



**NYAPT**

**NEW YORK ASSOCIATION  
FOR PUPIL TRANSPORTATION**

266 Hudson Avenue • Albany, NY, 12210 • 518-463-4937 • [www.nyapt.org](http://www.nyapt.org)

**STATEMENT OF THE  
NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION**

**JOINT HEARING OF THE SENATE FINANCE COMMITTEE  
AND THE ASSEMBLY WAYS AND MEANS COMMITTEE**

**2010-2011 EXECUTIVE BUDGET PROPOSAL**

**FEBRUARY 2, 2010**

**PETER F. MANNELLA  
EXECUTIVE DIRECTOR**

**JOHN J. M<sup>c</sup>CORMICK  
RIVERHEAD CSD  
PRESIDENT**



# NYAPT

NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION

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

*Our future is riding with us!*

**STATEMENT OF THE NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION  
JOINT HEARING OF THE SENATE FINANCE COMMITTEE  
AND THE ASSEMBLY WAYS AND MEANS COMMITTEE**

**2010-2011 EXECUTIVE BUDGET PROPOSAL  
FEBRUARY 2, 2010**

***HONORABLE MEMBERS OF THE SENATE AND ASSEMBLY:***

My name is Peter Mannella and I serve as Executive Director for the New York Association for Pupil Transportation. We are pleased to offer our comments regarding the proposed Executive Budget and to share some simple facts about school transportation with you at this time.

The over 600 members of the New York Association for Pupil Transportation are the women and men who daily strive to ensure a safe and efficient ride to and from school for over 2.3 million of New York's children. Our members are proud of the safety record we have attained in New York State over the years and are constantly engaged in ways to improve on that record and to make our school buses safer and better for our children.

**School Transportation in  
New York State**

- ✓ 2,300,000 children ride yellow school buses
- ✓ 50,000 school buses
- ✓ 50,000 school bus drivers
- ✓ 1,656,000,000 times a child gets on or off a school bus each year

The work of the Legislature and the Governor over the years has been of significant benefit to this effort and we are appreciative of the appropriations of funds and the laws that have been passed in the interests of our children's safety.

Our members are cognizant of the difficult financial decisions and choices that this Legislature and the Governor must make in this budget. The serious financial difficulties that we face together as a state require all of us to find new ways to complete our work for the people. In transporting our CHILDREN, we understand that we must find new ways to manage the costs associated with the school bus ride. However, we caution the Legislature to avoid steps that could compromise the safety of the children and to avoid steps that result in increased burdens on parents and school communities.

*Our statement will address the following important points:*

- *Continued state support for school transportation*
- *Proposals for regional delivery of school transportation services*
- *Proposal for 'shared services' contracts*
- *Continued support of a \$400,000 appropriation for School Bus Driver Training Program and the need to reform Section 3650 of the Education Law that governs those funds*
- *Mandate Relief and Pre-Kindergarten Transportation Recommendations*
- *Simple Facts about Costs and Cost Savings in School Transportation*

**Continued State Support for School Transportation**

*Transportation Aid in the 2010-2011 Budget*

The Governor's budget includes sufficient funds to reimburse school districts for the state's share of the costs of school transportation. The Executive Budget includes \$1,646,660,000 in funding, an increase of \$99.72 million (6.45%) over the \$1,547,940,000 appropriated in last year's budget.

Recognizing the steady increase in the cost of diesel fuel and the increased cost of school buses and school bus safety technology (particularly emissions reduction technology) school transportation professionals are struggling to deliver safe and efficient transportation services in more cost effective ways. In fact, in recent years, our members have worked to reduce the percentage of local school budgets that go to school transportation costs. In a small sampling of our members, we found that most had reduced that percentage from the 6.5-7.0% level in 2003 to the 5.3-5.6% level in the last school year.

Transportation aid is an expense-based aid, meaning that the number that appears in the Executive Budget reflects the costs that were incurred by school districts in the prior school year. For this reason, it appears that Transportation Aid is receiving an increase in funding in this budget and that this 'increase' is at the expense of other educational needs. We know that is not the case. Most of our members are cutting services at the local level in ways that will likely be reflected in coming budgets. But we remain concerned about the kinds of service cuts being made. We are concerned that some cuts may adversely affect student safety because we know that the safest way to transport a child to school is on a yellow school bus. We are concerned that some changes will result in further burdens on parents to drive their children to school or force children to walk longer distances absent the infrastructure (sidewalks, road markings, traffic controls, and more) to ensure their safety.

Our members know that transportation is under the microscope and that many believe that Transportation Aid is an expenditure that should be reduced.

Our members know that others see Transportation Aid as taking needed money out of the classroom.

Our members also know that Transportation is most often the access point for children to their education. We are a means to an end.

Our members know the simple fact that it is an expensive proposition to transport 2.3 million children with various needs, picking them up and dropping them off from a variety of venues, traveling through varying local traffic and weather and getting them to school and back home again on time and safely.

Our members also are committed to collaborating with other school officials to identify ways to reduce the rate of that increase year-to-year, while not compromising safety and the quality of the school bus ride. We will share several real-life factors that affect the cost of school transportation. We will explain how these are entirely outside our control and we will request the Legislature and the Governor to explore solutions and alternatives that will help reduce those costs.

*At the end of the day, our job is to transport children to and from school and school-related activities, at the direction of others, in compliance with numerous laws and regulations, and in the safest, most efficient way possible. We don't create expenses; rather we respond to needs that are placed on our desks by our school leaders to ensure that our school children get where they need to be. We ask you to understand this fact and to eye change in transportation through that lens.*

### **Proposals for Regional Delivery of School Transportation Services**

The Governor has included two proposals for regional delivery of school transportation services. There has been much interest demonstrated in recent years for the regional delivery of services and for consolidation of school transportation services.

Our association has shared with numerous state officials our concerns about a cookie-cutter approach to delivery of these essential services. We have argued that regional approaches not be mandated or centralized through BOCES programs or other mandated systems. These proposed provisions do not mandate regional arrangements but seem to provide the opportunity for school districts to explore such arrangements to address their own needs.

While we support such flexibility, we are unclear as to how Transportation Aid will flow and encourage the Legislature to clarify this question by directing that the aid for transporting students in regionally based programs be allotted to the school district that holds responsibility for that transportation.

The second proposal in the Governor's budget proposal authorizes the Education Commissioner to establish one or more demonstration projects to review the effectiveness of regional transportation service strategies. We are concerned that there are no conditions or priorities expressed by the Legislature in terms of the information to be gained from the demonstration, how sites will be selected, what kinds of technical assistance will be offered to participating school districts and other factors. Nor is there any indication as to the desirable number of such projects. Moreover, we are concerned that there is no indication as to what criteria or considerations the Commissioner should observe in assessing the efficacy of regional demonstrations or interpreting the results of such activities.

We urge the Legislature to provide further specificity in the proposed language to ensure fairness and broad representation of school districts in such demonstrations, and to ensure that we garner the information needed to make smart and efficient decisions based on the results.

### **Proposals for 'Shared Services' Contracts**

The Executive Budget also includes an option to allow for sharing the services of private contractors through an approach we have come to refer to as "piggy-backing." This proposal would set conditions under which a school district could enter into a contract that exists between another school district and a private contractor.

We understand the intent of this provision but are concerned that – if it is not properly monitored – it could result in compromising the competitive school transportation bid process. The process described in the proposal is similar to the process described in Senate bill S5523. Essentially, it allows District A to sign onto a transportation contract that exists between District B and a private contractor despite not having been a part of the bid process that led to that contract.

In order to accomplish the intent of this provision, we would recommend several steps to customize the process. We could support provisions under which such arrangements:

- Would not extend past the end of the school year in which they were begun. This would ensure that the competitive bid process is allowed to play out before the next school year begins. This would provide some degree of protection for private contractors whose prices and service plans are based on the specifications of the bids on which the contracts are based;
- Would be limited to instances involving non-recurring circumstances such as, but not limited to the transportation of students with disabilities, students who are determined to be homeless during the school year, and others;
- Would be allowed where the competitive bidding process would unnecessarily delay the provision of needed transportation services.

It is important that flexibility be provided to local school districts but it is also important that the relationship between school districts and private contractors be allowed to function in accordance with sound market practices and not manipulated in any way.

### **Comprehensive School Bus Driver Training Program and Funds**

#### **School Bus Driver Safety Training Advisory Council**

In 1997, the Legislature and the Governor created the Comprehensive School Bus Driver Safety Training program in Section 3650 of the Education Law. That section established an advisory council to be appointed by

the Governor with nominations for several seats reserved to the Legislature. The intent was to develop a cohesive and long-term plan of attack to complete the training need by school bus drivers.

That Council has never met its potential – in fact it has met only once in its 13 year existence in law. We believe that reform and revitalization of this council will lead to more effective and more targeted services to our drivers and attendants, and those who are responsible for ensuring the safe and efficient transportation of our children. We believe that many of the concerns that are expressed by members of the Legislature regarding school bus safety and school bus driver preparation would be addressed more effectively if this Council had been in place and allowed to perform its responsibilities in this regard.

*We call upon the Governor and the Legislature to (1) amend section 3650 to bring it up to date in terms of responsibilities and in terms of expectations of the Council and (2) expeditiously appoint members to the Council to ensure that it can do its work on a timely basis. Such actions would ensure that the Education Department continues to provide timely and necessary training and training materials for school bus drivers, attendants and related personnel. Putting the Council in place will instill a cohesiveness and strategic planning discipline that would improve the design and delivery of these vital training services.*

#### Funding for School Bus Driver Training

The New York Association for Pupil Transportation is grateful for the continued appropriation of \$400,000 in funds for the Comprehensive School Bus Driver Safety Training program – which has been appropriated every year since 1997. We recognize and call your attention to the vital training materials and programs that these funds have supported over the years. *Accordingly, we urge you to support the appropriation of these funds in the final enacted budget.*

*We continue to work with the State Education Department to ensure timely release of these funds for training of school bus drivers and attendants in emerging training areas, including bullying, school bus security, special needs transportation, sensitivity and awareness of student needs and effective student behavior management.* We have remain concerned over several years about the fact that these funds are not expended on a timely basis and are therefore not available to assist in training our school bus drivers.

We are also hopeful that funds will be allotted for crucial new curricula for the preparation of the School Bus Driver Instructors who train our school bus drivers and attendants. We will call for a strengthening of this system to continue the tradition of excellence that has resulted in our state's stellar school bus safety record. That system cannot be allowed to weaken – it is the front line in our efforts to keep our children safe.

#### Flexibility in the Use of These Funds

One of the concerns we have shared with the Executive, this Legislature and the Education Department over recent years is the inability of the Department to expend the funds appropriated to it for this important purpose. Their failure to commit and expend these funds means that training materials and programs for school bus drivers are not being completed and made available---at a time when such training is needed more than ever.

We understand that competitive proposal processes take time and that the state's procurement system can be very deliberate. *Accordingly, we urge the Governor and the Legislature to take steps to allow the Department, within the appropriations made, to expedite and increase the flow of funds for the delivery of critical training services for our school bus drivers and attendants.*

We recommend that, on a limited basis each year, SED be allowed to purchase educational media, training guides, videos and other materials that have been developed for training and educating school bus personnel. We are aware of nationally-recognized manuals for school bus driver awareness of the needs of students with disabilities, and materials related to school bus security and emissions reduction. These materials currently cannot be purchased without a lengthy competitive bidding process. If the department were able to purchase

such materials during the course of the school year, it could enable the more efficient and effective use of these funds. *We urge the legislature to work with the industry and the Education Department to devise ways to accomplish this in the language included in this State Budget. One possible approach would be for the Legislature to qualify the appropriations language to say that, for example: “the department may, within this appropriation and upon the recommendation of the Comprehensive School Bus Driver Safety Training Advisory Council, expend up to XX% of the funds appropriated for the purpose of purchasing educational media, training guides, videos and related materials that have been developed specifically for the training and preparation of school bus drivers, attendants, monitors and related school transportation personnel.”*

**Simple Facts About Costs and Cost Savings in School Transportation**

In recent years, school transportation costs have risen due to a variety of changes in the costs of school buses and school bus equipment, diesel fuel and related items, advanced and mandated emissions technologies, homeless transportation, and special needs transportation. Some of these costs are within our control, while others clearly are not.

In light of this, our association members have been considering all aspects of their work and working as professionals to identify opportunities for cost containment and for continuous improvement of their operations. This effort is uncovering ways (including reducing mandates) in which our operations can be made more efficient and cost effective without unnecessarily compromising safety.

**Finding Ways to Save**

- Sharing Special Needs Routes
- Re-Assessing Services
- Sharing Maintenance & Training
- Examining Bell Times
- Reviewing Routing
- Effective Use of Technology

There are examples across the state of measures that school transportation professionals have undertaken to reduce costs in the past year:

- One Suffolk County school district has reduced the costs of transporting nine special needs students to out-of-district programs by \$150,000 by providing those transportation services themselves rather than contracting with their local BOCES. We will encourage all of our members to review all of their operations looking for opportunities to deliver services in different ways that might be more cost effective.
- In the Capital Region, one school district has begun transporting students with and for neighboring districts to a special education school over 100 miles from Albany. This step has saved each of the school districts significant funding over the past year. We will be encouraging other districts to explore similar arrangements for transporting special needs students, students who are homeless and other special populations.
- Another group of Suffolk County schools and private contractors have worked with their BOCES colleagues to adjust ‘bell times’ in such a way as to reduce the number of buses needed to transport children to those programs, thereby saving as much as \$500,000 in this school year alone. We are encouraging other districts to carry out similar negotiating activities for this purpose.
- In the Dutchess County and Monroe County areas, school districts that are members of our local chapters have started to meet on an annual basis to identify where they might share services among them to cut down on the number of buses going to private and parochial schools, BOCES programs and special needs program sites.
- In Rockland County, one of our members from a mid-sized school district implemented a computer-based routing software program that was able to assist the district in reducing the number of routes and saving over \$400,000. The use of such technology is played out in hundreds of school districts in the state that utilize such cutting edge computerized programs.

These measures did not require state legislation or regulation and none of them required consolidation or steps to regionalize the delivery of transportation services to children in their communities. It took the creativity of well-qualified school transportation professionals with an understanding of how transportation works and can be made more efficient.

Our members will continue to find innovative ways to accomplish two objectives: (1) ensuring the safe transport of 2.3 million of New York’s children each and every day; (2) implementing those services in the most efficient way possible without compromising that safety.

Challenges in School Transportation

- Effects on Costs**
- Crude Oil Price Volatility
  - Special Needs Means Custom Services
  - Homeless Students Mean Longer Distances
  - 15 Miles for Non-Public Transportation: Long Distance
  - Calendar Inconsistencies Mean Extra Days of Operation

The Governor’s budget proposal includes provisions that would encourage school districts to explore regional delivery of school transportation services. This proposal stems from numerous reports that draw attention to the increased costs of school transportation. What these reports do not address is the simple fact that transportation of our children is expensive....and that there are legitimate and on-going reasons for this reality.

As indicated above, school transportation professionals work every day to stretch the dollars available to them. But there are factors affecting school transportation services that are not entirely within our control and these need to be discussed openly because no effort to reduce transportation costs can be successful if it does not address these factors.

Our members are intent on reducing the costs of transportation where possible, but call the attention of the Governor and the Legislature to the fact that most of the factors that add to the high costs of transportation are not under our control. We believe that some of these factors should be addressed even while we explore other delivery methods like regional service delivery. They will deliver savings and efficiencies in and of themselves.

*High Costs of Fuel and Petroleum-Based Products*

School districts as well as private school bus contractors are faced, especially in recent years, by great volatility and fluctuation in the price of crude oil. This has had a serious impact on the costs not only of diesel fuel (which some estimate will exceed \$3.30 per gallon in the coming year), but also of gasoline, lubricants, engine oils, cleaning solvents, transmission fluids, anti-freeze, rubber tires and belts, and even plastic school bus parts.

*Homeless Students*

School districts all across the state have experienced a significant increase in the number of homeless students who have moved outside their district of origin and who, by federal and state law, must be transported back to that school district. Many of these students are transported to and from distances as great as 50 miles (or 100 miles round trip) each day. One of our members shared that they have three homeless students who must be transported 50 miles round trip each day. The cost for providing that transportation for those three children through the local BOCES was estimated at over \$90,000 per year. The district provided the services with existing staff at an annual estimated cost of \$16,000. The point is that our members know that these services are vital to the students and the students’ families and they go out of their way to find creative and economical ways to resolve the needs.

While none of our members takes issue with the significant human needs being experienced by these students, we are concerned that there is no financial assistance available to support this extraordinary transportation activity and expense. Some of our school districts are transporting several hundred homeless students. This

transportation most often occurs outside established school bus routes, thereby resulting in increases to the overall cost of transportation to the district of origin.

We are working with advocacy and resource organizations as best as we can to find new ways to assist these students in their needs, but the simple fact is that it is costly to transport children over those distances outside the normal routing and schedules.

### *Students with Special Needs*

Students with special needs are of particular interest and concern to our members as transportation professionals. There is no area in our profession that garners more interest for training sessions than programs that deal with the safe and effective transportation of students with disabilities. Transporting students with disabilities to and from school each day is crucial to their ability to learn. We believe we provide those children access to school and to education. But, again, the simple fact is that the transportation and related services required for many of these students are especially costly:

- It is costly to transport a medically-fragile child on a school bus or to accompany that student with a nurse or personal aide.
- It is costly to equip a school bus with climate controls that address a child's health needs or to limit the number of other students on a school bus to address a child's sensitivity to large numbers of people.
- It is costly – even though necessary -- to send a school bus and school bus driver on extended trips, including overnight trips, to ensure the safe transport of students who receive educational services in schools hundreds of miles from their residence.
- It is costly to provide special training to school bus drivers and attendants who are responsible for transporting an emotionally disabled student who needs their support and cooperation.
- It is costly to equip a school bus carrying students with disabilities with preventive and reactive equipment related to fires, medical emergencies, illness and emergency evacuation.

Our drivers and attendants are literally the gateway to education for many of these students. We do our level best to get them to school on time so that they can arrive in class with all their peers and friends. We would not want to lessen the amount or extent of services to them. We are concerned that commissions and state officials do not recognize the simple fact that it is costly to transport these children safely --- and make no mistake: their safety is the most important factor we consider.

### *Private and Parochial Schools: 15 Miles Is a Long Way*

In New York, unlike most other states, public schools are required to provide transportation to students who attend non-public schools up to a distance of 15 miles. This is a significant distance and it becomes costly because most often a special bus is sent out to accommodate those students who are at the furthest distances. Any time a school bus is sent out for small numbers of students at considerable distances, the cost is greater than transporting within a more concentrated and route-based area.

NYAPT has long opposed proposals to increase this 15-mile distance to 25 miles and it is with some hesitance that we suggest that reducing the mandatory distance to 10 miles would dramatically reduce the overall costs of school transportation. Some districts in the Westchester County area are able to estimate that between 15-20% of their total transportation costs can be attributed to the transportation between the 10-mile boundary and the 15-mile boundary. This is significant distance that represents a significant cost – therefore it must be honestly and constructively discussed by all involved.

*Standardized Annual School Calendar*

NYAPT members are unified in believing that the one bold step that the Legislature could take would be to standardize the annual school calendar. The cost of providing transportation to small numbers of students at a limited number of schools on days that public schools are otherwise closed is significant.

This includes transportation to BOCES occupational and special education programs and regular school classes at private and parochial schools. It is vital that this issue be addressed. If this step is taken, it would save schools and the state several million dollars per year. Absent action, it is clear that those same millions of dollars would continue to burden local and state taxpayers unnecessarily.

In addition, the Legislature is urged to clarify in law a prohibition on providing transportation to students in non-public schools prior to the opening day of school for public schools who are responsible for transporting the non-public school students. There is apparently a lack of clarity on this matter. This would be addressed in a standardized school calendar but we ask that it be addressed separately pending any action to standardize the school calendar.

**Mandate and Administrative Relief Recommendations**

The members of our association believe that there are areas that should not be cutback in difficult times. These involve vehicle maintenance and inspections and training and skills development particularly among drivers, attendants/monitors, but also inclusive of technicians, dispatchers, trainers and managers.

However, we do believe that there are numerous ways to streamline and lower the costs of school transportation management without compromising safety or the integrity of the school bus ride.

**Examples of Mandate Relief**

- ✓ Reduce reporting and paperwork requirements
- ✓ Go electronic for contract filings
- ✓ Eliminate new and freeze equipment mandates
- ✓ Eliminate duplicative fingerprinting

Our recommendations for mandate relief include but are not limited to the following:

- Eliminating the regulatory requirement for preparing reports related to the extent to which school bus drivers are complying with anti-idling regulations. This requirement exceeds the provisions of Section 3637 of the Education Law that calls for school districts to impose anti-idling policies and practices. The reports are neither statutorily required, necessary nor productive;
- Introducing electronic protocols for school transportation contracts and school bus purchases to alleviate burdensome paperwork, delays in processing, errors in processing and related problems;
- Eliminate requirement that RFP materials be submitted to the Education Department as part of the transportation contract approval process;
- Eliminate the requirement that school bus drivers who have already completed the criminal background check required under Section 509-cc of the Vehicle and Traffic Law be required to complete a criminal background check under Section 305 of the Education Law in order to assume additional responsibilities as a school bus attendant/monitor;
- Eliminating the requirement for the SCHOOL BUS sign on yellow school buses to be a backlit apparatus, which adds to the purchase cost and maintenance costs of the vehicle. New York remains one of only a small handful of states with this mandate;
- Placing a freeze on all new mandates for school bus equipment without 100% funding for such equipment;
- Placing a freeze on all new mandates for training of school transportation personnel including school bus drivers and attendants.

### *Transportation of Universal Pre-K Students*

We add an additional cost and budget item that warrants your attention and action. We would note that many school districts are engaged in the State's Universal Pre-Kindergarten program and that many of those districts are providing safe transportation for those children by transporting them in yellow school buses. The cost for that important transportation for our youngest students is not eligible for state aid under current law. We urge the Legislature and the Governor to join with the Universal Pre-K programs and advocates, along with our association, in addressing this gap in ensuring the safety of our children.

### **Closing**

In closing, we again appreciate the opportunity to share this information and our comments with you. School transportation is an essential part of the education enterprise. School transportation employees – school bus drivers, attendants and monitors, dispatchers, technicians and mechanics, trainers and safety specialists, managers and supervisors – are integral parts of the school family. School transportation managers are hard-working, creative and committed professionals dedicated to the proposition that *every child is entitled to a Safe ride to school.*

We are available to discuss any and all elements of our statement and are eager to share in discussions about school bus safety and school transportation. Thank you.

Peter F. Mannella  
Executive Director

*(For further information or to discuss this statement, please contact Peter Mannella, Executive Director, at 518-463-4937, or you may email Peter Mannella at [peter@nyapt.org](mailto:peter@nyapt.org). You may also want to visit our website at [www.nyapt.org](http://www.nyapt.org))*