



# NYAPT

NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION

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## **Discussion: Transportation Services for Universal Pre-Kindergarten Programs**

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### **Discussion Overview**

Recent discussions about early childhood education and pre-kindergarten programs in New York State have included the provision of school transportation services for Pre-K students.

The purpose of this discussion paper is to frame out the various policy and practical issues that will need to be resolved or addressed as such services are required.

The New York Association for Pupil Transportation believes, and research has shown, that children are safest when they are transported by a school bus to their place of learning. Our intent in this paper is not to present obstacles to yellow school bus transportation but to ensure that questions and concerns are addressed in advance to optimize the transportation services that will be afforded to children and their families.

### **Background: Transportation and Universal Pre-K in New York**

When the Legislature and the Governor enacted elements of the LADDER initiative in 1999, one key element was the Universal Pre-Kindergarten program, also known as UPK. At the time of enactment of the program, school districts were not allowed to provide transportation to UPK students if it resulted in additional expense or in the creation of additional routes. If transportation was to be provided at all, districts were required to transport UPK students on existing routes and existing school buses.

In 2012, legislation was enacted as Chapter 244 of the Laws of 2012 that “allowed” school districts to provide transportation for UPK students as long as they understood that the costs of such transportation would be borne entirely by local taxpayers. NYAPT opposed that legislation because it did not address the issue of providing funding support for UPK transportation and would only create additional local costs for the UPK program.

Over the years since the enactment of the UPK program, school districts have found ways to work within the law to provide limited transportation services for UPK students. All such transportation services have been at local expense.

***NOTE that, for purposes of this discussion, “Pre-K” is limited to the Universal Pre-K program in New York State.***

### ***Item: Scope of Transportation Services***

A key question that will need to be addressed early in the discussion is whether transportation services would be provided for Universal Pre-Kindergarten students **OR** for students in all pre-kindergarten and early childhood programs in school districts. This is a *major* policy decision that has significant operational and cost-based implications.

### ***Item: Are Transportation Services Mandatory or Optional?***

Currently, transportation services for Universal Pre-Kindergarten students are offered at the option of local school districts. Discussions have suggested that transportation for Pre-K programs would be mandatory. A first step might be to allow transportation to be provided and to allow transportation aid to support the services. This would help in demonstrating whether the presence of transportation has a positive effect on the program.

### ***State Aid for Pre-K Transportation***

Funding for Pre-K Transportation needs to be substantial enough to encourage districts to move into that arena and accessible enough that there are no disincentives to providing transportation. Costs for the Pre-K transportation need to be looked at broadly with the understanding that there are service needs for younger children that are not present for K-12 students. This includes additional staff training, safety seats, effects on routing and scheduling to account for additional loading time, equipment adaptations, parent training and interactions and more.

In addition, the state needs to consider the aid ratio for providing transportation for Pre-K students. It is assumed that the aid ratio for Pre-K transportation will parallel the ratio and formulas in place for K-12. NYAPT wonders if there are other factors being considered for Pre-K transportation funding including numbers of Pre-K eligible students, density of eligible students, or even poverty rates among those students' families. Any of these would require close examination to ensure that they do not create disincentives to transportation provision.

### ***Utilization of School Bus Attendants***

Increased transportation of children who are 4-years old or younger would likely lead to increased need for school bus attendants to assist in loading and managing these students. The additional costs of such attendants could be significant and needs to be factored into any cost analysis performed for budget purposes.

The costs for the attendants would include terms of salaries and benefits as well as the provision of additional, targeted training to ensure such staff are prepared for the needs of the children involved.

NYAPT would urge that the deployment of bus attendants for the purposes of Pre-K transportation should be at the discretion of local school districts and that, if provided, the costs should be included in the transportation aid provided for Pre-K.

### ***Driver/Attendant Training on Pre-Kindergarten Student Needs***

Clearly, drivers and attendants will require some specialized training in dealing with and safely transporting Pre-K students. NYAPT is concerned that this training might be created separately

from on-going extensive training efforts and will encourage the state to review existing training to determine the extent to which the needs of Pre-K students may already be covered.

Currently, school bus drivers must complete a Pre-Service training program prior to getting behind the wheel of a school bus and a Basic Course for Drivers within the first year of employment. Subsequently, each driver must participate in two 2-hour refresher courses designed and sanctioned by the Education Department.

Further, all drivers are provided training in relation to special needs students/students with disabilities as a part of their Basic Course and additional training in this arena if they are transporting students with disabilities.

Similarly, bus attendants/monitors receive training in managing and providing services to students with disabilities as an integral part of their preparation for employment as school bus attendants. They also receive training in student management and related functions, including emergency evacuations and related.

### ***School Buses and Equipment***

Over many years, Federal Motor Vehicle Safety Standards for school buses have been developed and adopted that protect our children and provide a safe ride for them each day. Those standards have presumed that riders would include children enrolled in Kindergarten and within a certain range of height and weight. As we begin to enroll younger children, it is more than reasonable to assume that they will be of smaller heights and lesser weights.

Accordingly, adaptations may need to be considered for the school bus in terms of access points, steps, seating configurations, emergency exits and similar considerations. While school bus equipment standards are established at the federal level, we will likely need to discuss adaptations to New York State Vehicle and Traffic Law to ensure equipment standards that accommodate the needs of Pre-K students in New York.

### ***Additional Expenses of Car Seats and Related***

The transportation of smaller children will involve the appropriate use of child safety seats which will add to the overall cost of such transportation. In addition to the expense of the seats themselves, there will be the need for training of school bus drivers and/or attendants in the proper and safe use of the devices. There may also be issues related to parent involvement in the installation and securement of those seat devices.

Accordingly, NYAPT is eager to discuss with the Pre-K and education communities the most effective means for dealing with the many issues attendant to safety seat usage on school buses for these children.

### ***Safety Drills for UPK Students***

Currently students on school buses are required to participate in school bus safety drills on a regularly scheduled basis three times each year. The content and scope are outlined in SED regulation and drivers are instructed on the conduct of the drills.

Considerable thought will have to be given to the content and extent of the drills for 4-year old children, especially those components that deal with evacuation, emergencies or related incidents. Consideration also will need to be given to instructing other children on the school bus about their interaction with the Pre-K students in the event of an emergency or evacuation as well.

#### ***Mileage Limits: Minimums and Maximums***

NYAPT is concerned about the maximum distance over which children will need to be transported to Pre-K programs. Limitations should be considered such as are in place for non-public student transportation. Transporting small numbers of children to isolated or specialized Pre-K program sites adds tremendously to the per-student cost of the transportation. We will be monitoring this issue are closely.

A second issue relates to the minimum distance from which transportation will be provided. Under current law governing K-12 transportation, districts are required to provide transportation only to those students who live 2 miles or farther from their schools for K-8 students and 3 miles or farther for students in grades 9-12. Schools may provide transportation at lesser distances but it is not required. A determination will need to be made in terms of whether transportation services for Pre-K students will be subject to the same or different minimum distances.

#### ***Item: Annual Calendars and Start Times***

A key issue in providing transportation services is the configuration of school year calendars and daily bell times (or start times). The greater the number and variation, the more complicated the delivery requirements and the greater the costs. NYAPT will be seeking to build program management prerogatives into the UPK program to allow districts flexibility in terms of start times for programs and in consideration of the realities of transporting younger children. This is particularly acute in light of the mid-day routes that have to be established for half-day programs as well.

The other factor that came up in discussions with some of our members is that a full-day Pre-K eliminates the current cost and operation of mid-day runs to return children to their homes and to re-transport new children to afternoon programs. There are significant costs to the half-day programs with mid-day runs.

#### ***Role of State Agencies and Commissioners***

There are some very clear, as well as some overlapping, lines defining the role of three state agencies in the oversight and management of school transportation.

These can be described as follows, in the broadest of terms:

*Education Department:* overall guidance and direction for student eligibility for transportation services, district eligibility for transportation aid from the state, and direction/implementation of driver preparation programs.

Department of Transportation: overall responsibility for school bus safety inspections and approving vehicles as roadworthy in compliance with federal FMVSS standards and state inspection and equipment standards.

Department of Motor Vehicles: overall responsibility for school bus driver licensing in compliance with federal FMCSA regulations and state standards for drivers including criminal background checks, medical certifications and testing/investigations.

NYAPT believes that these defined and traditional roles need to be continued as we move toward expanding the provision of transportation services for UPK students and that any legislation that is prepared or enacted for UPK transportation services needs to reflect those roles and definitions. Any other approach could lead to separate systems, confusion and increased costs.

### ***Logistical and Operational Issues***

NYAPT has serious concerns in relation to guidelines established for the Pre-K programs and the role that transportation plays in such guidelines. The reality is that we transport over 2.3 million students currently to a wide range of destinations, but primarily to public schools operated within school districts.

With the addition of Pre-K students and the locations of the Pre-K program sites, transportation services will get more complicated and there will be effects on ride times for all students, as well as loading considerations such as the ratio of older students to younger or whether to place younger students on buses with older students, the size of school buses that would transport Pre-K students and related. NYAPT believes that many of these issues should not be addressed in statute but that local districts be allowed to manage their operations with safety for the students and efficiency of effort and cost as their guide. There is no 'one size fits all' approach to be designed here and the state needs to allow districts to operate and manage much as they have done in K-12 transportation to date.

### ***Mandatory Use of Seat Belts***

Current law in New York does not require that students aboard school buses use the two-point/lap belts which are currently standard equipment on school buses. That decision is left to local boards of education.

In the case of transporting UPK students, the issue of safely transporting younger children without seat belts will be more problematic. NYAPT is cognizant of laws related to seat belt usage in New York State and is eager to engage in conversation about their use with Pre-K students.

### ***Age Limits: 3-year olds vs. 4-year olds***

The issue of age limits for transporting Pre-K students on school buses will need to be discussed as the program develops. Many districts are not currently providing transportation for students who have not attained the age of four (4) before a specified date. Several apply the 5-year old

threshold for transportation services. We are not able to ascertain from the information we gathered whether those decisions are program-related or transportation-related.

But the younger and smaller the child, there are more and more complicated issues and safety considerations that must be addressed. NYAPT is eager to share in these discussions with the state and others who are advancing program expansions.

### **CLOSING THOUGHTS**

NYAPT believes --- and research bears out --- that students are consistently safer on school buses than they could be in parentally owned vehicles or other forms of transportation. That said, there are some significant issues that must be addressed to ensure that the children in UPK programs are provided the safest and best ride possible. Those issues must be addressed candidly and constructively by all involved. We are in the discussion with this in mind and look forward to engaging in further dialogue and planning.

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