

NJ school bus reforms haven't protected kids with disabilities. Mom asks 'How many more?'



Gene Myers

NorthJersey.com

Published 4:30 a.m. ET Feb. 26, 2025 | Updated 10:58 a.m. ET Feb. 26, 2025

Anabela Rossi recalls the last time she saw her son alive with a painful clarity. Matthew, a 19-year-old with muscular dystrophy and autism, was boarding a school bus outside his East Hanover home on the morning of Feb. 10, 2023.

It would be their last moment together.

Matthew was pronounced dead that afternoon after his bus ride home. The case has sparked a lawsuit, criminal charges and calls for reform in New Jersey's school transportation system for children with disabilities. It was a preventable death, his parents insist, one of several tragedies in recent years that highlight serious problems with the transport of special education students.

"Matthew was the happiest and hardest-working young man I've ever met," his mother said in a recent interview. "He loved life. He loved school."

Story continues after gallery.

It's been three years since New Jersey lawmakers passed school bus safety legislation, motivated in part by a 2018 highway crash that killed a 10-year-old Paramus girl and her teacher. But the state has been slow to promulgate regulations since, and disability advocates say the changes have mainly focused on the physical condition of vehicles – and not the needs of riders with medical conditions that make them uniquely vulnerable.

There's an urgent need for reforms and more accountability, said Paul Aronsohn, the state ombudsman for people with intellectual or developmental disabilities. One glaring omission: the bus companies hired for the task don't bear the same legal obligations as school districts.

"What is really disconcerting and speaks to the main problem here is there seems to be a lack of accountability. No one is responsible for this," Aronsohn said. "The local school district isn't responsible, the state Department of Education isn't responsible."

For years, he said, parents have come to him with concerns about insufficient communication, broken cameras on school vehicles, inadequate training for drivers and aides and a lack of answers from school district officials. They've also shared tales of student deaths that they blame on negligence, either by bus companies or by the aides or nurses who often accompany children.

Still waiting for reforms, families have turned to the justice system for a measure of relief. In January, a school bus aide was found guilty in Somerset County for failing to prevent the death of 6-year-old Fajr Atiya Williams, who died on a school bus in 2023 when she was strangled by her wheelchair harness. Sentencing is scheduled for March.

In Morris County, meanwhile, the Prosecutor's Office filed neglect and endangerment charges against the licensed nurse who accompanied Matthew Rossi on his final ride. Emilio J. Rivera of Carlstadt could go to trial in March.

Matthew's last bus ride

It is a long way from the morning Anabela Rossi said goodbye to her son at the curb outside their home.

She remembers it as a happy moment, the start of what should have been a good day. While Matthew's disabilities often presented challenges, he had been in good health for a while, his mother said.

Her son's muscular dystrophy caused progressive weakness as his muscles lost mass. He used a wheelchair to get around. His autism left him nonverbal. But Rossi knew her son well. She paid close attention.

"I'm the type of mother that, if Matthew so much as didn't sleep well and was tired, I didn't send him to school," she said. "I always wanted him to be 100%, and if he wasn't, I wanted my eyes on him."

Matthew often needed mucus cleared from his mouth and airway, so he traveled with a nurse who would suction his secretions to allow him to breathe. That afternoon, he was on his way home from the CTC Academy, an Oakland school specializing in students with disabilities who are medically fragile. Matthew was coughing on the ride back, according to the family's lawsuit.

GPS data obtained through the suit shows that the bus pulled over just a couple of blocks from Matthew's home. Three adults were on board with him: the driver, his aide and Rivera, the nurse charged with his daily care. No one called 911 during the trip and no one cleared Matthew's airway, the lawsuit alleges.

"I think Matthew drowned in his own mucus," his mother said. His airway was "filled with secretions and mucus," the family said in the suit.

More: Is RFK Jr. right about vaccines and autism? NJ researchers say link has been debunked

Phone records obtained in the case show the nurse was on a cellphone for about seven minutes during the ride, said Paul da Costa, a Hackensack attorney representing the Rossis.

"At no time when the bus was pulled over did anyone call 911, including the nurse, bus driver or bus aide, despite the fact that the nurse ultimately documented that

he was nonresponsive," da Costa said.

What happened at the end of the trip, captured by the family's Ring doorbell camera, is still hard to watch, said Anabela Rossi. Her son's attendants unloaded Matthew's wheelchair and pushed him up the driveway. According to the family's suit, Matthew was unresponsive as they reached the house, where his father, Kirk, was waiting.

"The bus pulls up in front of the house and there is essentially zero urgency on the part of the nurse or anyone else involved in trying to get Matthew off the bus," da Costa said.

According to the Morris County Prosecutor's Office, EMS personnel and East Hanover police officers arrived and attempted CPR and other lifesaving measures, but to no avail.

Pennsauken Township-based Bayada Home Health Care, which employed the nurse and aide, did not respond to requests for comments for this story. Neither did the transport company, Totowa-based Sami Peadia Care Inc.

In the criminal case, Rivera faces one count each of endangering another person and neglect of a disabled person. His attorney did not respond to multiple requests seeking comment.

Two criminal cases in special-ed deaths

As Rivera heads toward trial, a judge in Somerset County is scheduled in March to sentence school bus aide Amanda Davila for Fajr Williams' death. The youngster, who had a rare chromosomal order that rendered her nonverbal, died on her way to school in July 2023. During Davila's trial, jurors saw video from a security camera inside the bus that showed her sitting in her seat, earbuds in and talking on her phone instead of monitoring Williams.

Davila was found guilty in January of endangering the welfare of a child but acquitted of manslaughter. She faces up to 10 years in prison. Williams' family reached a \$5 million settlement with the school bus company late last year, according to legal news site Law.com.

In another case, a 16-year-old sophomore at the Cape May County Special Services School District died as a result of injuries sustained on a school bus ride in 2022, said an account published by the New Jersey Council on Developmental Disabilities. Landon Goff lost consciousness and choked on his saliva during the 40-minute ride, despite the presence of an aide on board, the report said. He died three days later.

Goff's family has sued the bus contractor for negligence.

For families of students with disabilities, “this is a stress that thousands of New Jersey parents experience most days throughout the school year,” Aronsohn, the state watchdog, said in a 2023 report.

Gov. Phil Murphy signed a law in 2022 to establish an Office of School Bus Safety within the state Department of Education. But it took almost two years – and tales of more school bus horror stories – for the state to appoint someone to lead the office.

What can be done? In Aronsohn's report, the ombudsman called for mandatory 911 calls by drivers and aides in life-threatening situations, the installation of video cameras in all out-of-district school vehicles, regular training for drivers and aides, and increased accountability for school district officials, who should treat vehicles as extensions of the school district premises.

NJ promises reforms

The Education Department says changes are coming. A school bus contractor training program has been put in place, said department spokeswoman Laura

Fredrick. About 100 of the state's more than 1,700 contractors have attended thus far.

The state also has overhauled the annual certification process for drivers and aides, whether they work for school districts or private providers. It's now "a months-long process, performed in collaboration with the 21 county Offices of Education," Fredrick said via email.

Additionally, the department announced at the end of January that new Student Information Cards will list information about a child's disabilities and emergency contact information. The details will be developed with input from parents as part of students' individual education plans. The cards must be kept in "an easily accessible location" for both bus drivers and aides, the state said.

"These steps seem very important and necessary," Aronsohn said when asked about the changes. "However, I believe we need to make the training even more individualized to the specific students being served. When a school district contracts a company, one of the first steps should be to meet with the student and their family to ensure they understand how to meet that student's specific needs."

Two bills in Trenton also aim to fill in the gaps. State Sen. Kristin Corrado, a Bergen County Republican, has sponsored S-3447. The legislation would establish a special education transportation task force to study safe transportation practices and how to establish clearer lines of accountability. It passed the Senate Education Committee in September but has yet to go before the full Senate.

Assembly Bill A-5142, introduced in December by North Jersey's Al Barlas and Michael Venezia, includes provisions for mandatory 911 calls in emergencies, the installation of safety features like video cameras and GPS systems on buses and comprehensive training for staff. It establishes penalties for noncompliance with safety protocols.

Rossi vowed to remain a steadfast voice for reform. Driven by Matthew's memory, she wants to prevent other families from experiencing the same heartbreak.

"This is about human lives, our children's lives," she said. "How many more losses must we endure before our voices are heard and the necessary changes are made?"

New state requirements for school bus companies

The state Department of Education implemented a new School Bus Contractor Training Program last year. It includes the following requirements:

- Engage with the parents, guardians prior to transportation to share information.
- Exchange contact information between bus contractor and parents or guardians.
- Ensure the bus contractor will answer incoming calls during business hours.
- Contractors must notify parents if there will be delays in bus routes.
- Provide the parents with as much advance notice as possible of changes to personnel.
- Immediately notify parents and school if a student is injured.
- Notify emergency services if a student has a medical trauma.
- Contractors who use GPS systems must provide access to parents or guardians.