport human beings and it is especially costly to transport our children for whom we take special measures in terms of equipment, driver preparation, route selection, and other safety measures. We urge the Legislature and the Governor to recognize this and to work with the school transportation community to effect change and efficiencies only in ways that will not compromise the quality of our services or the extent to which they afford our children access to their learning experiences.

Respectfully submitted,



Peter F. Mannella
Executive Director

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RECOMMENDATIONS BY THE NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION

MANDATE RELIEF AND EFFICIENCY IN SCHOOL TRANSPORTATION SERVICES

School Management: Recommendations for Efficiency

We are also making recommendations that would improve administrative and management matters at the school district and regional levels. These changes would have a positive effect on the costs related to school transportation services. It is our observation that the yellow school bus is a vehicle for providing access for students to their education. Our school buses provide that access at the direction of the state (through laws and regulations) and at the behest of local school boards (through policy and program design). Transportation services are not provided by accident or based on the needs of the transportation staff—they are provided for the children based on the priorities of state and local policy makers. The costs of transportation are directly and indirectly affected by each decision made by those leaders that requires an expansion or contraction or variation on transportation services.

Adopt standardized school year calendars within BOCES districts to allow for efficiencies in the delivery of school transportation services. The fact that some districts are open while others are closed or that private schools and parochial schools are open when public schools are closed (and vice versa) results in significant costs for district transportation budgets. We recommend that BOCES superintendents be empowered to work with all schools to arrive at a mutually beneficial calendar for the year that will respect the needs of students.

Require local BOCES to collaborate with school districts, non-public schools, BOCES and other programs on improved coordination of 'bell times'. The reality of transportation is that it takes real time for school buses to arrive at a destination and real time for the students to get onto or depart a school bus. When "bell times" for schools, BOCES programs, parochial schools and other activities are not efficiently coordinated, the result is multiple buses on the roads where fewer buses might otherwise be needed. One of our members in a downstate area analyzed the bell times for schools in his area and found that 3-5 minute adjustments in the bell times of several of the parochial and BOCES program would have save over \$1.5 million per year! Significant savings are possible across the state in every school year. We recommend that coordination of such activities is an appropriate role for BOCES superintendents. Moreover, such bell-time and calendar coordination will make it possible to increase the extent to which distance learning and shared instruction are utilized among school districts.

Provide incentives to facilitate and remove disincentives for shared services between and among school districts. There have been numerous calls and recommendations for 'regionalizing' and 'consolidating' school transportation services for efficiency purposes. Our association recognizes that there are ways in which some services can be coordinated or consolidated among willing school districts where such efforts will yield financial and operational benefits to the involved districts. But we also believe that the calls for regional transportation strategies are not founded in serious cost savings analysis. We believe that the state could

accomplish more by allowing school districts to engage in shared services and pooling of services with no harm to their transportation aid. When districts share services and include financial transactions in the sharing process, there is an adverse effect on transportation aid that results from the need to offset aid by the amount of the financial transaction. This must be re-visited and a different approach sought out.

Eliminate the requirement for a second set of fingerprints for school bus drivers. Currently, school bus drivers are fingerprinted under the authority of Section 509-cc of the Vehicle and Traffic Law. Drivers who are considered for alternate positions such as bus attendants or monitors are currently required to be fingerprinted a second time under the criminal background requirements of the Education Law. NYAPT believes that the second set of prints should be eliminated and can be eliminated with no risk or compromise of our children's safety.

Require adherence to annual deadlines for submittal by BOCES of Special Education placements and transportation needs. School budgets and transportation routes are established for the optimal efficiency and greatest service to children. When placements of students in special education and summer special education are put in place at the last minute, there is often a dramatic change in routing and scheduling of school buses and this leads to significant expenses that were not included in the transportation budget. Requiring BOCES and special education providers to submit transportation needs by July 1 for special education and June 1st for summer special education programs will allow for those routes to be incorporated into the daily flow, rather than be added after the fact, at a premium.

Require involvement of school transportation professionals in CSE discussions relating to provision of special services for students with disabilities. Currently, the CSE develops an IEP for each student and these IEPs often include instructions for special transportation services and personnel. The transportation staff is not consulted on a standard basis about more efficient ways to accomplish the objectives of the IEP and unnecessary or higher transportation costs are incurred as a result. We urge consultation with the school transportation team prior to implementing elements of the IEP that relate to or effect transportation.

School Bus Equipment: Reducing Mandates

School buses are the safest vehicles for the purposes of transporting our children to and from school. Research and safety records bear out that statement. A critical element in the safety of the school bus is the design and equipment installed on each bus. These are determined at the outset by the Federal Motor Vehicle Safety Standards for school buses and these standards are further complemented by additional requirements mandated by the State of New York. Some of these additional equipment requirements are unique to New York and others are areas that other states viewed as noteworthy and incorporated into their own or even federal standards. We believe this is a time during which we should identify areas of the "New York" school bus that might be modified for changes that would result in lower costs without compromising the safety of our children.

We are recommending that the State of New York **repeal the 1987 law that requires seat belts to be installed on all large school buses in the state.** There are many reasons for this recommendation including the fact that 95% of all school districts do not exercise their option to require the actual usage of those seat belts. This means that equipment costing an average of \$3,500 per school bus is going unused. Moreover, the National Highway Traffic Safety Administration (NHTSA) that has jurisdiction over such matters has not mandated the installation and use of seat belts on large school buses and has recently denied a petition that would have required such installation and use. These facts and our knowledge of the inherent safety imparted by the school

bus seat compartment leads us to make this significant recommendation. Clearly, NHTSA requirements for installation and use of seat belts on smaller school buses would remain in effect.

Additionally, we are recommending that the state **repeal the requirement** that school buses be equipped with **'back-lit' signs that read "SCHOOL BUS"** and that operators be allowed to use signs made of reflective material that meets federal safety standards. This option is allowed in all other states and could save several million dollars as the current signage is phased out.

We are also recommending the **repeal of a 2007 law that mandates the installation of so-called 'fire suppression' devices** on all school buses transporting students who use wheel chairs and other mobility devices. This law has never been fully implemented and school bus safety technology and driver training mitigate the need for such devices. Moreover, the devices are of questionable benefit in the case of the most common school bus fire incidents. Their cost, which far exceeds estimates offered at the time of enactment, is significant and no reasonable cost-benefit analysis demonstrates their value over time. We estimate the savings in this area to be approximately \$4,000-\$5,000 per school bus affected.

Transporting Students with Different Needs (Non-Public, Homeless, Special Education)

We have stated that it costs between \$1150-1200 to transport children from home to school and home again on a daily basis over the 180-day cycle of the school year. That means that, on average, the cost of home-to-school transportation \$6.76 per day per student. Most would agree that is not an expensive proposition.

School transportation services do get more expensive when we are transporting small numbers of children to special education programs at distances as high as 50 miles, non-public schools at distances as high as 15 miles and homeless students to their schools of origin at distances as high as 50 miles. These are so-called 'low incidence' routes and, as a result, have fewer children with the same costs as routes that have full school buses. The costs only naturally are going to be higher than the \$6.76 per pupil per day we estimate it costs to transport pupils on average in New York State.

The following recommendations affect a core principle of those in the pupil transportation safety profession. We believe strongly --- and research demonstrates --- that children are safest when they are riding a yellow school bus to and from their schools. So it is difficult for us to make these proposals knowing that they could result in some students not being able to ride on the yellow school bus on a consistent basis.

This demonstrates our understanding of the depths of the current financial situation for the state and our districts. We offer these recommendations understanding that we must maintain transportation services for the greatest numbers even if that means affecting the levels of services to smaller numbers of students. Our hope would be that some day such services will be revisited and we could again have all students have access to the safety inherent in the yellow school bus.

Accordingly, our recommendations in this area include:

Reduce from 50 miles to 25 miles the maximum radius for transporting special needs students. Currently, school districts are required by state law and regulation to transport students up to 50 miles to attend a school or program defined in their IEP. The transportation of one student to a school 50 miles from their residence is a costly venture as well as difficult on the child. On a political level, it contributes to the oft-repeated scenario of "empty buses" on the roadways. We recommend that the state limit to 25 miles the distance to which a school district is required to transport a child to a special education school or program. Exceptions can be made to

accommodate needs of the child, but the assumption would be to try to place a child in a program closer to their residence and not farther. The cost savings are estimated at \$35 million per year.

Reduce non-public school transportation distances from 15 miles to 10 miles. The transportation of non-public and parochial students also is a low-incidence situation, with smaller numbers of students being transported as far as 15 miles to attend their school of choice. This transportation service is also an expensive proposition and accounts for upwards of 25% of many school transportation budgets. One downstate school district estimated that non-public transportation comprised over 40% of their transportation budget. Transporting small numbers of students 15 miles to a school means that a school bus is a dedicated route and the costs are inherently higher. A change here could save \$72 million per year.

Allow for an annual re-assessment of the circumstances determining a student's status as homeless. Federal law requires the transportation of students who are homeless up to a distance of 50 miles from their school of origin. It does not require that these students be afforded such transportation on an unlimited basis. We are recommending that such students be re-assessed at the end of each school year by local Homeless Coordinators and Transportation officials to determine if they could more appropriately attend a school nearer to their current residence. We do not recommend moving children to a new school district in the middle of a school year, but we do recommend encouraging a change before a new school year begins. Estimated costs savings from this change would vary by the number of students affected.

FOR ADDITIONAL INFORMATION ON THESE MANDATE RELIEF ITEMS,
PLEASE CONTACT PETER MANNELLA AT 518-463-4937 OR EMAIL AT peter@nyapt.org



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