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October 3, 2018

Veronika Kot
Staff Attorney
Rhode Island Legal Services
56 Pine Street, Suite 400
Providence, RI 02903

Dear Ms. Kot,

In response to your letter dated October 1, 2018, we at the Providence Public School District share your concern that the current bus driver strike has prevented us from providing travel accommodations to students who have transportation as a related service in their IEP or 504 plans.

When we first learned a strike was possible, the district began researching options available in the region, with a priority placed on special needs transportation. Unfortunately, we were unable to identify a vendor or a combination of vendors with either the capacity to serve the 1,000 students needing transportation accommodations or the trained employees willing to cross a union picket line.

Understanding that available transportation options are extremely limited, we believe strongly that we cannot, legally and ethically, choose which children with accommodations to transport and which children with accommodation to leave at home. As such, we are unable to provide transportation to any of the 1,000 students with special transportation accommodations.

We are also unable to arrange for prepayment of unique transportation arrangements for 1,000 individual students. We have, however, reached out to all impacted families (see attached letter) to offer mileage and travel reimbursement for those able to secure transportation to and from school. The letter was sent prior to the strike and then resent this week to all impacted families. Currently available in English and Spanish, the message is being translated into additional languages most likely to be used in our families' homes.

Today, we revised our position on excused absences. We now consider absences caused by disrupted transportation to be excused absences for all school bus riders through this Friday, Oct. 5. However, please know that when students with travel accommodations as a related service built into their IEP and 504 plans miss school, those absences will be considered excused absences for the duration of the strike.

Per your suggestion, we are also compiling and publishing a list of area transportation services available to families. Please be advised, however, that the list in its totality does not represent adequate capacity to manage the transportation needs of all students who have travel accommodations as a related service in their IEP and 504 plans. In particular, the list does not include nearly enough accessible transportation to meet the needs of our students who use wheelchairs.

Unfortunately, just as our region's transportation industry does not have the capacity to serve all our students, our region's home-based services do not have the capacity to serve all the students requiring their assistance during a bus driver strike.

While we have no control over the parties involved in the labor action, we do have control over how we respond once a strike has concluded. For those students with transportation as a related service who are not able to secure transportation to and from school, we will provide compensatory services as needed once the strike has concluded. The services may include but are not limited to specialized instruction and related services such as speech, occupational therapy, physical therapy and counseling. To access these services, families have been advised to contact the Special Education Department at the conclusion of the strike and set up an IEP meeting, so that the district may determine which services are needed to compensate for lost educational hours.

We understand and share your frustration that more cannot be done to meet the transportation needs for our students at this trying time. This is an evolving situation, and we welcome any actionable suggestions to overcoming the barriers we have outlined above.

Sincerely,



Christopher N. Maher
Superintendent

cc: Anne Mulready, Supervising Attorney – Rhode Island Disability Law Center
Steven Brown, Executive Director – American Civil Liberties Union of Rhode Island