

Business Rules for City Council Report Responding to: Chapter 26: Office of Pupil Transportation Reports

§ 21-993 Reporting on school bus transportation services.

- a. Definitions. For the purposes of this chapter, the following terms have the following meanings:

General education school bus route. The term “general education school bus route” means a school bus route for buses transporting solely school age students who do not have education plans designating specific requirements for their transportation.

- *Routes servicing school age students who do not have education plans designating specific transportation requirements will be identified as “stop-to-school.”*
- *routes are described as “to school” or “from school”*
- *A “to school” route takes children from a pickup transportation site to a school transportation site*
- *A “from school” route takes children from a school transportation site to a drop-off transportation site*

Pre-kindergarten and early intervention students. The term “pre-kindergarten and early intervention students” means children who participate in pre-kindergarten programs, early intervention programs pursuant to their individualized education programs or individualized family service plans, and any other students under the age of five who may be eligible for school bus transportation services.

Pre-kindergarten and early intervention programs. The term “pre-kindergarten and early intervention programs” means pre-kindergarten, early intervention programs attended by children whose individualized education program or individualized family service plans specify attendance at such programs, and any other early childhood programs for students under the age of five who may be eligible for school bus transportation services.

Preschool vendor. The term “preschool vendor” means a company providing transportation services to pre-kindergarten students, early intervention program students, and any other students under the age of five who may be eligible for school bus transportation services, pursuant to contracts with the department.

Reporting period. The term “reporting period” means the preceding January 1 through June 30 for a report due on October 31, and the preceding July 1 through December 31 for a report due on April 30.

- *To cover the 6 month time frame the majority of metrics will be provided in 6 month end or month start snapshot in order to capture the variability in service throughout the year*

School age student. The term “school age student” means a student in kindergarten through grade 12.

School bus route. The term “school bus route” means any route traveled by a vehicle transporting a school age student to and from a transportation site pursuant to a contract with the department.

School bus transportation services. The term “school bus transportation services” means the transportation of students on school buses pursuant to a contract with the department.

School bus vendor. The term “school bus vendor” means a company providing school bus transportation services to school age students pursuant to one or more contracts with the department.

- *School bus vendor will be referred to as school bus company, or SBC*

Special education school bus route. The term “special education school bus route” means a school bus route for buses transporting school age students with disabilities whose individualized education programs designate specific requirements for their transportation. These buses may also transport children who have disabilities but do not have education plans designating special transportation requirements or non-disabled children.

- *special education students on buses and special education routes will be identified by the service they receive - “curb-to-school”*

Students in temporary housing. The term “students in temporary housing” has the same meaning as that of the term “homeless children and youths” as defined in subsection 2 of section 11434a of title 42 of the United States code, provided that such individuals are enrolled in a school.

- *Students in temporary housing will be identified as those who were reported in shelter by DHS through the daily data feed from DHS.*

Transportation site. The term “transportation site” means any location to which the department provides school bus transportation services, including but not limited to public schools, nonpublic schools, charter schools, an office or other site that may be part of a special education plan, a student’s home pickup site, and a student’s home drop-off site.

- *All transportation sites were included and reported by type.*
- *A curb-to-school address is a unique location identified by a street address. That address may be a bus stop for multiple students and may be serviced by more than one route.*
- *A school address is a unique location identified by a street address. That address may have multiple schools and may be serviced by more than one bus route. Schools within the same building can have different street addresses and would therefore be counted as more than one transportation site.*

- *A stop-to-school bus stop location is identified by a unique location identified either by an intersection or an address. That intersection or address may be a bus stop for multiple schools and may be serviced by more than one bus route.*

Beginning October 31, 2019, and on or before each April 30 and October 31 thereafter, the department shall submit to the speaker of the council and post on the department's website a report for the relevant reporting period, including:

1. The school bus vendors providing school bus transportation services, disaggregated by the number of school bus routes assigned to such vendor, and the number of students transported by each vendor and further disaggregated by students who are transported on special education school bus routes and students who are transported on general education school bus routes;

- *Students are reported as those who were planned and routed, but may or may not have used the service provided*
- *Student stop assignment is done at the school, OPT creates the routes*
- *Routes were determined by those routed with students assigned*

2. The total number of vehicles owned or ready to be used by each school bus vendor, disaggregated by vehicles for general education school bus routes and vehicles for special education school bus routes;

- *Vehicle information is maintained and provided by the School Bus Company.*

3. The total number of employees known to the department employed by each school bus vendor, disaggregated by type, including but not limited to drivers, attendants, and other;

4. The total number of school bus routes, disaggregated by school bus vendor, and further disaggregated by general education school bus routes and special education school bus routes;

- *Students are reported as those who were planned and routed, but may or may not have used the service provided.*
- *Routes were determined by those routed with students assigned.*

5. The total number of transportation sites to or from which school age students are transported, disaggregated by type, borough, and sites outside of the city school district of the city of New York;

- *A curb-to-school address is a unique location identified by a street address. That address may be a bus stop for multiple students and may be serviced by more than one route.*
- *A school address is a unique location identified by a street address. That address may have multiple schools and may be serviced by more than one bus route. Schools within*

the same building can have different street addresses, and would therefore be counted as more than one transportation site.

- *A stop-to-school bus stop location is identified by a unique location identified either by an intersection or an address. That intersection or address may be a bus stop for multiple schools and may be serviced by more than one bus route.*

6. The total number of school age students for whom the department provided transportation, disaggregated by school bus transportation services and passes for public transportation, and further disaggregated by type of student, which shall include but not be limited to, students who are transported on special education school bus routes, students who are transported on general education school bus routes, students in temporary housing, disaggregated by students living in shelter and students living in any other location if available, students in foster care, grade level, public school students, and nonpublic school students;

- *Passes are assigned by the school, OPT reports students eligible for MetroCards, if they are not assigned to yellow bus service. Whether a student is provided a MetroCard is captured at the school level; reporting on card assignments is based on data entry at the school level.*
- *Some special education schools do not classify students by grade level. Students attending such schools are identified as “NG.”*
- *Service type is representative only of the type of busing a student is assigned to and is not reflective of the educational classification of a student. Students who are classified as special education but do not have an IEP mandate for specific transportation accommodations may be assigned to stop-to-school busing. General education students under certain circumstances including, but not limited to temporary housing status, orders of protection and medical conditions, may be assigned to curb-to-school busing.*
- *OPT assigns students to busing but cannot confirm student ridership. This reporting would have to be captured at the school level.*
- *Students in temporary housing situations other than those reported to be living in a DHS shelter* were excluded from the report due to data quality issues. OPT cannot reliably report on the temporary housing status of students other than those residing in DHS shelters, where a daily report indicating shelter status is provided.*
- *Stop-to-school bus service is typically not provided to students after the 6th grade. Those assigned to this service are students who are granted individual or school-side exceptions.*

**Transportation data for students in Foster Care is also provided. Please see section 21-993 B7 for reporting.*

7. The total number of students in foster care that applied to the department for transportation;

- *In addition to students who applied for transportation because of foster care placement, also reported were students known to be in foster care who received busing or a MetroCard, but did not apply in order to provide a full picture of students in foster care who received service.*
- *Students in foster care were identified by a monthly data feed from ACS. Source is matched to identify NYC ID number based on name and date of birth.*
- *Students were determined as having applied for a foster care exception if they appeared on the monthly data feed and had an active record in the exception application for the 2019-2020 school year.*
- *The foster care exception breakdown by month provides the most current transportation record for the given month if the student applied for multiple foster care exceptions.*

8. The total number of preschool vendors providing transportation services, disaggregated by the number of students transported by each vendor and further disaggregated by the type of program attended by such students if known to the department, including but not limited to prekindergarten programs and early intervention programs;

9. The total number of transportation sites to or from which pre-kindergarten and early intervention students are transported, disaggregated by type, borough, and sites outside of the city school district of the city of New York; and

10. The total number of prekindergarten and early intervention students receiving school bus transportation services, disaggregated by type of student, which shall include but not be limited to, students who are transported to prekindergarten programs and students who are transported to early intervention programs if known by the department, students in temporary housing, disaggregated by students living in shelter and students living in any other location if available, students in foster care, grade level, public school students, and nonpublic school students; and

11. A list of the categories of students who are eligible for school bus transportation services and a list of the categories of students who are eligible for public transportation passes.

- *Published OPT eligibility guidelines were provided*

§ 21-994 Reporting on school bus delays.

- a. Beginning October 31, 2019, and on or before each April 30 and October 31 thereafter, the department shall submit to the speaker of the council for the relevant reporting period information relating to each school bus route delay reported by school bus vendors, which shall include but not be limited to the length in minutes, cause, vendor, school, and whether or not the delay resulted in the failure to arrive at school.

- *School bus companies report this data.*

- *Failure to arrive at school is not captured from the school bus company reported source for delays, therefore this marker was determined if a school bus company reported a breakdown or delay and a school reported an arrival after session time.*
- b. Beginning October 31, 2019, and on or before each April 30 and October 31 thereafter, the department shall post on the department’s website a report for the reporting period including:
 1. The number of delays in school bus transportation services, disaggregated by school bus vendor; and
 2. The number of times a bus failed to arrive at a transportation site, disaggregated by type of transportation site, and school bus vendor.
 - *Failure to arrive at school is not captured from the school bus company reported source for delays, therefore this marker was determined if a school bus company reported a breakdown or delay and a school reported an arrival after session time.*
 - *Failure to arrive could only be found for school transportation sites*

§ 21-995 Reporting on office of pupil transportation investigations.

- a. Beginning October 31, 2019, and on or before each April 30 and October 31 thereafter, the department shall submit to the speaker of the council and post on the department’s website a report for the relevant reporting period, including:
 1. The total number of calls from authorized parents and guardians received by the department about school bus transportation services, disaggregated by the nature of such calls;
 - *We reported incidents as opposed to calls received, an incident is an entry made into our call recording system, and majority are prompted by a phone call. One phone call can result in multiple incidents if the caller has more than one thing to record*
 - *The incidents reported were subset to only those recorded as received by a parent*
 - *Any categories that were determined to be recorded with the parent as the caller were excluded, an example is ‘MetroCards – SCHOOL requesting additional’. A full list of exclusions is available in the documentation.*
 2. The total number of complaints from authorized parents and guardians received by the department about an employee of a school bus vendor, disaggregated by vendor, the nature of such complaint, whether such complaint led to a departmental determination of misconduct, and a description of the actions taken by the department for each complaint; and

- *“complaints from authorized parents and guardians received by the department about an employee of a school bus vendor” was interpreted as any incident recorded as from a parent in the following 3 call categories – “Vendor Misconduct”, “Driver / Attendant Misconduct” or “Rude / Unprofessional Behavior”. These call categories are referred to the OPT misconduct review department, at which point they are evaluated for misconduct. If they are considered misconduct that needs to be investigated, they are forwarded to the Office of Special Investigations (OSI), otherwise they are redirected to other departments to address.*

3. The total number of investigations of employees of school bus vendors opened by the department, including following a complaint by an authorized parent or guardian and any other source of information that may lead to such investigation; the number of investigations in which the department found that an employee of a school bus vendor engaged in misconduct; and descriptions of outcomes relating to any investigations in which the department found that an employee of a school bus vendor engaged in misconduct.

- *Investigations data was received from OSI and the outcome is either substantiated or unsubstantiated as this is the final outcome from OSI.*
- *Investigations reports were determined to be investigations of school bus vendors by OSI, not all of these investigations were opened by OPT.*
- *The codes used for cases of misconduct are primarily 001A-Corporal Punishment; 002A-Verbal Abuse; 028A-Failure to Report; or 061K-Failure to Supervise. These codes are not mutually exclusive, and a Corporal Punishment code may be accompanied by a Verbal Abuse code.*
- *The manner in which allegations are coded are based on the nature of the allegations. If the allegations are that bus personnel used force on a student (hit, pushed, tripped, choked, smacked, etc. the student), it will be coded as Corporal Punishment. The business definition of Corporal Punishment comes directly from Chancellor’s Reg. A-420: Corporal punishment is defined as any act of physical force upon a pupil for the purpose of punishing that pupil. Corporal punishment does not include the use of reasonable physical force for any of the following purposes:*
 - *To protect oneself from physical injury;*
 - *To protect another pupil or teacher or any other person from physical injury (e.g., breaking up a physical altercation without using excessive force);*
 - *To protect the property of the school or of others;*
 - *To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of school district functions, powers, or duties if the pupil refuses to comply with a request to refrain from further disruptive acts, and alternative procedures and methods that do not involve the use of physical force cannot reasonably be employed to achieve the purposes set forth above.*

- b. The data provided pursuant to subdivision a of this section shall be aggregated citywide, as well as disaggregated by school bus vendor and borough.
- c. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law related to the privacy of information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. Where necessary, the department may use preliminary data to prepare such reports and may include an acknowledgment that such preliminary data is non-final and subject to change.

§ 21-996 Reporting on school bus routes.

- a. Beginning October 31, 2019, and on or before each April 30 and October 31 thereafter, the department shall submit to the speaker of the council and post on the department's website a report for the relevant reporting period, including
 1. The number of general education school bus routes scheduled to take less than one hour to complete, the number scheduled to take between one and two hours to complete, and the number scheduled to take over two hours to complete;
 - *Student ride times were reported as defined by the time difference between the scheduled stop time and the school session time. This was reported at the student level as this is a more useful metric for judging service provided. A full route, including all pick-ups and drop offs would not be reflective of the time any individual student spent on the bus.*
 2. The number of special education school bus routes scheduled to take less than one hour to complete, the number scheduled to take between one and two hours to complete, and the number scheduled to take over two hours to complete; and
 - *Current curb-to-school routing systems do not capture scheduled pick up times, therefore this metric could not be calculated. Pick up times are estimated by school bus companies and communicated to parents directly.*
 3. For each community school district, the average length of time scheduled for general education school bus routes and for special education school bus routes.
 - *For stop-to-school routes, the average scheduled student ride time was provided. As stated above, this could not be calculated for curb-to-school service as our current data structure does not support this.*

- b. Beginning October 31, 2019, and on or before each October 31 and April 30 thereafter, the department shall submit to the speaker of the council and post on the department's website a report for the relevant reporting period, including:
 1. The criteria used to design school bus routes;
 2. A description of the department's goals for the time it should take a vehicle to complete a school bus route, including any particular goals for special education school bus routes and general education school bus routes;
 3. A description of any additional goals and priorities of the department in its provision of school bus transportation services for all eligible students, including but not limited to any goals and priorities relating to students in temporary housing and students in foster care; and
 4. A summary of the requirements in each school bus vendor's contract with the department relating to the performance of dry runs prior to the first day of school, a list of school bus vendors who are in compliance with such requirements, a list of school bus vendors who have been assessed with liquidated damages and have no further right of appeal for the failure to have performed dry runs as required by contract, and a list of any vendors who do not fall on either of the aforementioned lists and a description of why not.
 - *The requirements are currently being revised based on updates in contract language*
- c. No later than 15 days before the start of the school year, the department shall provide, by electronic means, to authorized parents and guardians of students who receive school bus transportation services the following information with respect to the students of whom they are parents or guardians:
 1. The school bus route for such students for the current school year;
 2. The scheduled arrival time at school for each school bus route and the school session time for such students;
 3. The scheduled departure time from school for each school bus route and the school session time for such students;
 4. The school bus vendor assigned to transport such students;
 5. Any process by which authorized parents and guardians, and relevant department personnel can provide feedback on, or make a request regarding, a school bus route; or
 6. If such student shall receive school bus transportation services from a preschool vendor, the contact information for such vendor and any other relevant information.

- d. The information required by subdivision c of this section shall be provided to authorized parents or guardians by regular mail if any such authorized parent or guardian does not provide the department with an electronic mail address.
- e. The department shall make available to authorized parents or guardians of students who receive school bus transportation services on general education school bus routes or special education school bus routes, on a daily basis, the following information with respect to the students of whom they are parents or guardians:
 - 1. The scheduled arrival time at school for each school bus route and the school session time for such students and the actual arrival time at school for each school bus route if later than the school session time for such students;
 - 2. The scheduled departure time from school for each school bus route and the school session time for such students and the actual departure time from school for each school bus route if earlier than the school session time or later than the scheduled departure time for such students; and
 - 3. The school bus vendor assigned to each such school bus route.
- f. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law related to the privacy of information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.