

# **EXHIBIT B**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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**CRYSTAL ROBERTSON, *et al.*,**

**Plaintiffs,**

**v.**

**DISTRICT OF COLUMBIA,**

**Defendant.**

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**No. 1:24-cv-00656-PLF**

**SECOND SUPPLEMENTAL DECLARATION OF RAPHAEL PARK**

Pursuant to 28 U.S.C. § 1746, I, Raphael Park, declare and state as follows:

1. I am over the age of eighteen (18) years, competent to testify to the matters contained in this declaration and testify based on my personal knowledge acquired in the course of my official duties.
2. I am the Deputy Superintendent of Operations with the Office of the State Superintendent of Education (OSSE). In this role, I am responsible for managing the provision of all transportation services for qualified students in the District of Columbia. I have worked at OSSE for the last two years and have worked in the District of Columbia government for the last twelve years.
3. The Office of the State Superintendent of Education's Division of Student Transportation's (OSSE-DOT's) preparation for the upcoming School Year (SY) 2024-2025 began this past June with the following measures set forth below. These Start of School (SOS) steps are taken on a yearly basis to ensure that OSSE-DOT can provide adequate transportation for each upcoming school year.

4. June 2024: Obtained SY 2024-2025 school calendars from the District's 70+ Local Education Agencies (LEAs), which ensures that OSSE-DOT has full awareness of which schools are open and which students need to be picked up. As a State Education Agency (SEA), OSSE needs to collate all SY 2024-2025 calendars for each LEA. This effort helps guarantee that OSSE-DOT can successfully plan for the seven separate waves of school openings between the weeks of July 1 and September 3, 2024. As of June 13, 2024, OSSE-DOT received all school year calendars for SY 2024-2025.

5. June 2024: Collected initial Transportation Request Forms (TRFs) from the LEAs for the next school year. OSSE-DOT's initial deadline for LEAs to submit TRFs was June 10, 2024. This date is based on the returning student re-enrollment deadline and the city-wide date (May 1, 2024) for students participating in the MySchoolDC lottery to confirm their enrollment for the following school year. Although LEAs' student rosters naturally fluctuate throughout the summer (e.g., due to student home address changes over the summer, students enrolling in new schools based on the MySchoolDC Lottery waitlist, new IEP determinations/renewals, new students moving into DC from out of state, etc.), this early deadline gives OSSE-DOT the opportunity to have strategic, targeted follow-up and to begin to build routes. As of June 10, 2024, OSSE-DOT collected 3,232 TRFs from LEAs.

6. June 2024: Conducted an initial round of outreach to parents and LEAs regarding students who OSSE-DOT is awaiting TRFs and anticipates providing transportation services to during the upcoming school year (i.e., students who were eligible for transportation last year and have not reached grade of matriculation and where no LEA has submitted a TRF for the next school year).

7. July 2024: OSSE-DOT is in the process of creating new school year bus routes in the routing system (via internal algorithm) using the most recent TRFs. Each route is subsequently reviewed by both the routing and terminal management teams to confirm whether adjustments need to be made based on known traffic patterns and ongoing construction.

8. July 2024: OSSE-DOT is in the process of assessing private route vendor availability and capacity. This requires OSSE to identify students who require private routes (e.g., based on IEP, court order, etc.), identify the number of additional private routes needed based on anticipated bus route volume and staffing levels, and provide training to private route vendors and their staff members prior to SY 2024-2025.

9. July 2024: OSSE-DOT will conduct a second round of outreach to parents and LEAs (for transportation-eligible students from whom OSSE still has not received TRFs from LEAs). OSSE-DOT will continue to adjust existing bus routes based on any new TRFs received.

10. July 2024: OSSE-DOT will ensure bus fleet readiness through maintenance checks, including working air conditioning, and will ensure all buses comply with state inspection requirements.

11. July-August 2024: OSSE-DOT will prepare for its annual union run-bid event, where union members review and select their preferred bus routes for the upcoming school year. This culminates in a two-day bid selection event (one day for each union) after which OSSE-DOT releases results to staff.

12. August 2024: Bus drivers and attendants will conduct practice runs to confirm the feasibility of pick-up times listed on the trip ticket. OSSE-DOT will make further routing adjustments based on staff practice run feedback. These practice runs provide valuable information and result in route changes; however, they cannot perfectly replicate traffic and other

conditions at different times in the year, when school is in session, or notably, adjustments that will need to be made when students are present (e.g., where exactly the bus should pick up or drop off the student at a particular address—the front, the alley, etc.).

13. August 2024: OSSE-DOT will conduct a third outreach to parents and LEAs (for transportation-eligible students from whom OSSE-DOT still has not received TRFs from LEAs). Some LEAs have historically submitted TRFs too late to OSSE-DOT (as late as the first week of school opening), which can create significant operational burden on OSSE-DOT to create efficient bus routes to prepare for the start of school. This outreach is to ensure parents have awareness of missing TRFs for their child and to encourage LEAs to submit TRFs as soon as possible. OSSE-DOT will continue to adjust existing bus routes based on new TRFs received.

14. August 2024: OSSE-DOT will provide final notification of bus schedule information to parents. (August is when the majority of SY2024-2025 students begin school.)

15. OSSE-DOT engages in the 11-step SOS planning process outlined above while at the same time managing Extended School Year (ESY) transportation services for more than 1,700 students between June 17, 2024, and August 9, 2024. For this current ESY, OSSE-DOT has maintained a daily average of 99% on-time departure from terminals including consecutive days with zero late routes while servicing more than 300 OSSE-operated bus routes.

16. In addition to refining our routine SOS measures outlined above, OSSE-DOT and the District Government have made multiple new commitments via the Fiscal Year (FY) 2025 budget that will help to ensure appropriate transportation coverage for SY 2024-2025 and beyond. These projects are described in Paragraphs 17-20, below.

17. **Parent Stipend Program Expansion.** For the first time, OSSE-DOT's FY25 budget includes \$1 million in dedicated resources to expand its Parent Stipend Program. OSSE-

DOT is currently engaging in parent outreach to expand the program participant size to 500 (from 180 participants during the last school year, SY 2023-2024). To further enhance parents' experiences with the program, OSSE-DOT is streamlining the process for parents who want to continue utilizing the stipend program for the next school year. This program is a benefit to the families who choose to enroll, and to the student population as a whole, because it reduces overall demand for OSSE-operated transportation, which reduces the total number of routes run each day and frees drivers and attendants to serve as substitutes when regular route teams are sick or on leave.

18. **Private Route Expansion.** For the first time, OSSE-DOT's FY25 budget includes \$6.5 million in dedicated resources to continue its Private Route Program. Further, the city will support up to \$10.5 million in additional private transportation service costs to ensure excellent transportation coverage. This funding will allow OSSE-DOT to expand its private route deployment by more than 30% compared to SY2023-2024 (last school year) and to create a bench of private routes. This will significantly reduce the probability of a student being late for school as a result of a regularly assigned bus driver calling out the morning of a school day. A bench of private routes will allow terminal managers to substitute for the absent driver as soon as OSSE-DOT learns of the regular driver's absence. For the upcoming school year, OSSE-DOT is working to have on-demand private route vendors that can provide quick, same-day coverage. The use of private routes during the last school year significantly increased on-time performance rates across the system, and this additional expansion will put OSSE-DOT's overall capacity back to where it was before the COVID-19 pandemic and subsequent labor shortages.

19. **DOT Routing and GPS System Procurement.** OSSE-DOT's FY25 capital budget includes \$3.2 million across three years for OSSE-DOT to procure a state-of-the-art routing and GPS system that will:

- a. Equip every bus with a GPS-enabled tablet, including software technology that will be able to track aggregate student-level bus performance, including when every student is picked up from home, dropped off at school in the morning, picked up from school, and dropped off at home in the afternoon. All of this information will be collected system-wide and in real time, then be quickly made available to front-line route managers and central leadership for analysis.
- b. The GPS-enabled tablets will also allow parents to track in real time the location of the bus before scheduled pick-up in the morning and transportation data to and from school.
- c. The GPS-enabled tablets will remove the need for paper-based trip tickets used by bus staff. This will also provide cost savings to OSSE-DOT operations by removing the need to prepare, print, distribute, collect and scan paper-trip tickets each day; the more accurate and efficient process should also improve the District's collection of Medicaid-reimbursable funds associated with this work.
- d. The new technology will also include a new routing system that is expected to create more efficient bus routes for OSSE-DOT. The routing system will help to accommodate OSSE-DOT's door-to-door transportation service requirements and provide more efficient coordination working with multiple school calendars. As described above, the new system will also allow for real-time reporting of operational outcomes, including student ridership data.

- e. The estimated timeline for this project is as follows:
  - i. By end of July 2024, OSSE-DOT will issue a request for information (RFI) to routing system vendors that have successfully implemented student transportation routing systems in other major-city school jurisdictions.
  - ii. By August 2024, OSSE-DOT will submit a statement of work (SOW) as required by District of Columbia contracting law. OSSE-DOT will submit the SOW to OCP for processing.
  - iii. By April 2025, OSSE-DOT anticipates finalizing the method of procurement and determining its preferred new routing system vendor. Once a vendor is selected and awarded, OSSE-DOT will move into the implementation phase.
  - iv. OSSE-DOT anticipates having the new system to be in operation during the SY 2025-26 but intends to complete however many rounds of pilot testing and system changes as are necessary to ensure a successful system-wide implementation.

20. **Improved Manual Data Collection.** While awaiting the new automated system, to improve data collection at all terminals for the upcoming school year, OSSE-DOT will newly dedicate existing staff to recording more information about late routes each day, including use of standardized tracking forms that capture the underlying reasons for a delayed route. These forms will help us record valuable data for buses that run late by collating information on: (1) traffic patterns and congestion; (2) fleet issues; (3) pick-up/drop-off concerns; and (4) tracking how many students are riding the bus on a daily basis.



21. **New Terminal Opening.** During SY 2024-2025, OSSE-DOT will open a new, strategically located bus terminal at 1601 W Street NE. This new facility will feature bus parking, electric charging stations, new administrative building, and a two-bay maintenance shop. The state-of-the-art terminal will provide modern infrastructure and ample space, ensuring that school buses are well-maintained and dispatched efficiently, leading to more reliable and timely transportation for students. The W Street facility will also offer improved working conditions for our bus staff, boosting morale and addressing bus driver union requests for better facilities. A motivated and stable workforce will directly benefit the consistency and quality of service provided to students and families.

22. OSSE-DOT believes the investments detailed above will have an immediate positive impact on students and families across the District for the upcoming school year and beyond.

23. As noted in my first declaration, ECF No. 31-2, during SY 2022-2023, OSSE-DOT faced significant workforce challenges, which can be attributed to a 19.5% percent increase in student ridership (compared to SY 2021-2022) and a 9% reduction in staffing. These challenges were exacerbated by an ongoing national school bus driver shortage and a high volume of daily callouts by current staff.

24. Despite continued challenges entering SY2023-2024 (this past school year), OSSE-DOT implemented innovative operational strategies over the summer of 2023 and continuing to the present to meet its increasing ridership demand. These efforts included:

- a. Expansion of the agency's private vendor-operated bus routes (i.e., private routes) by 68% (from 53 routes in SY 2022-2023 to 89 routes in SY 2023-2024). In the most recent school year (SY 2023-2024), OSSE-DOT signed eight multi-year

contracts with private route vendors, which the agency can utilize for the next several years. Vendors assign regular drivers who have been vetted and trained specifically for this work.

- b. Launch of the first-ever Parent Stipend Program in April 2024, where OSSE-DOT provides a monthly stipend of \$400 to parents who can transport their transportation-eligible students. This program not only reduced the ridership demand by more than 180 students in SY2023-2024 but also ensured shorter ride time for existing students who utilize OSSE's bus services.
- c. Implementation of new LEA and parent outreach measures to ensure TRFs are submitted on time by the 70+ LEAs. Three weeks prior to the start of SY2022-2023 (two years ago), on August 1, 2022, LEAs had submitted only 1,224 TRFs. This reflected only 39% of all TRFs needed to start the school year and led to significant routing delays. Due to significant LEA and parent outreach efforts and process changes implemented during summer 2023, OSSE-DOT collected 3,604 TRFs by August 1, 2023.

25. In addition, OSSE-DOT implemented a new OSSE-DOT electronic Case Management Application System in October 2023. Experience during SY2023-2024 showed that this new application improves the accuracy and timeliness of reporting of and responses to vehicle accident and student incidents (e.g., behavioral issues, absent caregivers, etc.), which enables faster communication to parents and key agency staff. The system provides immediate, automated alerts to all designated internal OSSE-DOT staff members in the event of an accident or incident, improving response time. Additionally, the new system allowed OSSE-DOT investigators to document their observations and findings in detail and allowed OSSE-DOT to

share this information with relevant stakeholders as needed. The system also provided OSSE-DOT's parent engagement staff with the capability to document all their conversations with parents/guardians to maintain transparency, facilitate record keeping, and allow for the continuous monitoring of customer engagement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 18, 2024



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RAPHAEL PARK