

Internal
Audit
Report

*Office of the Chief Operating Officer – Department of
Transportation*

**Transportation: Bus Contractor
Management Audit**

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Baltimore County Public Schools
Office of Internal Audit

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Transportation: Bus Contractor Management Audit

Background

The Department of Transportation (Transportation), under the Office of the Chief Operating Officer, operates approximately 785 bus routes each school day. BCPS bus fleet consists of regular school and special education buses. Bus contractors support BCPS in providing school transportation services. Through three current contracts, BCPS has a current list of 10 approved bus contractors for school bus routes.

Objective

The audit objective was to determine if Transportation ensures that school bus contractors are competitively selected, comply with state requirements for drivers, and operate safe vehicles.

Results in Brief

Two results were identified related to contractor bus companies:

1. Seven of 38 contractor drivers reviewed were not fingerprinted by BCPS.
2. Standard Operating Procedures (SOPs) related to contractor bus companies have not been finalized.

Potential Risks

1. Criminal history information may not be reported directly to BCPS.
2. Noncompliance with law, Board policy and Superintendent's rules related to contractor bus companies may exist.

Recommendations

1. Transportation must ensure that all contractor bus drivers are fingerprinted, and results are provided directly to BCPS.
2. Transportation should review and update existing written processes including processes related to contractor bus companies and drivers.

Responses

1. The Department of Transportation is conducting an audit of all certified contractor bus drivers hired prior to July 2015 to verify if there are any additional contractor bus drivers who have not been fingerprinted by BCPS. Meetings will be held with each contractor company to review the findings, discuss the remedy, and ensure compliance.
2. Finalize draft Standard Operating Procedure for contractor bus driver certification.

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BACKGROUND

Organization Status & Purpose

Baltimore County Public Schools (BCPS) is the twenty-second largest school system in the United States with a student population of 111,083 students in Grades PreK-12. The Department of Transportation (Transportation), under the Office of the Chief Operating Officer, operates approximately 785 bus routes each school day that originate from 11 BCPS facilities and five contractor facilities. BCPS' bus fleet consists of regular school and special education buses. Bus contractors support BCPS in providing school transportation services. The FY24 adopted operating budget is \$1,899,640 for Transportation contract buses. Through three current contracts, BCPS has a list of 10 approved bus contractors for school bus routes.

1. American Limousines
2. Barr Transportation, LLC
3. Bayer Bus Service, LLC
4. Blue Heron Transportation, LLC
5. Fleming Transportation
6. Harris Bus and Terminal Service, Inc
7. Ram Bus Service
8. Viennas Transportation, Inc.
9. Whitcraft Services
10. Woodlawn Motor Coach

Responsibilities

Student transportation services are those activities that involve the transporting of pupils to and from school activities either between home, school, and school activities. Transportation is responsible for the safe transportation of over 77,000 students to and from school each day. In addition to transporting students, Transportation is responsible for vehicle operation and monitoring services, and vehicle maintenance services. Responsibilities related to bus contractor management include reporting driver certification, controlled substance testing, and route assignments.

Regulations

The applicable regulations for the management of bus contractors are:

- COMAR 13A.06.07 Student Transportation
- Board Policy and Superintendent Rule 3410 – Transportation Services

State regulations provide that the local school system is responsible for the safe operation of the student transportation system, must comply with all state procedures and guidelines, and may adopt policies and procedures which exceed the state's minimum requirements. COMAR 13A.06.07 identifies requirements including controlled substance testing, vehicle

inspections, and school vehicle driver instruction requirements. Superintendent's Rule 3410 establishes guidelines for the Office of Transportation including establishing procedures for the use of Board-approved bus contractors for field trips and procedures for the oversight of Board-approved bus contractors.

COMMENDATIONS

Communication	Transportation staff contacted during the audit were cooperative.
Contractor Bus Companies	Current bus contractors used for bus routes were competitively selected.
Approved Bus Companies	Only approved bus contractors were used.
Driver Qualifications	Transportation ensured that contractor bus drivers have negative pre-employment drug test results and obtained proof of commercial driver's licenses for contractor bus drivers.
Alcohol and Drug Testing	Transportation conducts random alcohol and drug tests for contractor bus drivers.
Training	Contractor bus drivers attended in-service training sessions.
Motor Vehicle Administration	Transportation acted on notifications from the Maryland Motor Vehicle Administration (MVA) to ensure that contractor bus drivers met MVA requirements.
Accident Reporting	Transportation complied with accident reporting requirements.
Contractor Bus Inventory	Transportation tracks contractor bus inventory.
Bus Inspections	Contractor vehicles were inspected in accordance with state-mandated requirements.

RESULTS

1. Results of criminal history record checks were not provided directly to BCPS for contractor bus drivers.

Criteria	Under Maryland law (§6-113 of the Education Article of the Maryland Code) enacted in July 2015, any contractor or member of the contractor's workforce who will be working on BCPS property must undergo a criminal background check, including fingerprinting.
Finding	Seven of the 38 contractor drivers reviewed were not fingerprinted by BCPS. Documentation showed that criminal history record checks were completed by the State of Maryland and the results were not provided directly to BCPS. For six of the seven contractor bus drivers, the results were sent directly to the contractor bus company. The results were sent directly to the home address of the 7th driver.
Cause	BCPS current fingerprinting requirements for contractors were enacted in July 2015, in accordance with the law. The seven contractor bus drivers were hired prior to July 2015. The contractor bus drivers were fingerprinted, and the results were handled in accordance with the requirements at that time.
Effect	Transportation cannot ensure the integrity of background check results if they are not provided directly to BCPS. Additionally, reportable background issues found after the fingerprinting process will not be communicated directly to BCPS.
Recommendation	Transportation must ensure that all contractor bus drivers are fingerprinted, and results are provided directly to BCPS.

Management's Corrective Action

At the time the identified seven contractor bus drivers were certified, the Department of Transportation followed the established protocol, which required the contractor bus company to provide copies of the Federal and Maryland State criminal history reports. As identified above, all seven contractor bus drivers had the required criminal history documentation.

The Department of Transportation is conducting an audit of all certified contractor bus drivers hired prior to July 2015 to verify if there are any additional contractor bus drivers who have not been fingerprinted by BCPS.

Meetings will be held with each contractor company to review the findings, discuss the remedy, and ensure compliance.

Responsible Person(s)	Business Manager
Anticipated Completion Date	March 1, 2024 – Identification of impacted contractor bus drivers and communication with contractor bus companies. May 3, 2024 – Fingerprinting completed for identified contractor bus drivers (dependent upon fingerprinting vendor availability).

2. Standard Operating Procedures (SOPs) for Transportation processes are not updated.

Criteria	Updated SOPs are an essential part of a complex office, division, or organization. SOPs provide guidance for day-to-day operations, assist in decision-making, can help streamline internal processes, and ensure compliance with laws and regulations.
Finding	SOPs related to contractor bus companies have not been finalized.
Cause	Multiple reasons contributed to the delay in finalizing the SOPs including competing priorities, staffing levels, changing technologies, and processes.
Effect	Ineffective and inefficient processes, adherence to outdated or obsolete processes, and non-compliance with current Board policy and Superintendent rules could result when SOPs are not finalized.
Recommendation	Transportation should review and update existing written processes including processes related to contractor bus companies and drivers.

Management's Corrective Action

Finalize draft Standard Operating Procedure for contractor bus driver certification.

Establish priority timeline for all driver and attendant certification SOPs.

Responsible Person(s)	Business Manager, Transportation Representative
Anticipated Completion Date	March 1, 2024 – Completed SOP for contractor bus driver certification. March 1, 2024 – Completed priority timeline for Department of Transportation draft SOPs.

OBJECTIVE, SCOPE & METHODOLGY

- Objective** To determine if the Office of Transportation (Transportation) ensures that school bus contractors are competitively selected, comply with state requirements for drivers, and operate safe vehicles.
- Scope** The audit period is January 1, 2023 through December 31, 2023.
- Methodology** To achieve the audit objectives, we performed the following:
- Reviewed BCPS contract database, Transportation’s website, and school funds online to identify bus contractors. Reviewed bid and contract information to determine if current contractors were competitively selected.
 - Requested SOPs.
 - Reviewed all purchasing transactions made by schools to determine if unauthorized bus contractors were being used.
 - Reviewed criminal history/fingerprinting information to determine if contractor bus drivers were fingerprinted by BCPS.
 - Reviewed background check/fingerprint information to determine if driver’s had negative pre-employment drug test results and to determine that Transportation had proof of the drivers’ commercial driver’s license.
 - Reviewed documentation to ensure that Transportation conducted random drug and alcohol tests of contractor bus drivers.
 - Reviewed BCPS in-service training attended by the contractor bus drivers.
 - Reviewed the December 30, 2023 notification from the MVA to ensure that Transportation acted on non-compliance notifications.
 - Reviewed accident report information for the period July 1, 2022-June 30, 2023 to ensure that Transportation complied with accident reporting requirements.
 - Obtained and reviewed Transportation's list of contractor bus inventory as of November 17, 2023.
 - Reviewed contractor bus inspection documentation to determine if vehicles were inspected as required.