

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Inspector General

Charles C. Maddox, Esq.
Inspector General



February 7, 2000

Ms. Arlene Ackerman, Superintendent
District of Columbia Public Schools
825 North Capitol Street, N.E., 9th Floor
Washington, D.C. 20002

Dear Ms. Ackerman:

This is a Management Alert Report (MAR 00-I-005) to inform you of an issue that was uncovered during our inspection of the Department of Motor Vehicles (DMV). The Office of the Inspector General (OIG) provides these reports when we believe a serious matter requires the immediate attention of a District of Columbia (District) Government official.

An OIG inspection team has determined that DMV has issued school bus drivers licenses to individuals now working for the District of Columbia Public Schools (DCPS) and the DCPS school bus contractor who have incomplete Federal Bureau of Investigation (FBI) background checks and may have disqualifying criminal backgrounds. It is a violation of Title 18, Section 203 of the District of Columbia Municipal Regulations (DCMR) for drivers to have school bus licenses without qualifying FBI background checks.

Analysis

As part of the DMV inspection, the inspection team reviewed DMV's processing of applicants for school bus licenses. Title 18, Section 201.2(c) of the DCMR states that an applicant should not be issued a license if

He or she has, within the three (3) years immediately preceding the filing of his or her application, been convicted of, or during that period has served any part of a sentence for, or is currently under indictment for the commission or an attempt to commit any of the following:

- (1) Murder, manslaughter, mayhem, malicious disfiguring of another, abduction, kidnapping, burglary, housebreaking, robbery, or larceny;
- (2) Assault with intent to commit any offense punishable by imprisonment in the penitentiary;
- (3) Any sex offense; or
- (4) Any violation of the narcotics laws.

Sections 203.3 and 203.4 of Title 18, DCMR, require the fingerprints of all applicants for drivers licenses be submitted to the MPD and the FBI. Until the results of both of these checks are received, DMV cannot ascertain whether or not the applicant has a criminal record.

The inspection team found that DMV was routinely issuing school bus drivers licenses to applicants when cleared by MPD, but prior to receiving the required FBI reports. Consequently, some of those who received licenses may have criminal records that should have prohibited them from employment as school bus drivers. On November 18, 1999, DMV issued a new policy requiring the receipt of completed FBI background checks before issuing school bus drivers licenses.

A review of DMV records for school bus licenses issued prior to November 1999 revealed that at present, 55 individuals employed by the school bus contractor as drivers do not have completed FBI checks. The number of DCPS drivers without completed FBI checks is unknown because DMV does not record its receipt of the FBI checks, and DCPS Safety and Training Manager LaVonne Jackson stated that she does not have information on outstanding FBI checks for DCPS drivers. Therefore, the total number of school bus drivers without completed FBI checks may exceed the 55 drivers employed by the school bus contractor.

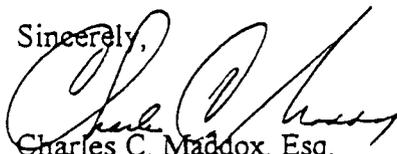
The inspection team makes the following recommendation:

That the records of all current school bus drivers employed by DCPS and the DCPS contractor be reviewed to identify those drivers without completed FBI background checks and clearance letters from the court affirming that they have no indictments, convictions, or time served for offenses cited in Title 18, Section 201.2(c) (1985) of the DCMR. This may require some coordination with the Director of DMV.

Please provide your comments on this report to me by February 22, 2000. Your response should include actions taken or planned, dates for completion of planned actions, and reasons for any disagreements with the issues and recommendations presented. Please distribute this MAR only to those personnel who will be directly involved in preparing your response.

Should you have any questions or desire a conference prior to preparing your response, please contact Inspector Karen Meunier on 727-5065 or Deputy Assistant IG for Inspections and Evaluations Robert Isom on 727-9234.

Sincerely,



Charles C. Maddox, Esq.
Inspector General

cc: The Honorable Anthony A. Williams
The Honorable Carol Schwartz
The Honorable Kevin P. Chavous



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Superintendent

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February 29, 2000

Mr. Charles C. Maddox, Esq.
Inspector General
Government of the District of Columbia
717 14th Street, N.W.
Washington, D.C. 20005

Re: Management Alert Report (MAR 00-1-005)

Dear Mr. Maddox:

In response to your referenced February 7, 2000 Management Alert Report, we are able to provide updated information on background checks for both DC Public Schools and Laidlaw employees who were issued driver licenses by the Department of Motor Vehicles prior to November 1999.

With regard to D.C. Public Schools (DCPS) employees, we are advised by our Transportation Executive Director, Mr. Alfred Winder, that all DCPS employees who drive school buses have completed FBI background checks. There are five drivers in training with DMV licenses who are awaiting completed background checks, but these individuals have not been assigned to bus routes.

On December 7, 1999, this agency received notification that Laidlaw had completed its review of the 59 employees who were issued DMV licenses prior to completed background checks. Our legal office subsequently requested copies of documentation used to clear any outstanding charges. No supporting information was provided for 22 individuals, seven of whom were terminated. Of the 37 individuals for whom information was provided, 4 were terminated and the others were cleared. We have questions about nine (9) individuals for whom charges were cleared because they either were found/pleaded guilty or entered the equivalent of "no contest" to assorted charges.

We are following up with Laidlaw on the 15 individuals with no documentation, and the 9 individuals who require further investigation, before DCPS can determine whether or not they should be allowed to transport D.C. Public Schools students.

Respectfully,

Arlene Ackerman
Superintendent

AA:bd

Enclosures

cc: Ms. Elois Brooks
Ms. Veleter M.B. Mazyck
Mr. Tom Wite
Mr. Alfred Winder
Ms. Delores Chambers Dupuy

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Inspector General

Charles C. Maddox, Esq.
Inspector General



March 13, 2000

Ms. Arlene Ackerman, Superintendent
District of Columbia Public Schools
825 North Capitol Street, N.E., 9th Floor
Washington, D.C. 20002

Re: Your February 29, 2000 response to MAR 00-1-005

Dear Ms. Ackerman:

Thank you for your response to our Management Alert Report dated February 7, 2000 concerning school bus drivers who may not have completed FBI background checks. After reviewing your letter, we find that some of the information provided requires further clarification. My staff has been in contact with Mr. Taj Young on this matter; however, we find Mr. Young's response insufficient.

- In paragraph two of your letter, you state that

...all DCPS employees who drive school buses have completed FBI background checks.

This conflicts with information we have on this subject from another source. Please provide me with the specific source of the information that supports your statement, and if it is in hard copy form, please provide copies to this office. If the supporting material is too voluminous to be copied and transported easily, please arrange for my staff to visit the office in which it is located in order to review it on site.

- In paragraph four, you state that

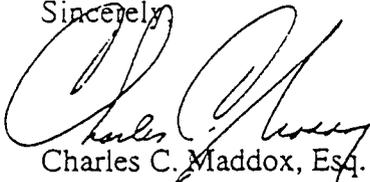
We are following up with Laidlaw on the 15 individuals with no documentation, and the 9 individuals who require further investigation before DCPS can determine whether or not they should be allowed to transport D.C. Public School students.

Since District law requires completed and clean background checks for all school bus drivers, please inform me of the current driving status of these 24 Laidlaw drivers you refer to who either have no documentation or whose backgrounds require further

investigation. It is not clear in your letter if they currently *are* or *are not* driving school buses.

I will appreciate your responding to these questions expeditiously so that my office can bring this matter to conclusion. If you have questions or if we can be of assistance, please contact Inspector Karen Meunier on 727-5065 or Deputy Assistant Inspector General for Inspections and Evaluations Robert Isom on 727-9234.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles C. Maddox".

Charles C. Maddox, Esq.
Inspector General

cc: The Honorable Anthony A. Williams
The Honorable Carol Schwartz
The Honorable Kevin P. Chavous