



City of New York

OFFICE OF THE COMPTROLLER

Scott M. Stringer
COMPTROLLER



MANAGEMENT AUDIT

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Deputy Comptroller for Audit

Audit Report on the Department of
Education's Oversight of the
Qualifications of School Bus Drivers
and Attendants Employed by School
Bus Company Contractors

MH17-055A

June 21, 2017

<http://comptroller.nyc.gov>



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OFFICE OF THE COMPTROLLER
SCOTT M. STRINGER

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Dear Residents of the City of New York:

My office has audited the New York City Department of Education (DOE) to determine whether it adequately monitors contracted school bus companies to ensure that the school bus drivers and attendants they employ have undergone required background checks and meet New York State and DOE qualifications. We conduct audits such as this to help ensure public safety and to determine whether agencies adequately monitor and enforce compliance with regulatory requirements.

This audit found that DOE adequately monitors contracted school bus companies to ensure that the school bus drivers and attendants they employ have undergone required background checks and meet NYS qualification requirements. However, the audit found weaknesses in DOE's follow-up to ensure that the status and eligibility of drivers and attendants is properly updated. Specifically, there were deficiencies in the Office of Pupil Transportation's (OPT's) processing of 10 of the 43 Department of Motor Vehicles' License Event Notification Service (LENS) suspension notifications reviewed. In addition, of the 24 Personnel Eligibility Tracking System (PETS) suspension notifications reviewed, the audit identified one instance where OPT failed to suspend a school bus attendant who appears to have worked during most of her suspension, which was for more than six months. Finally, the audit found that DOE has no written policies or procedures specifying the responsibilities of OPT investigators in acting upon LENS and PETS suspension notifications.

Based on the audit findings, the audit made five recommendations, including that DOE ensure that OPT's Investigation Unit creates a written policy and procedure for how OPT investigators should address LENS and PETS suspension notifications; that OPT investigators review all LENS and PETS notifications on a daily basis; and that procedures are developed and implemented to ensure that all PETS suspension notifications concerning school bus attendants are addressed.

The results of the audit have been discussed with DOE officials, and their comments have been considered in preparing this report. Their complete written response is attached to this report.

If you have any questions concerning this report, please email my Audit Bureau at audit@comptroller.nyc.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott M. Stringer".

Scott M. Stringer

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THE CITY OF NEW YORK OFFICE OF THE COMPTROLLER MANAGEMENT AUDIT

Audit Report on the Department of Education's Oversight of the Qualifications of School Bus Drivers and Attendants Employed by School Bus Company Contractors

MH17-055A

EXECUTIVE SUMMARY

We conducted this audit to determine whether the New York City (City) Department of Education (DOE) adequately monitors contracted school bus companies to ensure that the school bus drivers and attendants they employ have undergone required background checks and meet New York State (NYS) and DOE qualifications.

To provide transportation services to students, DOE enters into contracts with vendors—private companies that supply the school buses and employ the drivers who operate them and the attendants who assist the special education students whom they transport.¹ As of November 7, 2016, DOE had 88 contracts with school bus companies that employed, in total, approximately 8,953 bus drivers, 7,082 attendants and 249 persons who were qualified to work as either a driver or an attendant.

DOE's Contract Management Unit (CMU) is responsible for monitoring school bus vendors' compliance with DOE's Office of Pupil Transportation (OPT) certification procedures and the terms of their contracts. To keep track of each school bus driver's and attendant's certification-status, OPT and CMU use a computerized recordkeeping system, called the Driver and Attendant System.

NYS Department of Motor Vehicles (DMV) is required to notify the school bus company when the license of a school bus driver that the company employs is revoked or suspended, or when the driver has been convicted of a violation that would prohibit him or her from operating a school bus. DOE participates in DMV's License Event Notification Service (LENS), which enables the department to independently track school bus drivers' license status and ensure that they maintain their eligibility to drive.² When a school bus driver's driving privileges have been suspended by DMV, OPT is notified and the investigator assigned to review LENS notifications reviews the

¹ Every special education vehicle must have an attendant responsible for assisting students with disabilities during their ride to and from school. An attendant is also required to assist each child with a disability from the bus to the front door of the school.

² LENS is a tool offered by DMV that enables LENS customers to monitor drivers' qualifications and to receive notifications of any changes to drivers' qualifications. The source for LENS drivers' information is the New York State Department of Motor Vehicles Driving Record.

driver's record on the DMV website and determines whether the issue has been resolved or if the driver remains disqualified. The investigator is required to update the driver's status in the Driver and Attendant System.

CMU submits all prospective school bus attendants' fingerprints to NYS Division of Criminal Justice Services (DCJS) for criminal background checks. DCJS maintains school bus attendants' fingerprints on file and notifies DOE's Office of Personnel Investigation (OPI) if an attendant is subsequently arrested for charged criminal activity. If the charge is one that would bar the person from working as an attendant, OPI enters a code into DOE's Personnel Eligibility Tracking System (PETS) indicating the existence of a problem affecting the attendant's eligibility to work on a school bus for DOE. Through an automatically-generated email, PETS notifies CMU and OPT that the attendant is suspended from performing services for DOE. An assigned OPT investigator is required to update the attendant's status in the Driver and Attendant System.

Audit Findings and Conclusion

This audit found that DOE adequately monitors contracted school bus companies to ensure that the school bus drivers and attendants they employ have undergone required background checks and meet NYS qualification requirements. Our review found that all of the sampled school bus drivers' and attendants' personnel files contained the necessary criminal history clearances, licenses, and certifications to qualify the employees to work on DOE school bus routes. We also found that those school bus employees had completed certain key annual and biennial requirements needed to maintain certification.

However, the audit found weaknesses in DOE's follow-up to ensure that the status and eligibility of drivers and attendants is properly updated. In particular, we found deficiencies in the OPT Investigation Unit's processing of 10 (23 percent) of the 43 DMV-LENS suspension notifications we reviewed. In three of those cases, OPT failed to either (1) change the drivers' status in OPT's Driver and Attendant System from "active" to "suspended," or (2) print and file copies of the DMV abstracts showing that DMV had cleared the three drivers' suspensions. In the remaining seven cases, the assigned OPT investigators took and documented the necessary action, but did so late—between three and seven business days after DOE received the DMV suspension notifications—rather than immediately as required.

In addition, in our review of 24 PETS suspension notifications, we identified one case where OPT failed to implement a DOE determination to suspend a school bus attendant's eligibility to work on school buses for DOE for over six months. As a result, DOE could not produce a record demonstrating that the attendant's employment was in fact suspended.

Finally, we found that DOE has no written policies or procedures specifying the responsibilities of OPT investigators in acting upon DMV-LENS and DOE-PETS suspension notifications. These weaknesses increase the risk that drivers might be operating DOE school buses with suspended licenses and attendants may be assisting children while suspended.

Audit Recommendations

Based on our findings, we make five recommendations, including the following:

- DOE should ensure that OPT's Investigation Unit creates a written policy and procedure for investigators, specifically delineating the steps that must be completed and the documentation that must be obtained when suspension notifications are issued for school

bus drivers and school bus attendants through both DMV's LENS system and DOE's PETS system. Appropriate time frames should be established for each required step.

- DOE should ensure that OPT investigators review all LENS and PETS notifications on a daily basis and that a designated supervisor or staff member is responsible for reviewing and ensuring that each notification has been dealt with and documented appropriately.
- DOE should develop and implement procedures to ensure that all PETS suspension notifications concerning school bus attendants are addressed and that any suspension notification not immediately matched with a name or other identifier in OPT and CMU records is investigated until the person named in the notification is conclusively identified as being either an active school bus attendant or not.

Agency Response

DOE agreed with two of the audit's five recommendations but disagreed with the recommendation that the agency create a written policy and procedure for investigators regarding its receipt of LENS and PETS suspension notifications. In addition, DOE disagreed with the audit's recommendations that it ensure that OPT investigators review all LENS and PETS suspension notifications on a daily basis and that it establish a time frame within which all LENS and PETS suspension notifications should be resolved. DOE argued that those recommendations are unnecessary because sufficient measures are already in place to ensure that its contracted school bus vendors will prohibit school bus drivers from driving with suspended licenses and prohibit attendants from assisting children while suspended. After carefully reviewing DOE's arguments, we find no basis for altering our audit conclusions and urge the agency to reconsider its response and implement these recommendations.

AUDIT REPORT

Background

DOE is the largest school district in the United States, providing primary and secondary education to 1.1 million students, from pre-kindergarten through grade 12 in over 1,800 schools. DOE has the nation's largest school transportation department, providing transportation services to over 600,000 City students attending both public and non-public schools located within the five boroughs and in neighboring counties in New York, New Jersey, and Connecticut. School bus service is available for general education students in grades kindergarten through six whose homes are more than a specific distance from the schools they attend and for special education students (including Pre-K/Early Intervention) who require specialized transportation. To provide that service, DOE enters into contracts with vendors—private companies that supply the school buses and employ the drivers who operate them and the attendants who assist the special education students whom they transport.

DOE's Office of School Support Services oversees the delivery of school bus services through OPT and CMU. OPT is in charge of all operational aspects of school bus service, including inspections of the school buses, which are performed by OPT's Inspection Unit. OPT, through its Investigation Unit, also investigates alleged misconduct by school bus drivers and attendants, usually as a result of complaints received through OPT's Customer Service Unit. As of November 7, 2016, DOE had 88 contracts with school bus companies that employed, in total, approximately 8,953 bus drivers, 7,082 attendants and 249 persons who were qualified to work as either a driver or an attendant. DOE spent almost \$1.1 billion for transportation services during Fiscal Year 2016.

CMU is responsible for monitoring school bus vendors' compliance with OPT certification procedures and the terms of their contracts. Specifically, the unit is responsible for reviewing documents to ensure that school bus drivers and attendants meet a series of qualifications, such as the proper driver's license, successful completion of school bus training, medical examinations, and a satisfactory criminal-record check, to work on DOE school bus routes. Those requirements, based largely on NYS law, have been incorporated into DOE's contracts with the school bus companies, and DOE's OPT and CMU have established procedures to implement and enforce them. To keep track of each school bus driver's and attendant's certification-status, OPT and CMU use a computerized recordkeeping system, called the Driver and Attendant System. The school bus companies maintain all original documents evidencing their employees' certification-qualifications, and CMU maintains hard copies in personnel folders for each driver and attendant.

Qualification and Suspension Procedures for School Bus Drivers

To hire a prospective school bus driver to work on a DOE route, the school bus company submits a package to CMU that includes: (1) the candidate's completed OPT application; (2) a copy of his or her DMV driving record abstract; (3) copies of his or her Social Security Card and commercial driver's license; and (4) a letter from the school bus company asking CMU to request that the NYS Unified Court System complete a Criminal History Record Check, to determine whether the candidate has a criminal history that would bar him or her from working as a school bus driver.

Before submitting a request for a criminal record check to the NYS court system, CMU reviews each candidate's driving abstract to determine whether he or she meets certain minimum standards, such as having fewer than nine points on his or her driver's license. Once CMU

receives the results of the criminal record check from the court system, it notifies the school bus vendor of the results. Each candidate preliminarily cleared by CMU must then provide evidence to CMU that he or she has successfully completed:

- Pre-service training provided by a NYS Education Department (NYSED) instructor;
- A physical performance test completed no more than 60 days prior to certification;
- A medical examination completed no more than 90 days prior to certification;
- A clean drug and alcohol test completed no more than 60 days prior to certification; and
- A “19-A Final Qualification” clearance issued from DMV stating that neither DCJS nor the Federal Bureau of Investigation identified any conviction or violation disqualifying the candidate from being permitted to drive a school bus.³

Once a candidate presents all of the above documents to CMU, he or she can obtain a photo ID from CMU authorizing the candidate to operate school buses transporting students for DOE.

To remain certified, a school bus driver must complete the NYSED/NYCDOE School Bus Driver training courses (30 hours in total) and annually thereafter complete two refresher courses, a medical exam, and a defensive driving review. In addition, every two years, the driver must complete a behind-the-wheel road test, an oral/written exam and a physical performance test.

DMV is required to notify the school bus company when the license of a school bus driver that the company employs is revoked or suspended, or when the driver has been convicted of a violation that would prohibit him or her from operating a school bus as provided by Section 509-cc of the Vehicle and Traffic Law.⁴

DOE participates in DMV’s LENS system, which enables DOE to independently track school bus drivers’ license status and ensure that they maintain their eligibility to drive. When a school bus driver’s driving privileges have been suspended by DMV, OPT’s Investigation Unit receives a suspension notification from LENS. According to an OPT official, an assigned OPT investigator then promptly reviews the driver’s abstract on the DMV website to determine whether the issue has been resolved, or whether the driver remains disqualified. If the issue has been resolved, the investigator prints a copy of the abstract and inserts it into the driver’s file, documenting that the driver is “19-A Active School Qualified.” If the driver remains disqualified, however, the investigator changes the driver’s status in the Driver and Attendant System from “active” to “suspended,” signifying that DOE’s authorization for that individual to operate a school bus for DOE is suspended, and the investigator separately notifies the bus company by faxing a letter, which states that the driver “is to be suspended immediately from performing any Department of Education school bus service.” In addition to following OPT’s instructions conveyed in such letters, the school bus companies are also required to check the Driver and Attendant System daily, to determine whether any school bus drivers or attendants they employ have been suspended.

³ The term “19-A” refers to Article 19-A of the NYS Vehicle and Traffic Law, “Special Requirements for Bus Drivers.” Before receiving a 19-A Final Qualification Letter from DMV, the candidate must be fingerprinted at an approved DMV location. DMV then forwards the prints to DCJS and the Federal Bureau of Investigation for an additional criminal history review. If no disqualifying conviction or other potentially-disqualifying violation is found, DMV issues a 19-A Final Qualification clearance to the candidate.

⁴ Under Section 509-cc of the NYS Vehicle and Traffic Law (VTL), a conviction of any of various listed offenses in violation of the NYS Penal Law or the VTL, including among others certain sex and obscenity offenses, vehicular homicide, vehicular assault, and operating a motor vehicle while under the influence of alcohol or drugs, or conviction of an equivalent offense in another jurisdiction, is a basis for disqualification from operating a school bus.

Thus, there are at least three ways that school bus companies that contract with DOE should be informed when the school bus drivers they employ have been suspended by DMV from eligibility to operate school buses. The school bus companies are notified directly from DMV, as required by law. In addition, the school bus companies are also notified by affirmatively checking OPT's Driver and Attendant System each day and through OPT's suspension letter.⁵ The latter two methods depend on OPT's taking timely action on the DMV-LENS notifications it receives.

Qualification and Suspension Procedures for School Bus Attendants

To hire a prospective attendant to work on a school bus for DOE, the school bus company must submit the candidate's personal information (including name, date of birth, and email address) in an email to CMU, which then enters the candidate's information into PETS. That system, which is maintained by OPI, is used by DOE to track the security clearance status of its contractors' employees, including but not limited to the attendants employed by the school bus companies. As a result of CMU's entry, PETS automatically sends an email to the candidate requesting that he or she complete a background questionnaire and a fingerprint referral form. The school bus company then schedules an appointment with CMU to have the candidate fingerprinted, to which the candidate must bring the following documents:

- Photo ID, completed OPT Application and Fingerprint Referral Form;
- Physical Performance Test successfully completed within 60 days prior to certification;
- Medical examination completed within 90 days prior to certification; and
- Certificates showing Pre-Service Training, City and State Training (30 hours), First Aid and Cardio-Pulmonary Resuscitation (CPR) training.

CMU submits all prospective school bus attendants' fingerprints to DCJS for a criminal history report. DCJS returns the results of those checks to OPI, which then reviews them, makes a determination of eligibility regarding each candidate, and enters a corresponding eligibility code into PETS. If OPI determines there is no criminal history that would bar the prospective attendant from working on a DOE school bus, CMU issues a photo ID authorizing the prospective attendant to perform such work.

To maintain DOE certification, school bus attendants must complete yearly medical and school bus safety refresher courses. In addition, each attendant must complete a physical performance test and CPR and first aid refresher training courses every two years.

DCJS maintains school bus attendants' fingerprints on file and notifies OPI if an attendant is subsequently arrested for charged criminal activity. If the charge is one that would bar the person from working as an attendant, OPI enters a code into the PETS system indicating the existence of a problem affecting the attendant's eligibility to work on a school bus for DOE, and PETS in turn notifies CMU and OPT, including its Investigation Unit, by an automatically-generated email stating that the attendant has lost his or her security clearance and cannot perform services for DOE.

When OPT's Investigation Unit is notified via an OPI/PETS email of a school bus attendant's suspension, an assigned OPT investigator is required to update the attendant's status in OPT's Driver and Attendant System, noting the suspension and, if applicable, any subsequent reversal or lifting of it. The OPT Investigation Unit then notifies the relevant school bus company of the

⁵ Drivers are also required to report their own suspensions to the school bus companies within one business day of receiving a notice of suspension. VTL § 509-i(1).

attendant's suspension and of any change in that status. As with the school bus drivers, the school bus companies are expected to check the Driver and Attendant System daily to determine whether any attendants they employ have been suspended. Suspended employees cannot operate or attend to children on a DOE school bus until OPT has cleared them.

Objective

To determine whether DOE adequately monitors contracted school bus companies to ensure that the school bus drivers and attendants they employ have undergone required background checks and meet NYS and DOE qualifications.

Scope and Methodology Statement

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

The audit scope was from July 1, 2015, through December 31, 2016. Please refer to the Detailed Scope and Methodology at the end of this report for specific procedures and tests that were conducted.

Discussion of Audit Results with DOE

The matters covered in this report were discussed with DOE officials during and at the conclusion of this audit. A preliminary draft report was sent to DOE and discussed at an exit conference held on May 11, 2017. On May 24, 2017, we submitted a draft report to DOE with a request for comments. We received a written response from DOE on June 8, 2017.

DOE agreed with two of the audit's five recommendations but disagreed with the recommendation that it create a written policy and procedure specifying the responsibilities of OPT regarding LENS and PETS suspension notifications. In addition, DOE also disagreed with the audit's recommendation that it ensure that OPT investigators perform daily reviews of LENS and PETS suspension notifications, and with the recommendation that it establish a time frame within which all LENS and PETS suspension notifications should be resolved. DOE argued that the recommendations are unnecessary because sufficient measures are already in place to ensure that its contracted school bus vendors will prohibit school bus drivers from driving with suspended licenses and prohibit attendants from assisting children while suspended. After carefully reviewing DOE's arguments, we find no basis for altering our audit conclusions and urge the agency to reconsider its response and implement these recommendations.

The full text of DOE's response is included as an addendum to this report.

FINDINGS AND RECOMMENDATIONS

We found that DOE adequately monitors contracted school bus companies to ensure that the school bus drivers and attendants they employ have undergone required background checks and meet NYS qualification requirements. Our review found that all of the sampled school bus drivers' and attendants' personnel files contained the necessary criminal history clearances, licenses, and certifications to qualify the employees to work on DOE school bus routes. We also found that those school bus employees had completed certain key annual and biennial requirements needed to maintain certification.

However, the audit found weaknesses in DOE's follow-up monitoring to ensure that drivers and attendants' statuses are properly updated. In particular, we found deficiencies in the OPT Investigation Unit's processing of 10 (23 percent) of the 43 DMV-LENS notifications we reviewed regarding DMV-imposed suspensions of school bus drivers' certifications. In three of those cases, OPT failed to either (1) change the drivers' status in OPT's Driver and Attendant System from "active" to "suspended," or (2) print and file copies of the DMV abstracts showing that DMV had cleared the three drivers' suspensions. After discussing those three cases with us, DOE officials provided copies of the three drivers' abstracts, showing that all three DMV suspensions were cleared on the days that the DMV-LENS notifications were issued. However, DOE was unable to demonstrate that it initially reviewed the abstracts in a timely manner. In the remaining seven cases, the assigned OPT investigators took and documented the necessary action, but did so late—between three and seven business days after DOE received the DMV suspension notifications—rather than immediately as required.

In addition, in our review of 24 PETS suspension notifications, we identified one case where OPT failed to implement a DOE determination to suspend a school bus attendant's eligibility to work on school buses for DOE for more than six months. As a result, DOE could not produce a record demonstrating that the attendant's employment was in fact suspended.

Finally, we found that DOE has no written policies or procedures specifying the responsibilities of OPT investigators in acting upon DMV-LENS and DOE-PETS suspension notifications. These weaknesses increase the risk that drivers might be operating DOE school buses with suspended licenses and attendants may be assisting children while suspended. Therefore, we recommend DOE establish a set of written policies and procedures detailing the responsibilities of OPT investigators in addressing DMV-LENS and DOE-PETS suspension notifications within a specific time frame and follow them.

A more detailed discussion of these findings and the audit recommendations follows below.

Inadequate Follow-up of DMV-LENS and DOE-PETS Suspension Notifications

DOE did not have evidence that OPT investigators consistently took timely action to ensure that school bus drivers' and school bus attendants' certification status was properly checked and documented following suspension notifications that OPT received through, respectively, DMV's LENS system, and DOE's own PETS system.

Weaknesses in OPT's Processing of DMV-LENS Suspension Notifications

Our review revealed that OPT failed to take timely, appropriate action in 10 of 43 cases (23 percent) in which it received notifications through DMV's LENS system that a school bus driver's license had been suspended. Under OPT's informal procedures regarding the processing of LENS and PETS notifications, its assigned investigator is expected to check daily for DMV-LENS suspension notifications regarding DOE-authorized school bus drivers and to immediately change their status to suspended in the OPT Driver and Attendant System. When questioned, however, DOE officials did not define "immediate." For the purposes of this analysis, we conservatively considered an OPT suspension recorded in the Driver and Attendant System within two business days of the LENS suspension notification to be timely.

We tested 43 LENS suspension notifications issued during calendar year 2016 for school bus drivers who were deemed active in OPT's Driver and Attendant System at the time of the DMV-LENS suspensions. Our review found that OPT took timely action on 33 (77 percent) of those LENS notifications, that is, within two business days. Of those 33 cases, an OPT investigator, within two business days, changed the status of 18 drivers from "active" to "suspended" in the Driver and Attendant System, and in the 15 other cases OPT had documentation—dated within two business days—justifying why the drivers' status was not changed. For example, OPT had documents showing that some of those 15 drivers quickly restored their DMV licenses to an active status by paying a fine.

However, the OPT Investigation Unit's performance in the 10 remaining cases (23 percent) was problematic as described below:

- In three cases, the OPT investigator failed to change the drivers' status to suspended in the Driver and Attendant System and DOE provided no documentation to justify why the status was not changed when we first reviewed the files. Only after we called this to DOE's attention did officials obtain and provide copies of the three drivers' abstracts, showing that all three DMV suspensions were cleared on the days that the DMV-LENS notifications were issued, negating the need to change their statuses to "suspended" in the Driver and Attendant System. However, DOE was unable to demonstrate that it initially reviewed those abstracts in a timely manner.
- In three other cases, OPT changed the driver's status from "active" to "suspended" late—three to seven business days after the DMV-LENS notification was issued.
- In the remaining four cases, OPT failed to change the drivers' status from "active" to "suspended" in the Driver and Attendant System, and its documentation showing that the DMV suspensions had been cleared was dated three to five business days after the date of the corresponding DMV-LENS notifications.

At the exit conference DOE provided emails from the school bus companies that stated in substance that the above-mentioned seven drivers did not operate DOE school buses during the periods of their suspensions.

OPT officials stated that they handle about 300 cases per year involving DMV-LENS suspension notifications. According to OPT officials, the assigned investigator checks for suspension notifications on a daily basis. Based on the documentation we reviewed, however, it appears that the OPT investigator largely relies on a CMU clerical employee to review DMV-LENS notifications, compare them with the Driver and Attendant System, and inform the investigator if the DMV

licenses of any active DOE-authorized school bus drivers were suspended. The informality of OPT's controls—specifically, the absence of a written procedure and explicit time limits for action—may have contributed to the deficiencies in the above-mentioned 10 cases. The documentation we reviewed indicated that in five of the 10 problematic cases, the OPT investigator acted quickly after being alerted to DMV-LENS suspensions by emails sent by a CMU clerical employee. However, those emails were sent from two to seven days after the DMV-LENS suspension notifications.

When OPT does not discover and address suspension notifications timely, its ability to ensure that school bus companies are not using suspended drivers is hindered and could put the safety of the children at risk.

PETS Suspension Notifications

We reviewed a sample of 24 cases involving DOE-ordered suspensions of school bus attendants and identified one case where OPT failed to record and act upon a suspension notification it received through DOE's PETS system. Consequently, DOE had no record of notifying that school bus attendant's employer that the attendant could not work on school buses for DOE during a period of more than six months when the suspension should have been in effect.

As with DMV-LENS notifications, we conservatively defined timely action as OPT's recording of a DOE-PETS suspension in the Driver and Attendant System within two business days of the issuance of the DOE-PETS notification. We reviewed 24 DOE-PETS suspension notifications relating to school bus attendants whose employment status was listed as "active" in the Driver and Attendant System at the times of their suspensions. We found that the status of 23 (96 percent) of those school bus attendants was appropriately changed in the Driver and Attendant System from "active" to "suspended" either the same day or within one business day after the PETS notification.

However, the one remaining attendant's status in the Driver and Attendant System was never changed, despite the issuance of a DOE suspension notification through the PETS system on April 18, 2016, which remained in effect until November 2, 2016, over six months later. When we asked DOE why the attendant was not suspended, an OPT official stated that the attendant "changed her [last] name [and OPT was] not notified." According to the official, the school bus attendant was listed in the OPT Driver and Attendant System under her original surname, while the same attendant was listed in the DOE PETS system under her married surname.

Unlike DMV's LENS-notifications of school bus drivers' suspensions, DOE's PETS-suspension notifications regarding school bus attendants are not sent directly to the school bus companies that employ those attendants. Instead, DOE notifies school bus companies of school bus attendants' suspensions through the Driver and Attendant System and through communications, such as letters, emails and phone calls, from DOE's OPT investigators. Consequently, unless OPT takes affirmative action in response to every suspension notification it receives regarding school bus attendants, the bus companies that employ them may not be aware of those suspensions. During our review, DOE officials were unable to provide any evidence that the attendant who lost eligibility on April 18, 2016, was prevented from working on school buses for DOE during the suspension period. In fact, after the exit conference, DOE officials provided an email from the bus company that employed the attendant, stating that the attendant, "was on payroll" during much of the suspension period, specifically between May 5, 2016 and June 28, 2016 and from September 7, 2016 through November 4, 2016.

Lack of Written Policies and Procedures

Our audit found that DOE has no written policies or procedures specifying the responsibilities of OPT investigators in acting upon suspension notifications.⁶ Rather, OPT only has *informal* and unwritten procedures that require its assigned investigators to (1) review LENS and PETS suspension notifications on a daily basis, (2) “immediately” change the status of the drivers and attendants identified in those notifications from “active” to “suspended” in OPT’s Driver and Attendant System, unless and until they obtain documentation that an individual driver’s suspension was cleared, and (3) where the suspensions have not been cleared, notify the relevant school bus companies in writing that the suspended employees may not work on school buses for DOE. However, as noted above, we found omissions in these informal policies, in that they do not impose firm deadlines for actions to be taken by DOE staff. In addition, also as noted above, we found weaknesses in operational adherence to the informal policies. These deficiencies could be addressed with the implementation of clear written policies and procedures.

DOE relies on OPT to provide an additional safeguard against the risk that a DOE-contracted school bus company might allow a school bus driver with a suspended DMV license or certification to operate a school bus for DOE. Although DMV is required by law to notify the school bus companies of the suspensions, the companies are also required to check their drivers’ and attendants’ status in OPT’s Driver and Attendant System each morning, as an extra confirmation that the employees scheduled to work that day have not been suspended. Consequently, when OPT’s Investigation Unit fails to act promptly upon DMV’s or DOE’s suspensions, DOE loses the additional protection that OPT is supposed to provide.

DOE Response: “In lieu of mail notices, in 2009 the DOE began using the New York State Department of Motor Vehicles’ (DMV) LENS as the method used to receive notifications of suspensions issued to DOE’s school bus vendors’ employees. . . . DMV does not require that transportation providers utilize the LENS program for notices of suspensions. A notice of a 19-A disqualification is issued by DMV via mail in addition to being posted in its LENS system. As per the DMV’s 19-A unit, mailed suspension notices can take five to seven days to reach a vendor.

Upon receipt of notification of a suspension, OPT follows up with the driver’s employer via phone, email and/or by updating the applicable OPT databases that are available to vendors to assist in monitoring vendor compliance and to ascertain whether appropriate actions have already been taken. . . . Despite OPT’s current response time conforming with DMV’s mail notifications to motor carriers (i.e., five to seven days), the auditors suggested that the DOE’s response time for updating a driver’s status in OPT’s driver and attendant database should be two days. We take this matter seriously and have included a term in our contracts that require vendors to suspend bus drivers immediately upon notification from DMV as required under the law.”

Auditor Comment: During the audit, DOE stated that its assigned investigator is expected to check daily for DMV-LENS suspension notifications and, when warranted, to *immediately* change drivers’ statuses in the OPT Driver and Attendant System. However, DOE did not define what was meant by “immediately.” In the absence of a DOE definition

⁶ DOE officials provided us with Chancellor’s Regulation C-100, *Disciplinary Conference for Certain School Bus Drivers and Escorts*, issued on June 25, 2009, and a chart listing the types of penalties for specific types of misconduct by drivers and attendants. However, those documents do not contain procedures for how investigators should address and process LENS and PETS suspension notifications.

of “immediately,” we *conservatively* considered an update made within two business days as a measure of “immediately” in the audit.

It was not until the exit conference that DOE, for the first time, claimed that DMV does not require school bus companies to utilize the LENS system and that DMV allows five to seven days for a mailed notice of suspension to reach the vendor. In making this argument, DOE appears to imply that DMV allows vendors up to seven days after a driver’s license is suspended to prohibit the driver from operating a school bus. Consequently, DOE asserted that a standard of allowing seven days to update the Driver and Attendant System is sufficient to meet DOE’s responsibilities. We asked DOE to provide evidence (e.g., a regulation or correspondence from DMV) to support its claim that DMV allows up to seven days for a vendor to prohibit a suspended driver from operating a school bus. However, DOE officials did not provide us with any such evidence, so we are unable to give credence to their claim.

Moreover, even assuming DMV does make such an allowance, we note that DOE and not DMV is the entity that contracts with the bus companies. Thus, DOE has the ability to impose higher standards on the bus companies than those required by DMV, should DOE believe them to be warranted. We find it of concern that DOE, having arranged to receive immediate school bus driver suspension notifications through LENS, presumably in the belief that quick access to such information is important, would nevertheless adopt a seven-day window for its staff to provide such information about drivers’ suspension notifications to the bus vendors employing those drivers.

Further, DOE stressed during the audit that the requirement that the bus companies review OPT’s Driver and Attendant System each morning is merely an *extra* confirmation that the employees scheduled to work that day have not been suspended. However, if, as DOE argues, school bus companies may be delayed up to seven days in learning that a driver’s license has been suspended, OPT’s updating of the Driver and Attendant System takes on a vital importance so that bus companies can also be notified of suspensions as soon as possible and ensure that suspended drivers are not allowed to operate DOE school buses.

DOE officials’ statement that “we take this matter seriously” stands in contrast to its current suggestion that it has determined, as a matter of policy, to allow OPT up to seven days *after* it receives notice of a driver suspension to update the Driver and Attendant System. Such a policy significantly increases the risk that school bus drivers with suspended licenses could be transporting DOE students even while DOE has access to information that their licenses have been suspended.

Recommendations

1. DOE should ensure that OPT’s Investigation Unit creates a written policy and procedure for investigators, specifically delineating the steps that must be completed and the documentation that must be obtained when suspension notifications are issued for school bus drivers and school bus attendants through both DMV’s LENS system and DOE’s PETS system. Appropriate time frames should be established for each required step.

DOE Response: “DOE disagrees with this recommendation as we currently have written policies and procedures in place.

The report recommends that the Investigations Unit create written policies and procedures to guide actions subsequent to notifications received from the License Event

Notification Service (LENS) and Personnel Eligibility Status Tracking System (PETS). There are both policy and procedure manuals and written guidance that instruct the investigating unit of procedures to follow in carrying out their responsibilities, including vendor compliance of their employees' certification. OPT's written guides related to investigations covers different types of notices of suspensions and/or arrests and their impacts."

Auditor Comment: On numerous occasions during the audit, we requested that DOE provide us with all of its policies and procedures regarding how investigators should address and process LENS and PETS suspension notifications. However, DOE provided no evidence that it has written policies and procedures delineating the steps that must be completed, the documentation that must be obtained, and the time frames required for each step when suspension notifications are issued for school bus drivers and attendants through the LENS and PETS systems. Therefore, we urge DOE to reconsider its response and implement this recommendation.

2. DOE should ensure that OPT investigators review all LENS and PETS notifications on a daily basis and that a designated supervisor or staff member is responsible for reviewing and ensuring that each notification has been dealt with and documented appropriately.
3. DOE should ensure that, within a clearly defined time frame after LENS or PETS suspension notifications are issued, all such notifications are appropriately resolved by either (a) changing the school bus driver's or attendant's status to suspended in the Driver and Attendant System or (b) maintaining documentation to show that the school bus driver should not be suspended.

DOE Response to Recommendations 2 and 3: "The DOE disagrees with these recommendations as the audit demonstrated that necessary actions were taken in a timely manner. . . .

For the ten cases where the auditors found that driver certifications were not indicated as suspended in the DOE system within a two-day time frame, the DOE provided to the auditors vendor verification proving that immediate actions were taken to remove drivers from operating on a DOE route. In compliance with contract terms, actions were taken by the vendors to address the notifications in LENS. The actions taken by the vendors, as well as the information related to those cases captured by DOE systems and records all support that DOE's contract compliance monitoring procedures are operational and sound."

Auditor Comment: As stated earlier, DOE's current policy of allowing up to seven days for OPT to address LENS notifications significantly increases the risk that bus companies may allow drivers whose licenses have been suspended by DMV to operate school buses. Consequently, we urge DOE to reconsider its position on this matter.

In addition, we disagree with DOE's assertion that we were provided vendor verification "proving" that immediate actions were taken to remove drivers from DOE routes. The documentation that DOE refers to consists of copies of recent emails from the school bus companies which merely stated that the drivers in question were not operating school buses. DOE did not provide us with any corroborating evidence (e.g., notifications prepared at the time that the drivers were suspended, drivers' timesheets) supporting those claims.

4. DOE should review the current method for notifying OPT of OPI-ordered suspensions to determine if it is susceptible to failure based on name changes and other variations or

discrepancies in the names by which individuals listed in DOE's various databases may be known. DOE should develop and implement procedures to ensure that all PETS suspension notifications concerning school bus attendants are addressed and that any suspension notification not immediately matched with a name or other identifier in OPT and CMU records is investigated until the person named in the notification is conclusively identified as being either an active school bus attendant or not.

5. DOE should consider adjusting its current practice of sending PETS suspension notifications solely to OPT and then relying on an OPT investigator to notify the bus companies of the suspensions.

DOE Response to Recommendations 4 and 5: "The DOE agrees with these recommendations and is instituting changes to address the recommendations."

DETAILED SCOPE AND METHODOLOGY

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

The audit scope was from July 1, 2015 through December 31, 2016.

To obtain an understanding of the policies, procedures, and regulations concerning school bus drivers and attendants, we reviewed and used the following as criteria:

- NYS Department of Motor Vehicles Article 19-A Information Packet;
- 2016 NYS Laws & Regulations For School Bus Drivers, Monitors & Attendants;
- OPT School Age Bus Contractor's Manual of Procedures and Requirements;
- OPT New Vendor Information Guide;
- OPT School Bus Driver Information and Requirements for Driver Certification;
- OPT School Bus Attendant Information and Requirements for Attendant Certification;
- DOE Flowchart showing Requirements for DOE Bus Driver Certification and Maintaining Certification;
- DOE Flowchart showing Procedure for DOE Attendant Certification and Maintaining Certification;
- OPT Checklist for Driver Certification;
- OPT Checklist for Attendant Certification; and
- OPT Inspection Form used by the Field Inspections Unit.

To obtain an understanding of OPT's policies and procedures at the central level, we interviewed the Chief of Staff of the Office of School Support Services, Director of CMU, and Executive Director of OPT.

To further understand CMU's role in regards to school bus drivers and attendants, and the duties CMU staff perform to ensure the drivers and attendants meet their requirements, we interviewed CMU's Administrative Quality Assurance Specialist. We also interviewed CMU staff in charge of: submitting the criminal history record check on potential drivers; initially adding attendants to the PETS system; fingerprinting attendants and taking the photos of both attendants and drivers for their OPT IDs; and adding new drivers and attendants into the Driver and Attendant System.

To further understand the policies and procedures of OPT's Investigation and Inspection Units, we interviewed OPT's Director of Safety, Manager of the Investigation Unit, and Manager of the Inspection Unit. In addition, we interviewed the OPT investigators in charge of suspending a driver or attendant in the Driver and Attendant System following a LENS or PETS suspension notification to gain a better understanding of OPT's suspension procedures.

To gain a better understanding of the different computer systems (Driver and Attendant System, Case Management System, and Inspection System) that are used by CMU and OPT staff to monitor drivers and attendants, we conducted a walkthrough interview with the IT Department at OPT, including the Director of Application Development, Team Lead, Programmer, and IT Consultant. We also interviewed the Deputy Director and Manager of OPI to gain a better understanding of how the PETS system works.

In November 2016, we received a spreadsheet of data downloaded on November 7, 2016 by DOE from their Driver and Attendant System. The spreadsheet included the entire population of drivers, attendants, and employees listed as both driver and attendants for School-Age, Pre-K/Early Intervention, and Coach, whether active or inactive. Those listed as inactive may have been deleted or suspended temporarily or permanently. Our review was limited to drivers, attendants, and drivers and attendants who were noted as active. As of November 7, 2016, we found that there were a total of 16,284 active school bus employees. This included 8,953 drivers, 7,082 attendants, and 249 employees qualified as both drivers and attendants.

To determine whether drivers and attendants were properly certified and maintained their certification, we randomly selected a sample of 25 drivers, 25 attendants, and five employees listed as both a driver and attendant. As part of our review, we determined whether each of the sampled driver's and attendant's personnel folder contained: (1) the required documentation to verify that they received their security clearance before they were certified; and (2) documents that they successfully completed mandatory annual and biennial tests (i.e., Behind the Wheel Road Test and Defensive Driving Performance Test) showing they are properly certified and currently allowed to work on a DOE-contracted school bus.

For drivers, we determined whether their Date of Birth, Fingerprint Cleared Date, Physical Date, License Number, License Class, License Expiration Date, Abstract Date, Behind the Wheel Road Test, and Defensive Driving Performance Date within the Driver and Attendant System matched the documents in their personnel folders. For attendants, we determined whether their Date of Birth, Fingerprint Test Date, Fingerprint Cleared Date, Physical Date, First Aid Refresher Date, and CPR Date within the Driver and Attendant System matched the documents in their personnel folders. For employees listed as both a driver and attendant we determined whether the above listed entries within the Driver and Attendant System matched the documents in their personnel folders.

To determine whether a driver or attendant was appropriately suspended in the OPT Driver and Attendant System, following DOE's receipt of a LENS or PETS notification requiring their suspension, we sampled LENS notifications that DOE received on the 1st, 7th, 16th, and 25th days of each month from January through December 2016. We chose those dates because they provided a reasonable number of notifications from different weekdays. For PETS notifications we tested from January to December 2016. These notifications are only received on business days, so we replaced any of the sampled days that fell on a weekend or holiday with the next business day.

We obtained the LENS notifications from an OPT investigator who printed reports from the New York State DMV website. We obtained the PETS notifications from OPI for the sampled weekdays for calendar year 2016. We determined if the school bus drivers and attendants were active in the Driver and Attendant System at the time suspension notifications were issued. We then obtained from DOE personnel the history screens from the Driver and Attendant System, which chronicled any personnel actions involving the sampled school bus drivers or attendants, including when required documents were obtained, and any suspensions or deletions. We reviewed this data to determine whether or not the sampled drivers and attendants were properly

suspended and whether they were suspended within a reasonable time period. We chose two business days as our criteria for a reasonable time period, because although DOE does not have a specific written procedure in place regarding the time frame to process LENS and PETS notifications, we were told that OPT's policy is that suspension notifications are addressed immediately and reviewed on a daily basis. After analyzing that data, we were left with 43 testable LENS notifications and 24 testable PETS notifications.

For drivers, if we did not see that they were suspended in the Driver and Attendant System based on the history screens, we then checked their personnel folders for a copy of a DMV Requalification Notice which says that "the pending or disqualifying Article 19-A action ... has been resolved or cleared," or for a DMV abstract showing that the driver's status is "Active-School Qualified" near the date of the LENS notification. If the abstract shows drivers to be active on such a date, they would not need to be suspended because they would have already resolved the issue with DMV. For attendants, however, all PETS notifications should result in a suspension.

In those cases where drivers or attendants had not been suspended following notification, and where there was no justification for failing to do so, we followed up with OPT.

There was no projection of results and the sample was relatively small. Notwithstanding, it appears that the evidence obtained was sufficient and competent to support the audit's findings and conclusions.



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June 8, 2017

Ms. Marjorie Landa
Deputy Comptroller for Audits
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1 Centre Street, Room 1100
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**Re: Audit Report on the Department of Education's
Oversight of the Qualifications of School Bus Drivers and Attendants
Employed by School Bus Company Contractors (MH17-055A)**

Dear Ms. Landa:

This letter will serve as the New York City Department of Education's (DOE) formal response to the New York City Office of the Comptroller's (Comptroller) draft report of the *Department of Education's Oversight of the Qualifications of School Bus Drivers and Attendants Employed by School Bus Company Contractors (Report)*.

Background

The Office of Pupil Transportation (OPT) is the largest school transportation department in the country and is dedicated to providing students with safe and reliable transportation. OPT is responsible for providing and coordinating transportation services to and from school for eligible students in both public and non-public schools. Transportation services include stop-to-stop and door-to-door busing, as well as provision of MetroCards for use on public transportation.

School bus transportation services are provided to approximately 160,000 students on over 8,000 distinct daily bus routes for the regular school year and around 3,000 routes during the summer. The fleet used to provide these services is composed of approximately 9,000 buses operated by 62 bus companies with whom the DOE contracts.

A key component of OPT vendor compliance is the certification that all drivers



and attendants employed by any of OPT's contracted vendors who operate a DOE route meet all Federal, State and City laws and/or regulations governing pupil transportation. These include New York State Education Department (NYSED) standards, which apply to school bus drivers and attendants in all school districts across New York State. Additionally, bus drivers are not allowed to operate a bus for a motor carrier unless they are qualified in accordance with Article 19-A of the New York State Vehicle and Traffic Law and Part 6 of the Department of Motor Vehicles Commissioner's Rules and Regulations.

Currently OPT maintains systems, procedures, and files for the daily monitoring of various aspects of vendor compliance, including certification status of over 9,000 drivers and over 7,000 attendants operating DOE routes. On a daily basis, OPT's contract management and investigations units monitor and, when necessary, address events that impact bus company drivers' and attendants' certifications, including state/city training, 19-A status, physical performance tests, defensive driving training and random drug testing.

Response to Recommendations

As the audit concluded, DOE appropriately and adequately monitors school bus companies to ensure drivers and attendants undergo required background checks and meet NYS qualification requirements. As outlined in this response, DOE's monitoring of the vendors is secondary to the bus vendor's compliance with requirements. The DOE's monitoring procedures are either more expeditious or within the timeframe of notices sent from the DMV to bus vendors. The DOE's response to the Comptroller's recommendations can be found below:

Recommendation 1. *DOE should ensure that OPT's Investigation Unit creates a written policy and procedure for investigators, specifically delineating the steps that must be completed and the documentation that must be obtained when suspension notifications are issued for school bus drivers and school bus attendants through both DMV's LENS system and DOE's PETS system. Appropriate time frames should be established for each required step.*

Response. The DOE disagrees with this recommendation as we currently have written policies and procedures in place.



The report recommends that the Investigations Unit create written policies and procedures to guide actions subsequent to notifications received from the License Event Notification Service (LENS) and Personnel Eligibility Status Tracking System (PETS). There are both policy and procedure manuals and written guidance that instruct the investigating unit of procedures to follow in carrying out their responsibilities, including vendor compliance of their employees' certification. OPT's written guides related to investigations covers different types of notices of suspensions and/or arrests and their impacts.

Recommendation 2. *DOE should ensure that OPT investigators review all LENS and PETS notifications on a daily basis and that a designated supervisor or staff member is responsible for reviewing and ensuring that each notification has been dealt with and documented appropriately.*

Recommendation 3. *DOE should ensure that, within a clearly defined timeframe after LENS or PETS suspension notifications are issued, all such notifications are appropriately resolved by either (a) changing the school bus driver's or attendant's status to suspended in the Driver and Attendant System or (b) maintaining documentation to show that the school bus driver should not be suspended.*

Response. The DOE disagrees with these recommendations as the audit demonstrated that necessary actions were taken in a timely manner.

As stated previously, the NYSED has oversight responsibility for pupil transportation services provided to pupils residing in New York attending public and nonpublic schools. The NYSED also has jurisdiction over the qualifications for hiring school bus drivers, monitors and attendants by contracted school bus vendors. New York State law provides that school bus drivers are not allowed to operate a bus for a motor carrier unless they are qualified pursuant to Article 19-A of the New York State Vehicle and Traffic Law and Part 6 of the Department of Motor Vehicles Commissioner's Rules and Regulations. Under the terms of DOE's contracts with the school bus vendors, the vendors are required to be in compliance at all times with all federal, state and local rules, regulations and contract provisions related to the hiring and retention of their employees.



In lieu of mail notices, in 2009 the DOE began using the New York State Department of Motor Vehicles' (DMV) LENS as the method used to receive notifications of suspensions issued to DOE's school bus vendors' employees. The LENS system is an automated reporting system hosted and offered by the DMV to provide information about the qualifications of 19-A certified drivers. LENS can provide notice of driver license events resulting in disqualification (*e.g.*, expiration of license, unpaid fines). DMV does not require that transportation providers utilize the LENS program for notices of suspensions. A notice of a 19-A disqualification is issued by DMV via mail in addition to being posted in its LENS system. As per the DMV's 19-A unit, mailed suspension notices can take five to seven days to reach a vendor.

Upon receipt of notification of a suspension, OPT follows up with the driver's employer via phone, email and/or by updating the applicable OPT databases that are available to vendors to assist in monitoring vendor compliance and to ascertain whether appropriate actions have already been taken. In every instance of LENS notification tested by the auditors, OPT's investigators appropriately updated the DOE's system to suspend a driver's OPT certification. Despite OPT's current response time conforming with DMV's mail notifications to motor carriers (*i.e.*, five to seven days), the auditors suggested that the DOE's response time for updating a driver's status in OPT's driver and attendant database should be two days. We take this matter seriously and have included a term in our contracts that require vendors to suspend bus drivers immediately upon notification from DMV as required under the law.

For the ten cases where the auditors found that driver certifications were not indicated as suspended in the DOE system within a two-day time frame, the DOE provided to the auditors vendor verification proving that immediate actions were taken to remove drivers from operating on a DOE route. In compliance with contract terms, actions were taken by the vendors to address the notifications in LENS. The actions taken by the vendors, as well as the information related to those cases captured by DOE systems and records all support that DOE's contract compliance monitoring procedures are operational and sound.

Recommendation 4. *DOE should review the current method for notifying OPT of OPI-ordered suspensions to determine if it is susceptible to failure based on name*



changes and other variations or discrepancies in the names by which individuals listed in DOE's various databases may be known. DOE should develop and implement procedures to ensure that all PETS suspension-notifications concerning school bus attendants are addressed and that any suspension notification not immediately matched with a name or other identifier in OPT and CMU records is investigated until the person named in the notification is conclusively identified as being either an active school bus attendant or not.

Recommendation 5. *DOE should consider adjusting its current practice of sending PETS suspension notifications solely to OPT and then relying on an OPT investigator to notify the bus companies of the suspensions.*

Response. The DOE agrees with these recommendations and is instituting changes to address the recommendations.

The recommendations appear to indicate that the process as designed is lacking, an assertion which is not supported by the result of the audit. The audit tested a sample of 24 notices, for which 23 of them were found to address the issues at hand in a proper and timely manner. Nevertheless, we take any instance of non-compliance as a significant matter and we are planning to strengthen the process.

As a way of monitoring contract compliance, OPT currently enters applicable school bus vendor employees into the DOE's PETS. PETS is a web-based database that allows users and/or contractors to enter their employees' information into a roster in order to manage their fingerprints and to monitor their security clearance status. We have assessed our protocols and will institute enhancements that further our monitoring of vendor's compliance as follow:

- OPT will update the required documentation provided by school bus vendors to add an individual to their employees' roster in PETS. In addition to providing OPT's form, vendors will now be required to include a copy of their employees' signed Social Security Card. Furthermore, OPT investigators will be granted access to an individual's full social security number rather than the last four digits used to identify an attendant's record currently. These measures will prevent any potential name's mismatch and



improve the identification process when using OPT's driver and attendant application.

- OPT will grant PETS "view only" access to school bus vendors, which will allow them to receive email notification of their employees' ineligibility automatically. Vendors will be instructed to access PETS daily to review the status of their employees' rosters. In addition to OPT's daily monitoring activities, providing vendors with viewing rights and real time notification of their employees' eligibility status will ensure a more efficient process.

We are very proud of the efforts and performance of OPT in their service to provide safe transportation to students citywide.

Sincerely

A handwritten signature in black ink, appearing to read 'Elizabeth A. Rose', written in a cursive style.

Elizabeth A. Rose