



## COMMUNITY EDUCATION COUNCIL DISTRICT 30

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## RESOLUTION # 207

### **Accessible Transportation for All: Prioritizing Equity for Students With Disabilities** **- A Resolution for Change**

**Sponsor:** Estela Nguema

**Co-sponsor (s):** Laura Simpson; Xochitl Garcia; Marlene Rossi

WHEREAS, students with disabilities have the inherent right to equal access to education, requiring transportation that is safe, reliable, neurosensory-sensitive, and of the highest quality under the Individuals with Disabilities Education Act (IDEA)<sup>1</sup>, Section 504 of the Rehabilitation Act of 1973 (Section 504)<sup>2</sup>, the Americans with Disabilities Act (ADA)<sup>3</sup>, the Every Student Succeeds Act (ESSA)<sup>4</sup>, and Title VI of the Civil Rights Act of 1964 (Title VI)<sup>5</sup>; and

WHEREAS, the Citywide Council on Special Education (CCSE) unanimously adopted Resolution #2025-2026-01, finding the New York City Department of Education (NYC DOE) and the Office of Pupil Transportation (OPT) non-compliant with IDEA<sup>1</sup>, Section 504<sup>2</sup>, and New York State Education Law Title 6, Article 89, Section 4401(4)<sup>6</sup>, which requires school districts to provide suitable transportation as specified in a child's Individualized Education Program (IEP); and

WHEREAS, CCSE Resolution #2025-2026-01 documented that many current school bus contracts are 45-years-old, fail to align with contemporary needs, and that Chancellor's Regulations A-451<sup>7a</sup>, governing transportation for students with disabilities, and A-801<sup>7b</sup>, governing general pupil transportation, are severely outdated; and

WHEREAS, Community Education Council District 30 (CEC 30) incorporates and affirms the findings of CCSE Resolution #2025-2026-01 and CEC 30 Resolution 195<sup>8</sup> as evidence that systemic busing failures require immediate, enforceable remedies regardless of contractual cycles; and

WHEREAS, NYC Public Schools (NYCPS) reduced the private transportation contract to three years as an emergency measure but has provided no subsequent plan for families, while 15% of public school students — 7.5 million nationwide — receive special education services under IDEA<sup>1</sup> and depend on compliant transportation<sup>9</sup>; and

WHEREAS, the Panel for Educational Policy on April 29, 2026 reviewed the Five-Year Capital Plan allocating billions for new school seats, early-learn expansion, temporary structures, and playgrounds<sup>13</sup>, and capital investments cannot fulfill their ESSA/IDEA mandate if students cannot physically access them due to transportation failures<sup>14</sup>; and

WHEREAS, on April, 2026, the Office of Pupil Transportation announced a Ridership Tracking Pilot Program using QR code Bus Passes for students on NYCBUS routes, acknowledging that real-time boarding/exit data for parents is feasible and necessary for safety, yet the pilot excludes students on all other bus companies and lacks mandated timelines, GPS integration, IEP service compliance, or penalties for non-performance<sup>17</sup>; and

WHEREAS, families report that privatized, fragmented transportation results in lack of a single point of accountability, misaligned financial incentives that conflict with IEP requirements, siloed data systems that prevent real-time parent notification, and workforce turnover that jeopardizes safety for students with complex disabilities; and

WHEREAS, 45-year-old privatized contracts have created fragmented accountability, where no single entity is responsible for GPS compliance, driver training, fleet maintenance, or IEP adherence, resulting in DOE paying vendors despite chronic violations documented by CCSE, CEC 30, and the Public Advocate;

NOW, THEREFORE, BE IT RESOLVED, that whether transportation remains privatized or transitions to full public control by NYC Public Schools, NYCPS shall enforce the following non-negotiable conditions as contractual obligations or direct operational standards<sup>10</sup>:

1. IEP Compliance & Capital Alignment: Full implementation of all IEP-mandated transportation accommodations — curb-to-school or door-to-door busing, transportation paraprofessionals, travel time caps of 60 minutes in-borough/90 minutes out-of-borough with exceptions documented and approved by the IEP team only, medical/nursing services, and specialized transportation assistant services (“porter services”) — at no cost to families, per NYS Education Law § 3635<sup>11</sup>. NYCPS shall earmark a dedicated percentage of Capital Plan contingency or maintenance funds for fleet upgrades required to meet these mandates;
2. Program Equity: Guaranteed busing for all city-funded after-school activities, summer programs including Summer Rising and DREAM programs, and weekend programs including Weekend Academy, from school to home;
3. Fleet Standards: All buses serving students with disabilities shall have year-round climate-controlled heating and air conditioning; sensory-friendly features including noise-reducing materials, calming visual environments, and individual lighting; adaptive seating

with specialized restraints/positioning devices; and modern, inspected wheelchair lifts/ramps/securement;

4. Accountability, Transparency & Technology: Monthly public reports on NYC Open Data of delays, on-time performance, staffing, and unresolved cases affecting students with disabilities. Global Positioning System (GPS) data shall be the sole source of truth for on-time performance; failure to activate GPS means no payment. Daily bus/Via bus tracking app usage published by route/run to families and NYC Open Data. DOE shall pilot AI-driven route optimization and predictive maintenance for buses serving students with disabilities, with non-PII (Personally Identifiable Information) data and outcomes published quarterly.

Tap On/Tap Off Parent Notification: DOE shall expand the April 2026 Ridership Tracking Pilot to all school buses citywide and achieve 100% driver participation with tap on/tap off technology by September 1, 2026, with real-time parent notification via the NYC School Bus App or SMS when a student boards and exits the bus. Failure to log board/exit data shall trigger the same non-payment clause as GPS non-activation. DOE shall publish compliance rates monthly on NYC Open Data.

Families notified within 24 hours of route mergers. All students receive Student OMNY cards and curb-to-curb students receive rideshare vouchers for bus failures exceeding 60 minutes or resulting in missed medical/program access. Complaints acknowledged, investigated, and resolved within 5 business days with non-PII data posted to NYC Open Data. Buses with three breakdowns in 30 days trigger mandatory DOE safety audit and substitute bus assignment within 24 hours, and shall not return to service until DOE-certified; and

BE IT FURTHER RESOLVED, that effective upon expiration of the current three-year contract, NYCPS shall commence transitioning to full public control of school transportation to: (1) end payment for non-compliant service by making DOE the direct employer of record, (2) align fleet purchasing with Capital Plan sustainability goals, (3) integrate student tap on/tap off data, GPS, and AI routing under one publicly auditable system, and (4) guarantee workforce stability and specialized training for IEP mandates. PTAC shall issue public benchmarks at 6, 12, and 24 months, and no transition shall reduce existing IEP-mandated transportation services; and

BE IT FURTHER RESOLVED, that NYC DOE/OPT shall reform contract bidding to prioritize service quality, safety, workforce stability, and IEP compliance over lowest cost, with student and parent leaders as representatives in contract discussions, and the Panel for Educational Policy (PEP)<sup>12</sup> shall immediately update Chancellor's Regulations A-451 and A-801 to reflect current law and the standards above; and

BE IT FURTHER RESOLVED, that CECs and PTAC shall co-host quarterly public transportation forums to review Open Data reports, AI pilot outcomes, tap on/tap off compliance, and family testimony, with findings submitted to PEP and Chancellor prior to each budget vote; and

BE IT FINALLY RESOLVED, that this resolution be transmitted with urgency to Mayor Zohran Mamdani, Chancellor Kamar Samuels, Governor Kathy Hochul, all New York City Council

members, all Community Education Councils (CEC 1–32), and all Citywide Councils including the Citywide Council on Special Education (CCSE), Citywide Council on High School (CCHS), Citywide Council on English Language Learners (CCELL), and Citywide Council for District 75 (CCD75).

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References:

<sup>1</sup> Individuals with Disabilities Education Act (IDEA).

<https://www.ed.gov/laws-and-policy/individuals-disabilities/idea> (last accessed April 11, 2026)

<sup>2</sup> Section 504 of the Rehabilitation Act of 1973.

<https://www.ed.gov/laws-and-policy/individuals-disabilities/section-504> (last accessed April 11, 2026)

<sup>3</sup> Americans with Disabilities Act (ADA). <https://www.ada.gov/> (last accessed April 11, 2026)

<sup>4</sup> Every Student Succeeds Act (ESSA).

<https://www.ed.gov/laws-and-policy/laws-preschool-grade-12-education/every-student-succeeds-act-essa> (last accessed April 11, 2026)

<sup>5</sup> Title VI of the Civil Rights Act of 1964. <https://www.justice.gov/crt/fcs/TitleVI> (last accessed April 11, 2026)

<sup>6</sup> NYS Education Law § 4401. <https://www.nysenate.gov/legislation/laws/EDN/4401> (last accessed April 11, 2026)

<sup>7a</sup> NYC Chancellor’s Regulation A-451.

<https://www.schools.nyc.gov/docs/default-source/default-document-library/a-451-12-5-2018> (last accessed April 11, 2026)

<sup>7b</sup> NYC Chancellor’s Regulation A-801.

<https://www.schools.nyc.gov/docs/default-source/default-document-library/a-801-9-5-2000> (last accessed April 11, 2026)

<sup>8</sup> CEC 30. <https://www.cec30.org/> (last accessed April 11, 2026)

<sup>9</sup> NCES: Students with Disabilities Data.

<https://nces.ed.gov/programs/coe/indicator/cgg/students-with-disabilities> (last accessed April 11, 2026)

<sup>10</sup> NYC DOE Transportation Rights.

<https://www.schools.nyc.gov/school-life/transportation/transportation-rights> (last accessed April 11, 2026)

- <sup>11</sup> NYS Education Law § 3635. [ht NYS Education Law § 3635.](#)  
<https://www.nysenate.gov/legislation/laws/EDN/3635> (last accessed April 11, 2026)
- <sup>12</sup> Panel for Educational Policy & Special Commissions.  
<https://www.schools.nyc.gov/get-involved/families/panel-for-education-policy/special-commissions> (last accessed April 11, 2026)
- <sup>13</sup> NYC School Construction Authority Five-Year Capital Plan, FY 2025–2029.  
<https://www.nycsca.org/Community/Capital-Plan-Reports-Data> (last accessed April 30, 2026)
- <sup>14</sup> Panel for Educational Policy, April 29, 2026 Meeting Agenda & Public Notice.  
<https://www.schools.nyc.gov/get-involved/families/panel-for-education-policy/meetings> (last accessed April 30, 2026)
- <sup>15</sup> PSPNY Inc. & CEC 30 Community Testimony, PEP Meeting April 29, 2026.  
<https://www.facebook.com/reel/1474480554159214/> (last accessed April 30, 2026)
- <sup>16</sup> All Community Education Councils Directory.  
<https://www.schools.nyc.gov/get-involved/families/community-education-councils> (last accessed May 1, 2026)
- <sup>17</sup> Office of Pupil Transportation, Ridership Tracking Pilot Program Announcement, May 4, 2026.  
[schools.nyc.gov](https://schools.nyc.gov) (last accessed May 4, 2026)

