

**COMMITTEE ON LEGAL ISSUES AFFECTING PEOPLE WITH
DISABILITIES**

REPORT ON LEGISLATION

S. 7469
A. 10071

Senator Morahan
M. of A. P. Rivera

This legislation, known as “P.J.’s law,” would require school-bus drivers and attendants transporting children with disabilities to complete training in children’s special needs.

THIS BILL IS APPROVED

This bill serves to increase the protections available to students with disabilities by mandating that school-bus drivers and attendants complete training at least twice a year on the special needs of any students for which they may be responsible. State law currently does not mandate any kind of adequate or uniform training for school-bus personnel regarding the needs of students with disabilities.

There have recently been several documented cases of students with disabilities facing abuse while on their way to and from school on the bus, including autistic student P.J. Rossi, who was taunted and mocked repeatedly by school employees on the bus. His case was brought to light when his parents sent him to school with a tape recorder. However, many parents are unaware that abuses occur.

Regardless of whether the abusive treatment of P.J. Rossi is viewed as an extreme case, it has shed light on a serious problem. Students are on busses at least twice daily for many hours each week. In the often-chaotic scene on a school bus, it can be difficult for untrained drivers and attendants to react appropriately to situations in ways that take into account a student's disabilities. A consistent education for the drivers and attendants can mitigate this problem significantly, improving their interactions with students with disabilities and preventing circumstances from escalating into the horror faced by P.J. Rossi.

The benefits of training will extend beyond the disturbing - but fortunately exceptional - cases of potential abuse or mistreatment. Children with the most intensive needs are likely to face long bus rides to attend schools offering specialized services, and this is often a source of stress for children and staff alike. Training will provide information and support to bus personnel, who will be better able to address problematic behaviors and potential hazards. It will also facilitate greater communication between bus personnel and professional staff inside the school.

In recent years, the level of preparation for teachers and aides working with children with disabilities has been enhanced by legislation and policy. Transportation is a

vital component of many children's educational program, and it is appropriate to make a reasonable commitment to training for school personnel. Otherwise effective school placements can be undermined by difficulties on the bus, and this bill will help to prevent these tragic disruptions.

The level and detail of attention and care necessary for children with autism and certain other disabilities can be very specific, which is seemingly recognized by this bill's mandate that every school-bus driver and attendant upon a school bus that transports one or more students with a disability "receive training and instruction relating to the understanding of and attention to the special needs of such students . . . no less frequently than twice each year."

Indeed, we would prefer this bill to also mandate that the training and instruction given to all school-bus drivers and attendants address the potential generalized needs of all students with disabilities given the frequency with which bus routes and/or bus staffing are shuffled. Otherwise, students with disabilities are likely to continue to ride often with school-bus drivers and attendants lacking even the most basic training about their potential special needs.

Additionally, while this legislation addresses the role of school bus drivers and attendants in curbing the abuse of children with disabilities, we recommend that consideration be given to the valuable role that bus drivers and attendants can perform more generally in reporting potential abuse of students.

Even without the additional language we suggest, this bill would take an important step towards assuring safety and respect for the many children with disabilities in this state. Accordingly, the New York City Bar Associations supports its passage.