

RESOLUTION FOR EMPLOYEE PROTECTION PROVISIONS AND STUDENT TRANSPORTATION CONTRACTS

2024-2025 Panel for Educational Policy

Meeting Consideration:

18 June 2025

Introduction Date:

29 May 2025

Sponsorship:

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PROPOSED RESOLUTION

WHEREAS, New York City Public Schools (NYCPS) is the largest school district in the country, responsible for operating one of the most expansive school transportation systems through the Office of Pupil Transportation (OPT) serving public, charter, non-public, and private school students.

WHEREAS, NYCPS buses approximately 150,000 students across more than 9,000 routes. This includes about 96,000 NYCPS students, 20,000 charter school students, and 18,000 non-public school students throughout K-12, as well as an additional 16,000 in early childhood programs.

WHEREAS, to operate a transportation system on this scale, NYCPS contracts with 52 bus companies across approximately 100 individual contracts. These contracts, with private vendors, aid in the operation and execution of bus services for NYCPS.

WHEREAS, many current school bus contracts are 45-years-old and fail to align with the contemporary needs of our students and families.

WHEREAS, bidding on new contracts is affected by a 1979 agreement following a strike by bus drivers and matrons, which catalyzed Employee Protection Provisions (EPPs).

WHEREAS, EPPs are contract provisions that protect school bus drivers and attendants. EPPs ensure that if an employee is laid off because their company loses work, they are prioritized for hire by any new company, and their wages and benefits are maintained with the new company.

WHEREAS, in 2013 a Requests for Bids (RFB) was disseminated without EPPs, and drivers and matrons went on strike again due to the lack of EPPs.

WHEREAS, a 2017 attempt by the NYCPS to issue a request for bids with EPPs was struck down by courts because the courts determined that current State Law does not allow EPPs in new contracts.

WHEREAS, New York State legislators have introduced legislation seeking to codify EPPs into New York State Law, including bill S1018/A8440 presented by Senator Robert Jackson and Assemblymember Yudelka Tapia of New York City.

WHEREAS, since 1979 bus contracts have been extended with the same cohort of companies or their successors/assignees despite the onslaught and barrage of parent, school, and student complaints due to a myriad of reasons from vehicle quality to wait times.

WHEREAS, NYCPS pays an estimated \$1.8 billion dollars each year to the same set of bus companies, some of whom have not competitively bid on this work in 46 years.

WHEREAS, the New York City Panel for Educational Policy has heard repeated feedback that school busing needs improvements and that NYCPS should seek new contracts.

WHEREAS, NYCPS has repeatedly stated that certain school bus improvements rely on the ability to get new bus contracts.

WHEREAS, NYCPS may be forced to rely on extensions and amendments to existing contracts out of an abundance of caution to ensure students continue to receive yellow bus transportation.

WHEREAS, it can be assumed that Panel for Educational Policy (PEP) will soon be tasked with voting on yet another round of extensions of school bus contracts set to expire on 30 June 2025 in order to ensure the continuity of services.

WHEREAS, the rights of all people and fair treatment remain a moral and obligatory tenet of this governance body, believing that all employees of bus contractors deserve guiding provisions such as EPPs. As adults responsible for protecting students of NYCPS, there should be a concrete, legislative, and enshrined protection of employees.

THEREFORE, BE IT RESOLVED, that the New York City Panel for Educational Policy supports the extension of current bus contracts for one year, which would allow time for EPP legislation to work through the New York State Senate, Assembly, and be signed by the Governor.



BE IT FURTHER RESOLVED that NYCPS recommends that New York City Public Schools engage with advocates, parents, students, and school leaders to determine how to improve school bus service in new bus contracts.