



Angélica Infante-Green
Commissioner

State of Rhode Island
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
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**By electronic and
First Class Mail**

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Re: Your September 9 Letter re Statewide Bus Services

Dear Counsel:

After a competitive bidding process, DATTCO, Inc., which is headquartered in New Britain, Connecticut, was selected to provide transportation services in a portion of the three hundred and thirteen (313) bus routes managed by RIDE's Statewide Student Transportation System ("Statewide"). The other companies selected to provide services to routes managed by Statewide was First Student, Inc. ("FS") and Amaral Bus Company, Inc.

RIDE had no reason to believe that DATTCO was not capable of performing its contract with Statewide at the outset of the 2024-2025 school year, and we were assured that they had a plan to have the necessary number of drivers. DATTCO had successfully served as a Statewide's provider since 2020 and had competently serviced 100 percent of all assigned routes during the summer and during the week of August 26. We did know that it was working on obtaining drivers, but were assured it would be in compliance with the contract. *In fact, it was not until August 28 that Transpar (Statewide's agent) had any serious reason for concern.* At that point, RIDE quickly worked to contract with another vendor to cover routes that would not be covered by DATTCO. Furthermore, after taking this initial action, at 5:30am on Tuesday, September 3, 2024, we received a "transportation plan" from DATTCO that included over 30 routes that were

planned “double runs,” i.e., two routes with one driver, that would result in children on such routes getting to school an average of 1 hour and 41 minutes late. It was evident that DATTCO both was short bus drivers and was suffering an internal communications breakdown.

RIDE immediately informed DATTCO that it was in breach of its contract, demanded that it implement a corrective action plan to deal with its shortage of drivers, and began brainstorming with the Governor’s Office and the Department of Motor Vehicles about ways to enable licensed Connecticut drivers to operate in Rhode Island. In fact, DATTCO has since admitted, in writing, that this plan using “double runs” “was not suitable” and DATTCO claims it “spent the balance of the weekend of Aug. 31st —Sept. 2 reviewing in detail every route that we had been assigned, and used our experience to create more efficient routes.”

At the same time, as previously mentioned, RIDE began negotiations with FS to take over DATTCO routes, and by September 6, FS had agreed to cover thirty-one (31) routes previously assigned to DATTCO, and an amendment to the FS contract had been drafted and transmitted. It is important to note that additional routes were not transferred over because the other vendors did not have any more available certified drivers. As of this writing, just 5 afternoon routes need coverage. This is down from 17 last week, and it is our understanding that DATTCO has several drivers in the process of securing the necessary credentials for school drivers in Rhode Island. On September 9, DATTCO advised that:

As we continue to enact our staffing plan into next week and the weeks ahead, among our top priorities will be to restore any routes that have any degree of planned lateness, specifically those in the afternoon, to their original plan as soon as we can without jeopardizing coverage for other routes. In the event of situations when known lateness will occur due to staffing or other challenges, DATTCO will communicate with Transpar staff at the earliest reasonable opportunity. In the event of last-minute unavailability of a driver, DATTCO will work closely with Transpar on an appropriate individual communication plan for any affected routes. In either scenario, DATTCO will make another driver available at the earliest opportunity to provide service as needed to any affected students and will communicate an estimated time of arrival promptly to Transpar to the best of our ability to ensure all stakeholders are engaged with the recovery plan.

The vast majority of Statewide riders have not been impacted. The parents of those who have been impacted have received daily phone calls and emails notifying them of the situation, identifying where they could pose questions, and informing them that they could request reimbursement for transportation costs through the resident school district, and Statewide would reimburse the district. Communication also has been sent to the schools of impacted students.

Finally, as to the "six-point plan" offered in your September 6 letter:

1. *Through the office of the Governor, issue an emergency executive order that would allow Dattco to operate buses with bus drivers with licenses from Connecticut or other states on a temporary basis while the drivers apply for Rhode Island licenses.*

Response: The State is exploring options to remedy the situation, including an executive order.

2. *Post on RIDE's website information about the current status of the bus route for the upcoming school day known to RIDE by 8:00 p.m. on the day prior.*

Response: RIDE will agree to make the requested posting if technically feasible. In addition, as noted above, impacted parents have, and if necessary, will, receive a call alert as soon as Statewide learns that there will be a delay, and the impacted school also will be advised.

3. *Create an alternative plan for each route that does not have a regular driver that would ensure that each student gets to and from school on time.*

Response: Statewide, DATTCO and FS have been and will continue to research the most efficient way to respond to routes as soon as it becomes evident that there is no driver and will continue to do so, but do not believe it would be efficient or possible to create the suggested "alternative plans" for an unknown contingency.

4. *Provide a dedicated phone line for parents to call to troubleshoot problems and resolve them.*

Response: Transpar (Statewide's agent) has already assigned thirteen (13) people to answer calls from impacted parents.

5. *Post on RIDE's website and individually notify parents that, for any time starting on September 3, 2024, that a bus was or is not provided and the student's parent or caregiver provided transportation either to or from school, the parents able to drive their children to school will receive mileage at the federal mileage rate for 2024 (.67 cents per mile) and \$20/day for their time and effort, and that parents who do not have cars will be reimbursed for any taxi, Uber, Lyft or other car service used.*

Response: Impacted parents have already been informed that they could request reimbursement for transportation costs through the resident school district and Statewide would reimburse the district.

6. *Provide compensatory education for any time that students have missed to date or miss from school because of the lack of, or delay in, busing.*

Response: Requests for compensatory services will be dealt with on a case-by-case basis.

Sincerely,



Anthony F. Cottone,
RIDE Chief legal Counsel

cc: Commissioner Angélica Infante-Green
Governor Dan McKee
Claire Richards, Executive Counsel
Peter F. Neronha, Attorney General
Patricia DiCenso, Chair, Council on Elementary and Secondary Education