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To: Hon. Chairwoman Perla Tabares Hantman and Members  
Miami-Dade County School Board  
Alberto Carvalho, Superintendent, Miami-Dade County Public Schools

From: Mary T. Cagle, Inspector General 

Date: March 10, 2015

Subject: OIG Final Report of Investigation: Improper Use of Mathematics Coach  
Position and False Gradebook Entries to Conceal Non-Compliance with  
Class Size Maximum Requirements; SB1314-1006

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Attached please find the above-captioned OIG Final Report of Investigation. The investigation concerned allegations that the designated Math Coach at Madie Ives Elementary School (MIE) was not performing the duties of a Math Coach as described in the Title I Administration Handbook. The investigation also concerned allegations that this same teacher was falsely listed as the teacher of record for several students that she did not teach. According to the complaint, this was done in order to make it make it appear that MIE was meeting the class size requirements when it was not. The OIG investigations substantiated these allegations.

This report, as a draft, was provided to Ms. Michelson, Vice Principal Good and Principal Brown-Major for their review and comment. A courtesy copy of the draft report was also provided to the Superintendent. Written responses were received from Ms. Michelson, Vice Principal Good and Principal Brown-Major's attorney. The responses are summarized in the final report and are attached in full as Appendices A-C.

While the OIG makes no recommendations in this matter, this report is being provided to the M-DCPS Administration and the School Board for whatever action is deemed appropriate.

Attachment

cc: Walter J. Harvey, School Board Attorney, Miami-Dade County Public Schools  
Jose Montes de Oca, Chief Auditor, Miami-Dade County Public Schools  
Individuals previously provided with the draft report

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**INTRODUCTION AND SYNOPSIS**

In November 2013, the Miami-Dade County Office of the Inspector General (OIG) received a complaint concerning irregularities at Madie Ives Elementary School (MIE) in the utilization of Title I funds to pay for a Mathematics Coach (Math Coach) who is not providing Math Coach functions. The complaint also included allegations that this Math Coach is listed as the teacher of record for several students that she does not actually teach, resulting in MIE showing that it meets the mandatory class size maximum requirements when, in fact, it does not.

The OIG investigation substantiated the allegations. It was determined that the designated Math Coach, Helaine Michelson, was not performing the duties of a Math Coach as defined in the job description in the Miami-Dade County Public Schools (M-DCPS) Title I Administration Handbook. The majority of MIE staff and teachers interviewed by the OIG viewed Ms. Michelson as an assistant to the principal. Most of the teachers indicated that they did not receive any assistance from Ms. Michelson concerning math instruction for their students. In fact, for any math questions they consulted with Monica Alba-Nunez, teacher of the fourth and fifth grade gifted students and the school's Math Liaison with the District.<sup>1</sup>

The OIG investigation also revealed that the Principal of MIE, Dr. Tanya Brown-Major, certified, on payroll certification reports to the Federal Office of Management & Budget, that Ms. Michelson spent 100% of her time performing Math Coach functions when she did not.

The OIG investigation also substantiated that the MIE student electronic gradebook showed that Ms. Michelson was the teacher of record for a total of 16 students—10 students in second grade, four students in fourth grade, and two students in fifth grade. Through these interviews, along with an interview of Ms. Michelson herself, OIG Special Agents learned that Ms. Michelson was not teaching these students, they were in fact being taught by other teachers. It was determined that this was done in order for MIE to appear to be in compliance with State of Florida mandatory class size requirements. As a result, for the courses Ms. Michelson was listed as the teacher of record, the actual teachers could not enter grades for their students in the electronic gradebook. The entering of grades in the gradebook had to be done by or with Ms. Michelson's assistance.

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<sup>1</sup> The Math Liaison meets with the District Department of Mathematics staff on a monthly basis to discuss topics of interest including any State updates or resources purchased. The Math Liaison informs the teachers in their respective schools of up-to-date mathematics information, as well as provides support to school-site curriculum leaders and teachers. Briefing ID#16054, Mathematics Coach/Department Chairperson/Liaison Information Request.

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**OIG JURISDICTION AND AUTHORITY**

The OIG provides inspector general services to M-DCPS pursuant to an Interlocal Agreement (ILA) between Miami-Dade County and the School Board of Miami-Dade County. The ILA governs the scope and jurisdiction of the OIG's activities. Among the authority, jurisdiction, responsibilities and functions conferred upon the OIG through the ILA is the authority and jurisdiction to investigate M-DCPS affairs, including the power to review past, present, and proposed programs, accounts, records, contracts and transactions. The OIG shall have the power to require reports and the production of records from the M-DCPS Superintendent, School Board members, School District departments and allied organizations, and School District officers and employees, regarding any matter within the jurisdiction of the OIG.

**BACKGROUND: INDIVIDUALS & ENTITIES COVERED IN THIS REPORT**

***Madie Ives Elementary School (MIE)***

MIE is an elementary school located at 20770 N.E. 14 Avenue, North Miami Beach, FL 33179. MIE educates students enrolled in pre-kindergarten through fifth grades.

***Dr. Tanya Brown-Major, Principal, Madie Ives Elementary***

Principal Brown-Major has been employed by M-DCPS since January 15, 1985, and has been the principal of MIE since July 2001.

***Paula Good, Assistant Principal, Madie Ives Elementary***

Assistant Principal Paula Good has been employed by M-DCPS since December 10, 1991, and has been the Assistant Principal of MIE since February 24, 2003. Assistant Principal Good is the designated Title I School-Level Compliance Facilitator for the 2013–2014 and 2014–2015 school years.

***Helaine Michelson, Math Coach, Madie Ives Elementary***

Ms. Michelson has been employed by M-DCPS since August 4, 1991, and has been assigned to MIE since July 1, 2005, as the Math Coach. At the time of this investigation, Ms. Michelson's salary was being paid with Title I funds.<sup>2</sup>

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<sup>2</sup> Title I is an educational program created by the U.S. Department of Education that distributes funding to school districts. Title I was first enacted into law as the Elementary and Secondary Education Act of 1965, and last amended as Title I – Improving the Academic Achievement of the Disadvantaged. Its stated purpose is “to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and state academic assessments,” 20 U.S.C. 6301 (2013).

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**RELEVANT GOVERNING AUTHORITIES**

***Florida Administrative Rule 6A-10.081 - Principles of Professional Conduct for the Education Profession in Florida,***<sup>3</sup> states in part:

- (5) Obligation to the profession of education requires that the individual:
  - (a) Shall maintain honesty in all professional dealings.
  - (h) Shall not submit fraudulent information on any document in connection with professional activities.

***M-DCPS Comprehensive Plan – Chapter 9, Professional Learning***

Mathematic Coaches Learning Community

Mathematic Coaches should **spend the majority of their time** supporting in-class teaching, by coaching and mentoring, making observations, team-teaching, and modeling lessons. They should also support teachers by assisting in the planning of lessons based on data analysis, examining student work, providing professional development in content and pedagogy, and evaluating the student assessments. (Emphasis added by OIG)

The **remaining time should be spent** on instruction and activities that are directly related to the School Improvement Plan. Activities include planning time for reflection and/or collaborative problem solving, professional development for the mathematics department, and analysis of departmental data on student achievement. In addition, the Math Coach should prepare and maintain records and reports related to professional development activities, and develop school-site plans and goals utilizing the performance data of students identified as low performing....(Emphasis added by OIG)

***M-DCPS Title I Administration 2013-2014 Handbook–Job Description for Math Coach***

Basic Objectives - The Math Coach (K-5/6, 6-8, 9-12) will direct instructional services related to mathematics for students and provide technical assistance to teachers implementing the Comprehensive Mathematics Plan at the school level. Emphasis will be on utilizing the

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<sup>3</sup> Formerly Rule 6B-1.006, transferred to 6A-10.081 effective January 13, 2013. See also M-DCPS Policy 4210 *Standards of Ethical Conduct*, subsections (L) and (Q).

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coaching model to facilitate the successful implementation of research-based mathematics instruction. The Math Coach plays a pivotal role in the success of the school's mathematics program.

***U.S. Office of Management and Budget – OMB Circular A-87 Revised  
(Revised 05/10/04) To the Heads of Executive Departments and Establishment***

8h.(3) Where employees are expected to work solely on a single Federal award or cost objective, charges for their salaries and wages will be supported by periodic certifications that the employees worked solely on that program for the period covered by the certification. These certifications will be prepared at least semiannually and will be signed by the employee or supervisory official having first-hand knowledge of the work performed by the employee.

(4) Where employees work on multiple activities or cost objectives, a distribution of their salaries or wages will be supported by personnel activity reports or equivalent documentation....

***Section 1003.03, Florida Statutes - Maximum Classroom Size***

(1) CLASS SIZE MAXIMUMS - Each year, on or before the October student membership survey, the following class size maximums shall be satisfied:

(a) The maximum number of students assigned to each teacher who is teaching core-curricula courses in public school classrooms for prekindergarten through grade 3 may not exceed 18 students.

(b) The maximum number of students assigned to each teacher who is teaching core-curricula courses in public school classrooms for grades 4 through 8 may not exceed 22 students. The maximum number of students assigned to a core-curricula high school course in which a student in grades 4 through 8 is enrolled shall be governed by the requirements in paragraph (c).

(c) The maximum number of students assigned to each teacher who is teaching core-curricula courses in public school classrooms for grades 9 through 12 may not exceed 25 students.

(4) ACCOUNTABILITY

(a) If the Department determines that the number of students assigned to any individual class exceeds the class size maximum, as required in subsection (1), based upon the October student membership survey, the department shall:

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5. Reduce the district's class size categorical allocation by an amount equal to the sum of the calculations in subparagraphs 3, and 4.
  - (d) Upon approval of the reduction calculation in paragraphs (a)-(c), the commission must prepare a reallocation of the funds made available for the districts that have fully met the class size requirements...

### **CASE INITIATION & INVESTIGATIVE METHODOLOGY**

This investigation was predicated on a complaint the OIG received in November 2013. The complaint alleged that MIE is inappropriately utilizing Title I funds for Helaine Michelson's position as a Math Coach when, in fact, she functions more as administrative assistant to the principal performing administrative related duties, and collecting money for the United Way. The complaint also alleges that Ms. Michelson is listed as the teacher for several students that she does not actually teach. According to the complaint, this is being done in order to make it appear as if MIE is meeting the maximum classroom size requirements when, in fact, it does not.

During the course of the investigation, the OIG interviewed the principal, teachers, parents, and MIE administrative staff. The OIG also reviewed relevant documents concerning classroom size mandates, Math Coach responsibilities, student gradebook procedures, proper utilization of Title I funds, and the MIE gradebook.

This investigation was conducted in accordance with the *Principles and Standards of Offices of Inspector General* as promulgated by the Association of Inspectors General.

### **INVESTIGATIVE FINDINGS**

The OIG investigation substantiated the allegation that Ms. Michelson was not spending the majority of her time performing Math Coach functions, as defined under the Title I Program. Title I funds designated to be used to hire a Math Coach may not be used to fund other programs and activities, and must be carefully documented. Ms. Michelson was performing functions that were outside the job responsibilities of a Math Coach and as a result were in violation of Title I Guidelines. In fact, the staff, teachers, as well as the parents that were interviewed, identified Ms. Michelson as the principal's assistant and not as the Math Coach. Additionally, the OIG investigation revealed that Principal Brown-Major certified, on Circular A-87 Payroll Certification Reports to the Federal Office of Management & Budget, that Ms. Michelson spent 100% of her time performing Math Coach functions when she did not.

The OIG also substantiated the allegation that Ms. Michelson was listed in the gradebook as the teacher of record for students that she did not teach. The OIG

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determined that this was done in order to appear to be in compliance with State of Florida mandated classroom size requirements. By allowing Ms. Michelson to be the teacher of record on the MIE gradebook, the teacher who was actually teaching and testing the student did not have access to the student in the gradebook, and could not enter grades for the student. Ms. Michelson would either receive the grades from the actual teacher or meet with them in person to enter the grades.

***Failure to Perform Functions of a Math Coach***

The OIG Special Agents interviewed all of MIE's administrative office staff, grade chairs,<sup>4</sup> and all teachers teaching second, fourth, and fifth grades. The OIG Special Agents inquired of all those interviewed if they were aware of the functions of a Math Coach, and showed them the job description depicted in the M-DCPS Title I Administration Handbook 2013-2014. **(EXHIBIT 1)** From their own knowledge and with the job description provided, 18 out of 21 teachers interviewed stated that MIE does not have a Math Coach or that Ms. Michelson does not do Math Coach Functions or they do not view her as a Math Coach.<sup>5</sup> The staff and many of the teachers stated that they viewed Ms. Michelson as an assistant to the principal and not as a Math Coach. A second grade teacher stated that Monica Alba-Nunez was the closest person he could think of that provided Math Coach functions and eight other teachers stated that Ms. Alba-Nunez is the one they go to with math issues and questions. Another second grade teacher stated that Assistant Principal Good told her that MIE did not have a Math Coach and that all math training and questions are handled by Ms. Alba-Nunez.

The office staff and teachers further indicated that Ms. Michelson's workspace is the conference table in the principal's office where her computer is set up and where she reports every morning. One of the staff stated that Ms. Michelson is an assistant to the principal and the assistant principal. She stated that Ms. Michelson coordinates the United Way Campaign, does announcements over the public address system, and, on the day of her statement to the OIG, Ms. Michelson was sitting in on interviews of candidates for teaching positions. Other staff members described Ms. Michelson as the assistant/secretary to the principal. Other administrative duties that the teachers and staff said Ms. Michelson performs include chairing or helping staff and teachers with school meetings, student behavioral and disciplinary issues, assisting in professional development of teachers in all disciplines (not just math), preparing calendar of weekly events, and assisting teachers with basic needs (like supplies, desks, etc.). Lastly, Ms.

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<sup>4</sup> Each grade has a teacher designated as a grade chair that acts as a liaison and advises the principal of any concerns or needs for that particular grade. Being a grade chair gives them an understanding of any extracurricular activities being performed in that grade including, math coach assistance.

<sup>5</sup> Of the 18 teachers, seven stated that MIE does not have a Math Coach, one does not know if MIE has a Math Coach, 11 stated that Ms. Michelson does not do any Math Coach functions, four teachers do not view her as a math coach, and two do not know if she is a Math Coach.

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Michelson handles all issues that arise when the principal and assistant principal are absent.

The grade chair for third grade stated to OIG Special Agents that Ms. Michelson does not perform any Math Coach functions. She stated that as a grade chair she would certainly know if Ms. Michelson was performing Math Coach functions. She stated that Ms. Michelson's duties include coordinating the United Way Campaign and other office related "stuff."<sup>6</sup>

The OIG Special Agents also interviewed Monica Alba-Nunez who teaches math and science to students in fourth and fifth grades. Ms. Alba-Nunez serves as the Elementary Mathematics Liaison (EML) for MIE. According to the Executive Director of the M-DCPS Department of Mathematics, the EML is usually the Math Coach but it is not mandatory. Schools that do not have a Math Coach are required to designate an EML.<sup>7</sup> Pursuant to Briefing ID #: 16054, the Math Coach and EML are required to participate in District mathematics professional learning activities, guide grade-level teacher learning teams at the school-site, inform teachers of up-to-date mathematics information, and provide support to school-site curriculum leaders and teachers. **(EXHIBIT 2)** According to Ms. Alba-Nunez, she—Ms. Alba-Nunez—attends the District meetings where she gathers new or changing information and then meets with Ms. Michelson to discuss the implementation of the changes.

During her interview, Ms. Alba-Nunez stated that a Math Coach facilitates math instruction with the teachers; assists in the development of the math curricula; and helps teachers in planning and organizing classroom instruction. When OIG Special Agents asked Ms. Alba-Nunez if MIE has a Math Coach, she stated that Ms. Michelson is the "Math Coach" but she considers Ms. Michelson an "everything coach." According to Ms. Alba-Nunez, Ms. Michelson interprets assessment data and coordinates meetings.

Other fourth grade teachers stated that Ms. Michelson does not function as a Math Coach. A former Math Coach at MIE opined that Ms. Michelson does not perform any Math Coach functions. She stated that Ms. Alba-Nunez handles the issues concerning math, attends the meetings, and disseminates information to other teachers. One teacher, when asked if MIE has a Math Coach, stated that she had not seen one and that Ms. Alba-Nunez is the person she goes to concerning math issues. A fifth grade teacher also stated to OIG Special Agents that MIE does not have a Math Coach and

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<sup>6</sup> The grade chair for first grade stated to OIG Special Agents that Ms. Michelson does perform Math Coach functions "among many other things" such as coordinating the United Way Campaign and being the "face" of MIE at many school functions. One fifth grade teacher stated MIE does not have a Math Coach, but Ms. Michelson does some duties that he considers Math Coach related. Two other teachers said that she performs some Math Coach functions, which are explained above in more detail and on page 8.

<sup>7</sup> It is unknown why Principal Brown-Major chose Ms. Alba-Nunez as the EML and not Ms. Michelson.



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that she goes to Ms. Alba-Nunez for math issues. She stated Ms. Michelson has assisted her with student behavioral issues.

Another fourth/fifth grade teacher described Ms. Michelson as “wearing many hats.” He stated to OIG Special Agents that Ms. Michelson “assists with the coordination and implementation of the Comprehensive Mathematics Plan, District Mathematics Curriculum, and Florida’s Mathematics standards.” He also stated that she is involved in the professional development of the teachers, but it is not limited to just the math discipline. Ms. Michelson is also involved in assisting teachers with student testing as well as disciplinary issues. Currently, according to this teacher, she is involved in the accreditation process for the school.

The M-DCPS Comprehensive Mathematics Plan includes a Recommended Yearly Activities by Month, a Sample Weekly Schedule, and a Sample Daily Schedule. **(COMPOSITE EXHIBIT 3)** These sample schedules delineate how a Math Coach should spend 100% of his/her time.

***Circular A-87 Payroll Certification Report (PCR)***<sup>8</sup>

OIG Special Agents interviewed the school treasurer. The treasurer provided a printout of the Title I budget depicting the amount of funds allocated to MIE for two teaching positions. She also provided a printout entitled Position Control List Report, which indicates that the Title I funded positions are a fourth grade teacher and a Math Coach.

The treasurer stated that Title I money is to be used for very specific reasons and must be carefully documented. She provided the OIG with copies of Circular A-87 Payroll Certification Reports (PCR) for the last four years. The Federal Office of Management & Budget requires periodic PCRs for federally funded positions. The PCRs are sent out three times a year. The payroll site administrator signs the PCR, certifying that the employee worked 100% of his/her time during the period identified on activities of the listed grant. If an employee performed any activities other than those activities of the listed grant, the individual certifying the information must list on the back of the PCR what activities the employee performed outside the listed grant. The instructions included with the PCR states as follows:

Circular A-87 certifications are required for all payroll charges to a federal direct, federal through state or federal through local grant program for employees that work on a single federal award or cost objective. Charges for their salaries and wages must be supported by periodic certifications that the employees worked solely on the program identified and directly charged to the program served via payroll attendance records. These certifications must be prepared at least semi-annually, or as approved by the Florida Department of Education (FLDOE), and shall be signed by the supervisor.

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<sup>8</sup> Now referred to as A-87 Certification Single Cost Objective Details.

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On March 19, 2012, the new automated A-87 Payroll Certification System was activated. Since then, the PCRs have been electronically signed; however, the same guidelines apply. The M-DCPS Title I Handbook 2013-2014 includes a sample of the PCR form and the Personnel Activity Report (PARs) for Cost Shared Allocation. The PARs is the section where the individual certifying the PCR must list the activities the employee performed outside the listed grant. **(COMPOSITE EXHIBIT 4)** Activities performed outside the listed Federal grant are paid for by state or local dollars or other Federal funds if appropriate. The individual certifying the PCR must have first-hand knowledge of the activities of the employees' time and objective of services performed.

The OIG Special Agents obtained PCRs from 2009 through 2014. Principal Brown-Major signed all PCRs—except for the period of November 1, 2013 to February 28, 2014<sup>9</sup>—certifying that Ms. Michelson had spent 100% of her time performing Math Coach functions when, in fact, she did not. **(COMPOSITE EXHIBIT 5)**

***Failure to maintain State of Florida mandated classroom size requirements***

The second allegation the OIG investigated was Ms. Michelson's assignment as the teacher of record for several students that she did not teach. OIG Special Agents obtained a gradebook printout for every student that shows Ms. Michelson as their teacher. The printout indicated that 16 students were assigned to Ms. Michelson in the gradebook—10 students in second grade, four students in fourth grade and two students in fifth grade. For second grade, the printout lists Ms. Michelson as teaching Language Arts, Mathematics, Science, Social Studies, and Language Arts Reading. For fourth grade, the printout lists Ms. Michelson as teaching Mathematics, Language Arts, Language Arts Reading, Social Studies, and Science. For fifth grade, Ms. Michelson is listed as teaching Language Arts, Language Arts Reading, Social Studies, Science, Mathematics, English for Speakers of Other Languages (ESOL), Language Arts Reading ESOL.

The OIG interviewed the homeroom teachers of the identified students and three second grade teachers. During their interviews, all three second grade teachers admitted that they were the actual teachers of these students. One teacher stated that for second grade the maximum students he can have in his classroom is 18, but he actually had 19 students. About a month after school started, this teacher explained that Ms. Michelson told him one of his students would be transferred to the overflow teacher.<sup>10</sup> He told the OIG that he requested to keep the student so the student would

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<sup>9</sup> Principal Brown-Major was on leave during November 1, 2013 to February 28, 2014, so the Interim Principal signed and certified the PCR for this period.

<sup>10</sup> Every grade at MIE has a designated overflow teacher. This means when students are enrolled in the school and a given classroom is over capacity, the extra students (overflow) are put in his/her class until proper placement can be determined. These students are assigned to the overflow teacher only temporarily.

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not be uprooted. The student was left in his class, but he later learned the student was listed under Ms. Michelson in the gradebook.

Another teacher stated that sometime in September, after having her students for about a month, she was called in to Principal Brown-Major's office. Principal Brown-Major told her that two of her students would be listed under another teacher's name in order for the school to be in compliance with the mandated class size. She was instructed to call the students' parents to ensure they would be okay with this arrangement. She called the parents and they stated they did not have any objections. Principal Brown-Major instructed the teacher to give Ms. Michelson the grades of the students to enter into the gradebook.

The second grade overflow teacher explained that the students temporarily assigned to her, as the overflow teacher, were actually never moved from her classroom even though she exceeded the amount of students allowed. Instead of finding a new placement for these students, these students show as Ms. Michelson's students. The second grade overflow teacher advised that she is, in fact, the students' teacher and gives Ms. Michelson their grades to enter into the gradebook. She stated this was done in order to appear in compliance with mandated class size. She stated that the previous year the ESOL teacher was designated the teacher of record who posted grades for students she did not teach in order for the school to appear in compliance with the class size mandate. She also told the OIG Special Agents that this was not unusual to her because this was also done at W.J. Bryan Elementary School where she was previously assigned. She explained the process of assigning students to teachers that are not actually teaching the students has been occurring for the past 3-4 years. She also stated that Principal Brown-Major instructed her to inform the parents of the affected students so they would understand why Ms. Michelson's name would appear as their child's teacher on the report card. She advised she did explain to the parents that this was being done for class size reasons.

As far as the six, fourth and fifth grade students assigned to Ms. Michelson, Ms. Alba-Nunez, and Kevin Diehl were listed as the homeroom teachers. Ms. Alba-Nunez and Mr. Diehl are partnered—meaning that the students assigned to them have a split schedule. These students are in the gifted program. Ms. Alba-Nunez teaches the students Math and Science and Mr. Diehl teaches Language Arts and Social Studies.

Ms. Alba-Nunez was asked about grades being posted for four students who are listed in her homeroom but are listed under Ms. Michelson in the gradebook. She advised she was, in fact, the teacher of these students and she gives the grades to Ms. Michelson to enter into the gradebook. She further advised she teaches two other students listed under Mr. Diehl's homeroom, but they show Ms. Michelson as the teacher of record. She stated she was told this was being done to "keep out of the purple." When asked to explain what "keep out of the purple" means and who advised

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her of this, she replied that she does not know what it means and cannot remember who told her. In regards to the meaning of the phrase “keep out of the purple,” the OIG learned that all principals have computer access to a “Class Size Report” that includes all schools in the district, indicating the number of students exceeding the class size maximum highlighted in purple. Thus, if the school is in compliance it will not show a number highlighted in purple, hence the instruction to “keep out of the purple.”

**(EXHIBIT 6)**

Ms. Alba-Nunez reiterated that she gives the grades to Ms. Michelson to post in the electronic gradebook because she is not listed as the teacher of record. Ms. Alba-Nunez advised that she did inform the parents of the affected students at an open house that she was, in fact, their child’s teacher even though Ms. Michelson’s name will show on the report card as their teacher.

Mr. Diehl stated that sometime at the beginning of the school year he met with Principal Brown-Major who stated that the number of students requesting and qualifying to be in the gifted program exceeded the mandatory cap. Mr. Diehl advised that he requested he be given all of those students because he did not want to have to choose which students to keep and some of these students have been together for 3-4 years. He stated that Principal Brown-Major agreed to allow him to keep the students and that later he spoke to Ms. Michelson concerning her being the teacher of record and entering grades for six of his students. He advised that sometimes Ms. Michelson would come to his classroom to enter the grades and sometimes he would prepare a folder for her to enter the grades later.

The OIG Special Agents interviewed some of the parents of the students that were assigned to Ms. Michelson in the gradebook. Most of the parents interviewed did not know who Ms. Michelson was. None of the parents had any meetings with Ms. Michelson and only one parent stated that she was told that Ms. Michelson would appear as the teacher on the report card but would not actually be teaching her child.

It should be noted that a Math Coach is required to have minimal classroom responsibilities and work with small groups of students and teachers on a scheduled basis on math-related issues, amongst other duties related to Math as delineated in the job description. Although Ms. Michelson was not actually teaching the subjects in which she is shown as the teacher of record—Language Arts, Mathematics, Science, Social Studies, Language Arts Reading, ESOL and Language Arts Reading ESOL related—teaching these subjects would have been outside the scope of the grant.

It should also be noted that the Florida Department of Education (FLDOE) issues fines against school districts that fail to meet the class size maximums by reducing the district’s FTE dollar amount, pursuant to Section 1003.03 (4), Florida Statutes. FLDOE fined M-DCPS \$877,349 for the 2013-2014 school year and \$1,086,316 for the 2012-

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2013 school year. Ironically, these funds are then reallocated and made available to the districts that have fully met the class size requirements.

***Interview of Ms. Michelson***

Ms. Michelson stated during her interview that she does perform Math Coach functions. Specifically, she coordinates the Success Maker Program,<sup>11</sup> coordinates the Thinkgate Program,<sup>12</sup> is in charge of the Math Academy,<sup>13</sup> is involved in IPEGS,<sup>14</sup> does training for professional development, coordinates the tutoring program, and is involved in the development of the School Improvement Plan for math.<sup>15</sup> (It should be noted that many of these functions are not math-specific, but involve a larger scope inclusive of core subjects.) Ms. Michelson also stated that she performs functions outside of her Math Coach duties at the request of Principal Brown-Major. Some of these duties include the coordination of the United Way Campaign, attendance and involvement with the PTA, and involvement in showcasing MIE at different events.

Ms. Michelson was asked to provide any documentation that would support her contention that she was providing Math Coach functions. Under the Comprehensive Mathematics Plan, the “Math Coach should prepare and maintain records and reports related to professional development activities, and develop school-site plans and goals utilizing the performance data of students identified as low performing.”<sup>16</sup> Ms. Michelson agreed to provide documentation, but as of this writing, the OIG has not received any documentation from her.

The OIG also asked Ms. Michelson about the grades posted for students who are assigned to her, but she does not teach. She advised that at the beginning of the school year Principal Brown-Major told her she would be listed in the gradebook for several students even though she would not be teaching them. She stated she later learned from the actual teachers that they were instructed to advise the parents of the affected students that Ms. Michelson would show on the report card as their child’s teacher because there were too many students assigned to the class in violation of class size mandates.

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<sup>11</sup> Success Maker Program is a software program for increasing students’ reading and math achievement in grades 2-5.

<sup>12</sup> Thinkgate Program is a software program that tracks student achievement in math, reading, science, and writing.

<sup>13</sup> Math Academy provides additional assistance for the 25% lowest scoring students in math for 5<sup>th</sup> grade.

<sup>14</sup> IPEGS stands for Instructional Performance Evaluation and Growth System, which is the assessment and appraisal system used by all instructional professionals in M-DCPS.

<sup>15</sup> School Improvement Plan is a problem-solving and planning process throughout the year to coordinate strategies and resources that will lead to increased student achievement at the school.

<sup>16</sup> Comprehensive Mathematics Plan, Math Coaches Learning Community, p.149.

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Ms. Michelson was asked how the grades were entered for these students. She stated that the students' actual teachers would either give her a folder with the grades, which she would enter, or she would sit with the actual teacher and enter grades together. Ms. Michelson verified that she does not teach any of the students listed under her name.

### **Interview of Principal Brown-Major**

Principal Brown-Major was interviewed concerning Ms. Michelson's duties as a Math Coach. As the principal of MIE, Principal Brown-Major is responsible for determining how to spend Title I funds. For the 2013–2014 school year, as in previous years, Principal Brown-Major utilized Title I funds to pay Ms. Michelson's salary as MIE's Math Coach. According to Principal Brown-Major, Ms. Michelson has been the Math Coach at MIE for several years. Principal Brown-Major explained that the functions Ms. Michelson performs as a Math Coach include, heading the Success Maker Program and providing math training to the teachers. OIG Special Agents showed her the Title I job description and asked her to identify any other functions that Ms. Michelson may be performing. She added that Ms. Michelson assists in student assessment data. The OIG Special Agents requested from Principal Brown-Major any documentation that would support her assertion that Ms. Michelson was performing Math Coach functions. As of this writing, the OIG has not received any documentation.

Principal Brown-Major confirmed that Ms. Michelson also performs overall school functions. When asked what overall school functions Ms. Michelson performs, she responded that she receives a pay supplement for being an activities director. According to Principal Brown-Major, some of the duties associated with being the activities director include being in charge of the student and staff United Way Campaign and any associated fundraisers. It should be noted that Ms. Michelson is actually receiving a supplement for an Elementary School Activities Sponsor (ESAS). This "ESAS supplement should be utilized for activities such as computer, debate, drama, music and other club activities." Ms. Michelson is receiving a full-time supplement, which is interpreted to be five hours of work per week for the entire school year. This supplement is for activities before or after school, not during school hours.<sup>17</sup>

Additionally, Principal Brown-Major stated that Ms. Michelson also makes school announcements on occasion. Principal Brown-Major went on to explain that Ms. Michelson is on the Eligible Candidate Roster, which means that she is attempting to become an assistant principal. As such, Principal Brown-Major remarked that she gives Ms. Michelson duties that are commensurate with the job function of an assistant principal so that she can become familiar with those duties. One of the tasks given to Ms. Michelson was to work on the School Improvement Plan. Principal Brown-Major

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<sup>17</sup> M-DCPS Supplement Eligibility and Guidelines 2013-2014.

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further stated that Ms. Michelson serves as the teacher representative on the Educational Excellence School Advisory Councils (EESAC).<sup>18</sup> When asked what percentage of time Ms. Michelson spends performing Math Coach functions, Principal Brown-Major could not provide an answer.

Principal Brown-Major was also asked about Ms. Michelson being designated as the teacher of record for several students, but not teaching those students. Principal Brown-Major advised that she was not aware that Ms. Michelson was not actually teaching those students. She explained that at the beginning of the school year she met with someone from School Operations and was told that if the school does not meet classroom size requirements, then any staff member that was a certified teacher must have students assigned to him/her. Principal Brown-Major further stated that every class grade has an overflow class where a teacher was designated to accept all the extra students. She advised that by sometime in mid-October (exact date unknown) all of these overflow students must be disbursed to other classes in order to meet classroom size requirements. She remarked that this is why Ms. Michelson was assigned students.

Principal Brown-Major stated that she talked to all the affected teachers and Ms. Michelson, and they all volunteered to cooperate to ensure MIE met classroom size requirements. Principal Brown-Major advised that she left it up to the teachers and Ms. Michelson to figure out how to do this. She stated that she was unaware that Ms. Michelson was not actually teaching and that grades were being entered into the gradebook under Ms. Michelson's name. She advised that the teachers were to decide whether to take the students to Ms. Michelson or whether to bring Ms. Michelson into the classroom.

Principal Brown-Major did indicate she told the teachers to contact all affected parents to ensure they were aware of the issue because the teacher who was actually teaching their child the majority of the time may not be the teacher listed on the report card.<sup>19</sup> Principal Brown-Major advised that she never followed up on how the teachers rectified the overflow students in order to comply with class size requirements, and was not aware how grades were being entered.

The OIG Special Agents learned that Assistant Principal Good is the designated MIE Title I School-Level Compliance Facilitator person for 2013–2014 and 2014–2015

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<sup>18</sup> "The EESAC's function is to bring together all stakeholders and involve them in an authentic role in decisions which affect instruction and the delivery of programs." Membership is comprised of teachers, parents, students, and educational support employees. Each group elects his/her representative. For example, teachers elect teachers, parents elect parents, and the principal appoints the business/community representative.

<sup>19</sup> This instruction to the teachers contradicts Principal Brown-Major's statement that she did not know Ms. Michelson was not teaching and grades were being entered under her name.

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(**COMPOSITE EXHIBIT 7**). The OIG Special Agents attempted to interview Ms. Good; however, she would not speak to the OIG Special Agents and referred them to Principal Brown-Major.

**RESPONSES TO THE DRAFT REPORT & OIG COMMENTS**

This report, as a draft, was provided to Helaine Michelson, Assistant Principal Paula Good, and Principal Tanya Brown-Major, for their review and provision of discretionary written responses. It was also provided to the Superintendent for informational purposes. The OIG received responses from Ms. Michelson, Assistant Principal Good, and Attorney Clinton J. Pitts on behalf of Principal Brown-Major. The three responses are attached and incorporated herein as Appendices A-C, respectively. We appreciate receiving the responses. A summary of each response and our comments follow below.

***Summary of Ms. Michelson's Response (Appendix A)***

Ms. Michelson does not dispute any of the allegations in the OIG draft report. The main focus of her response is that she was doing what her supervisor directed her to do on a daily basis emphasizing that she was following instructions.

***OIG Comments to Ms. Michelson's Response***

Ms. Michelson's contention that she was only doing what her supervisor instructed her to do does not alleviate her duty to abide by school board policies and state and federal law.

***Summary of Assistant Principal Good's Response (Appendix B)***

Assistant Principal Good contends that the reason she would not agree to speak to the OIG Special Agents is that they asked her to speak to them as "stand-in for the principal," and she was not comfortable speaking on the principal's behalf.

***OIG Comments to Assistant Principal Good's Response***

Assistant Principal Good's contention that the OIG Special Agents asked to speak to her as a "stand-in" for the principal is untrue. The OIG Special Agents explained to her more than once that they wanted to find out if she had any knowledge concerning the allegations made in the complaint.

***Summary of Principal Brown-Major's Response (Appendix C)***

Principal Brown-Major's attorney does not dispute any of the allegations in the report. Instead, the response attempts only to justify Principal Brown-Major's actions. The



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response states that, “as Principal of MIE, it is her duty and responsibility to establish an educational environment which will bring out the best in the staff, faculty and students assigned to her.” The response goes on to state that in trying to “acquire academic success” and “develop ‘acceptable’ social skills” for students placed in her care, she “had to use every creative effort she could think of in order to meet goals she had established for success at Madie Ives with the resources available to her, even when her resources began to dwindle.”

***OIG Comments to Principal Brown-Majors’ Response***

Principal Brown-Major’s contention that her duty and responsibility was to establish an environment that would bring out the best in her staff, faculty, and students, is questionable. The facts show that she exposed her staff and faculty to dishonest behavior by utilizing a federally-funded Math Coach position as her assistant, at the same time as designating Ms. Michelson as the teacher of record for several students that she was, in actuality, not teaching. This latter artifice was to show that the school was in compliance with class size requirements, when it was not.

**CONCLUSION**

The OIG has thoroughly reviewed the responses of Ms. Michelson, Vice Principal Good, and Principal Brown-Major, and has concluded that the report requires no changes. The OIG’s investigation substantiated the allegations in the report, and the responses of Ms. Michelson, Vice Principal Good and Principal Brown-Major do not dispute any of the allegations or our investigative findings. Instead, they make an attempt to justify their actions.

Schools receiving Federal Title I funds may choose to use those dollars to fund a variety of programs at the individual school level. One choice is to fund the position of Math Coach. If that use of funds is elected, then that designated person is supposed to spend 100% of their regular schedule performing Math Coach functions. They are not supposed to be Language Arts, History or Science teachers. They are not even supposed to be classroom teachers. The subject of Math is the only subject that Math Coaches are supposed to support. Math Coaches should spend the majority of their time supporting and mentoring teachers, making observations, team-teaching, and modeling lessons. They should assist in the monitoring of classroom instruction on a daily basis and assist teachers in lesson planning using data analysis, examining the work of students, and modeling strategies for effective instruction, etc. The list of duties required of a Math Coach is extensive, leaving no time for other duties.

Utilization of Title I funding requires that the responsible party, i.e., the Principal, certify that the designated Math Coach is spending 100% of his/her time being the school’s Math Coach and, if not, list the percentage of time spent serving other programs or

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activities. Principal Brown-Major made certifications to the Federal Government that Ms. Michelson spent 100% of her time performing Math Coach Functions, even though she was not and—allegedly as far as she knew—Ms. Michelson was the teacher of record for 16 students in the subjects of Language Arts, Mathematics, Science, Social Studies, Language Arts Reading, ESOL, and Language Arts Reading ESOL-related.

The investigative findings clearly demonstrate that Ms. Michelson was not teaching these 16 students, and that they were only formally “assigned to her” to make it appear that MIE was meeting the class size requirements, when in fact MIE had exceeded them.

While the OIG makes no recommendations in this matter, this report is being provided to the M-DCPS Administration and the School Board for whatever action is deemed appropriate.