



MIAMI-DADE COUNTY PUBLIC SCHOOLS



MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL

2022 ANNUAL REPORT



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A MESSAGE FROM YOUR INSPECTOR GENERAL



I am pleased to present my second annual report as the Inspector General for Miami-Dade County Public Schools. Leading the office has been a great honor—one that I share with just two others: Christopher Mazzella and, my immediate predecessor, Mary T. Cagle. My staff and I are committed to continuing our work of detecting and deterring fraud, waste, and abuse in the school district for the benefit of the students, teachers, and staff as well as all the taxpayers of our county. I am grateful for the continued support by the members of the School Board and its Chairwoman, Perla Tabares Hantman. Although I have been the IG for two years, my involvement with the district goes back almost two decades and I look forward to continuing my working relationship with Superintendent Dotres and his staff. We are excited to welcome in a new school year and look forward to adding value to M-DCPS.

In this report you will see that the number of complaints received by the office are still about half of their pre-pandemic level, yet we remain extremely busy with numerous complex investigations. In addition to conducting investigations, we participated in several procurement-related activities providing oversight of the process to ensure its transparency and fairness. Our oversight of the 21st Century School Bond Program continues and of the revenue generated from the Secure Our Future referendum.

The issues we review are often brought to our attention by concerned M-DCPS employees and vendors. We are always grateful when employees take the time to contact us; often a single observation can become a critical lead for our investigators. One of the many investigations you can read about in this report was based on a referral from the district's Transportation Department. Based on the information received, we investigated allegations of non-performance by a janitorial company contracted to disinfect, sanitize, and clean the school bus fleet. This past year we also continued our follow up efforts on two previously reported matters: the Driver Education Program (DEP) and a donation made to one of the school district's direct support organizations (DSO). We are pleased to report that improvements to the DEP are underway, and in the other matter, the School Board and the DSO have adopted the overwhelming majority of our recommendations pertaining to the handling of donated funds. Lastly, as the district's recipient of whistleblower complaints, we encourage employees to come forward to report concerns involving waste, fraud, and abuse. We take all complaints seriously and will refer those complaints outside of our purview to the appropriate parties for resolution.

For cost savings and to reduce our environmental impact, this report is being issued in a digital format only. Please read the 2022 Annual Report for more details about the office's accomplishments this past year. It is truly a privilege to serve the residents of Miami-Dade County.

Respectfully,

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I. ABOUT US

The Miami-Dade County Public Schools Office of the Inspector General (M-DCPS OIG), through independent oversight of school district affairs, detects, investigates, and prevents fraud, waste, mismanagement, misconduct, and abuse of power. The organization and administration of the M-DCPS OIG is independent to assure that no interference or influence external to the Office adversely affects the objectivity of the M-DCPS OIG.

MISSION

Detecting, investigating, and preventing fraud, waste, mismanagement, and abuse of power within the school district.

INTER-LOCAL AGREEMENT

The Inter-Local Agreement (ILA) between the School Board of Miami-Dade County and Miami-Dade County, initially executed in 2007, sets forth the responsibilities, functions, authority, and jurisdiction of the M-DCPS OIG.

The current agreement expires on December 18, 2022; however, during the School Board Meeting of July 20, 2022, the Board unanimously approved the fifth amendment for a 3-year extension of the ILA. The ILA, with this fifth amendment, will now be presented to the Miami-Dade County Commission for its consideration and expected approval.

The M-DCPS OIG promotes accountability, integrity and efficiency through its efforts in conducting audits, investigations and oversight activities of school district employees, contractors, projects and programs. All case assignments are conducted with the goal of improving M-DCPS's ability to provide the highest quality education.

II. THE OIG EXECUTIVE TEAM



Inspector General Felix Jimenez is the head of the organization. His Executive Team includes Deputy Inspector General/General Counsel Patra Liu, Assistant Inspector General for Investigations Hector Ortiz, Deputy General Counsel Marie Perikles and Director of Data Analytics James Schlotzhauer.

Assistant Inspector General Hector Ortiz leads the Investigations Unit. When investigations of fraud, waste and abuse of authority reveal criminal wrongdoing, the Assistant Inspector General for Investigations coordinates with state and federal criminal prosecutors to shepherd OIG cases to a successful legal resolution.

Patra Liu oversees the Legal Unit with Deputy General Counsel Marie Perikles and three additional attorneys. The Legal Unit provides continuous support and guidance to all OIG personnel from the moment a complaint is received to case closure, which oftentimes involves the issuance of public reports and memoranda. OIG attorneys provide counsel on jurisdictional questions and help assess the strengths and weaknesses of OIG cases for potential civil, administrative or criminal implications.

Deputy Inspector General Liu also manages the OIG's Contract Oversight and Audit Units. Their work includes active monitoring and random inspections of contracting and construction activities to ensure fairness in the procurement process and compliance with contract specifications. The Audit Unit consists of a team of certified professionals with a wide range of government and private sector experience. The Audit Unit frequently coordinates with the Investigations Unit and/or Contract Oversight Unit. All three units work together to advance the mission of the Office.

As the Director of Data Analytics, James Schlotzhauer has the primary responsibility to ensure the alignment, development and integration of data analytics, business intelligence and artificial intelligence necessary to support the mission, vision, strategies, objectives, and goals of the OIG. Mr. Schlotzhauer organizes and assembles resources necessary to address the current and future analytical needs of the OIG.

III. WELCOME TO THE M-DCPS OIG TEAM



Special Agent (SA) Julie Mondragon joined the Miami-Dade County Schools Office of the Inspector General in April 2022. For the past three years, SA Mondragon served as a Regional Investigator for the Florida Department of Children and Families Office of the Inspector General. Prior to her relocation to Florida, she served as a Wage and Hour Labor Standards Investigator with the New York State Department of Labor and a Compliance Officer with the New York City Department of Housing Preservation and Development for over ten years. She has extensive experience with conducting subject and witness interviews and conducting complex, sensitive, and multifaceted investigations. Her experience will enhance the effectiveness of our office and she will certainly be a valuable asset. Welcome aboard Julie!

IV. OPERATING BUDGET AND STAFFING



The School Board funds the M-DCPS OIG annually to provide inspector general services to the school district. All personnel costs are funded under an annual budget allocation. For the 2021-2022 fiscal year, the School Board approved a \$878,766 budget to cover operating needs and personnel staffing.

The M-DCPS OIG is staffed with a supervisor, four special agents, and an administrative assistant. M-DCPS OIG employees are contracted managerial

exempt personnel and serve at the will of the Inspector General, who, by virtue of the ILA between the School Board and Miami-Dade County, is the County Inspector General.

The ILA also enables County OIG staff to provide services to the M-DCPS OIG on a reimbursement basis. OIG investigative analysts provide investigative and analytical support, including intelligence gathering, to the M-DCPS OIG upon request. OIG attorneys provide legal advice and guidance in support of M-DCPS OIG investigations and operations. The Inspector General and the Assistant Inspector General of Investigations directly oversee all operations of the M-DCPS OIG.

V. COMPLAINT INTAKE AND DISPOSITION

The majority of cases opened each year stem from complaints submitted to the M-DCPS OIG by school district employees, vendors, parents and other concerned citizens. Other cases result from ongoing investigations and audits, and some are self-initiated. We strive to provide a voice to all complainants. Complaints involving personnel matters and other similar issues, as well as matters beyond the M-DCPS OIG's jurisdiction, are referred to the appropriate parties. The M-DCPS OIG addresses every complaint, either through an investigation, audit, review, or referral.

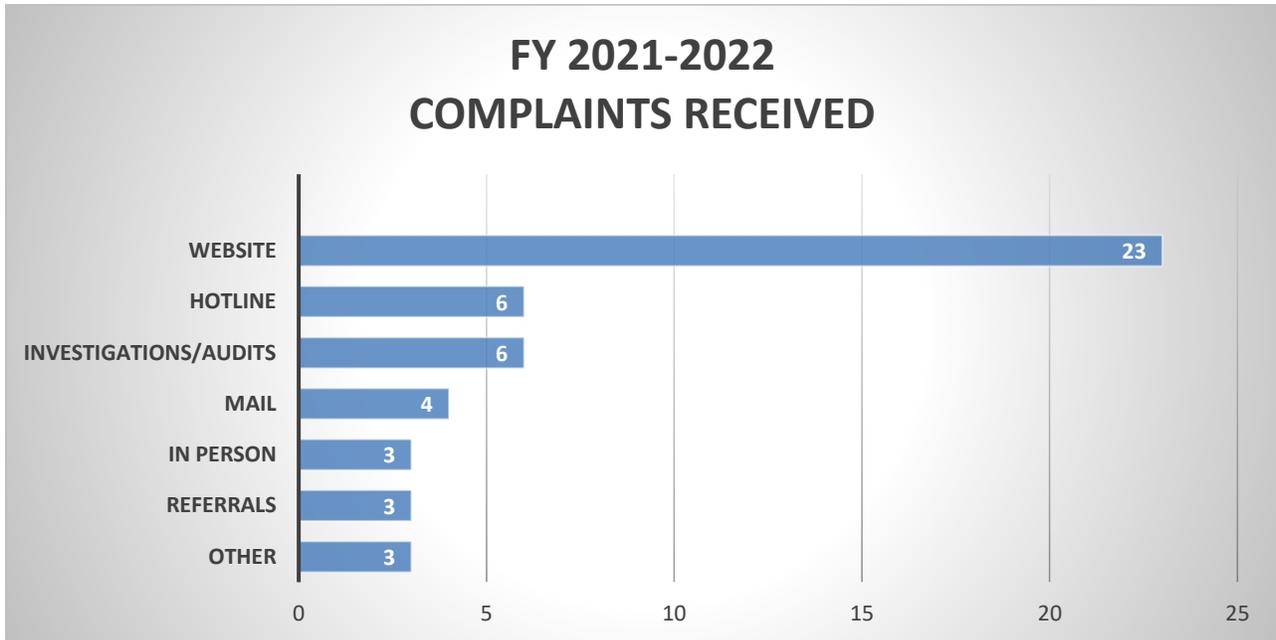
The M-DCPS OIG receives complaints by mail, via our website, through the OIG fraud hotline, and in person. All complainants can be assured that investigators are trained to maintain the confidentiality of the information provided and ensure the confidentiality of the complainant's identity pursuant to applicable laws and policies. The M-DCPS OIG logs each complaint received, and each complaint undergoes a review process to determine jurisdiction and the action warranted. Based on the subject matter and the specificity of the information received, some complaints will result in the M-DCPS OIG initiating an investigation, audit or review. Other complaints may be determined to be more appropriately addressed by the M-DCPS administration or by another governmental agency. In the case of most referrals, the receiving agency is requested to provide the M-DCPS OIG with its findings.

In accordance with Section 3(h) of the ILA, the M-DCPS OIG is the school district's designee for purposes of receiving Whistleblower Act disclosures pursuant to Florida Statutes, Section 112.3187(7). Whistleblower disclosures are those disclosures that allege violations or suspected violations of law, rule or regulation that endanger health and public safety or allegations of gross mismanagement, malfeasance, misfeasance, gross waste of public funds or gross neglect of duty by persons in an agency or independent contractors.

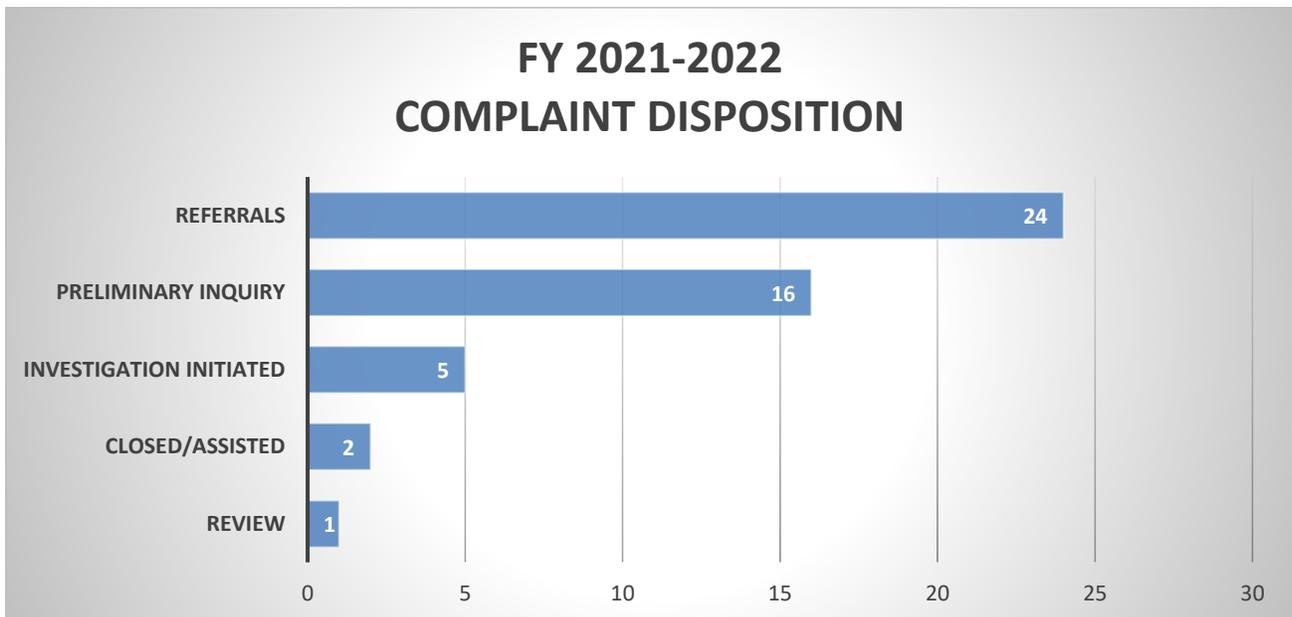
Any individual who makes such a disclosure is entitled to have his/her identity kept confidential pursuant to state law. Except for those complaints received anonymously, complainants are advised of the disposition of their complaints.



The Office received 48 complaints in Fiscal Year 2021-2022. Almost half of the complaints received were submitted through our website's report fraud page: www.miamidadeig.org/inspector-general/fraud.page. The remainder of the complaints were received through a variety of means as depicted in the chart on the next page.



Each complaint is reviewed and evaluated by the Assistant Inspector General for Investigations, General Counsel, and, ultimately, the Inspector General. Of the 48 complaints received last year, 44 percent resulted in preliminary inquiries and investigations. The remainder of the complaints were resolved in the manner depicted in the chart below.



VI. INVESTIGATIVE HIGHLIGHTS

The M-DCPS OIG conducts criminal and administrative investigations of fraud, waste, abuse and misconduct related to M-DCPS programs, operations, contracts and employees. OIG special agents have a wide variety of professional experience from prior jobs with law enforcement and regulatory agencies. They have extensive training in white collar crime, financial fraud, and public corruption investigations. The M-DCPS OIG coordinates with the Miami-Dade State Attorney's Office and other law enforcement authorities to leverage resources and fraud-fighting efforts. Our investigations often lead to criminal cases and/or administrative reports with recommendations and monetary recoveries.

During this past fiscal year numerous administrative investigations were completed pertaining to allegations of inadequate services provided by contractors, allegations of ghost employees, payroll falsification, fraud, and mismanagement. The M-DCPS OIG also opened investigations during the year that remain ongoing. These cases will be reported, when completed, in subsequent annual reports. Summaries of our completed cases follow in the next few pages.

Lack of Sanitation and Cleaning of the School Bus Fleet

The M-DCPS OIG began an investigation predicated on information received from the Administrative Director of M-DCPS' Department of Transportation. The Administrative Director was concerned with the janitorial services provider that had been awarded a contract to disinfect, sanitize and clean the district's school bus fleet. The contract required using "approved EPA coronavirus disinfectants" and targeting mold/mildew, coronavirus, and microbial contamination. Despite multiple attempts by the M-DCPS Transportation Department to highlight and bring the deficient performance to the vendor's attention, cleanliness issues continued inclusive of mold and mildew on the school buses. This resulted in the M-DCPS OIG initiating an investigation in February of 2021.

During this investigation, the OIG interviewed M-DCPS employees and company employees. The OIG also reviewed M-DCPS email communications, and other records and documentation, including the contract M-DCPS entered with the vendor. In addition, the OIG conducted surveillances at the seven M-DCPS Transportation Centers and conducted inspections of the buses after the cleaning process was completed by the employees.

The OIG's investigation revealed buses were not being sufficiently sanitized and cleaned and, in some cases, buses were not sanitized or cleaned at all. OIG Special Agents inspected buses that were purportedly sanitized and cleaned but oftentimes, the buses had dirt and/or debris on the floor, dashboard, seats, and mold/mildew on the seats. The OIG's surveillances revealed egregious behavior by the janitorial services provider employees, lack of supervision, and disregard for the safety and welfare of the school children and bus drivers, who ride these buses daily.

During the OIG Special Agents' observations at all seven transportation centers the vendor employees were observed spending only one to seven minutes per bus sanitizing and cleaning a bus. However, prior to the contract commencing, the vendor demonstrated that the sanitization and cleaning process for one standard-sized school bus took 28 minutes. During employee interviews the responses that the OIG received as to how long it takes to sanitize and clean a bus ranged from 10 to 45 minutes. What was observed, however, was far different. At no time did OIG Special Agents observe bus cleaning and sanitization efforts resembling the demonstrations.

An OIG surveillance revealed that of the 201 buses at the Southwest Transportation Center site, which comprises about a fifth of the bus fleet, vendor employees only entered 15 buses to remove trash, and swept three buses. None of the buses at that site were sanitized and only two employees were observed doing any work at all. It should be noted that during the entire shift, OIG Special Agents did not see the on-site supervisor at this center. Therefore, no one inspected the buses during or at the end of the shift. Likewise, the supervisory inspections in the other transportation centers were erratic or nonexistent.

These actions—or inactions—of the vendor, especially at the Southwest Transportation Center, were so concerning, given the potential health and safety risks to M-DCPS children and employees, that the OIG issued a memorandum alerting M-DCPS of the purposeful dereliction of duty on the part of the company's employees and supervisors, leading the administration to immediately cancel the contract. The agreement was replaced by a Letter of Understanding (LOU) between M-DCPS' Transportation Department, the Office of Labor Relations, and the American Federation of State, County and Municipal Employees (AFSCME), regarding the 2021 summer bus washing/sanitization for bus drivers and aides effective June 14, 2021.

Through the LOU 90 bus drivers and bus aides became responsible for cleaning and sanitizing the high-touch areas of the buses, at the end of the morning run and at the end of the afternoon run. Bus drivers and bus aides were compensated for an additional 20 minutes in the morning and 20 minutes in the afternoon for this extra work.

The vendor and the School Board have conducted intensive arms-length negotiations to resolve the claims raised in the OIG report and any pending claims related to the initial agreement between the parties. Both parties agreed to a reduction in the invoice owed by the Board to the vendor under the prior contract and it has voluntarily agreed to not seek any new work from the School Board for a 16-month period from the date the agreement was terminated by the Board.

Allegations of Payroll Improprieties and Preferential Treatment Refuted by OIG Investigation

The M-DCPS OIG received a complaint, from an individual wishing to remain confidential, alleging numerous payroll improprieties and preferential treatment by a Principal during School Year 2020-2021. The complainant alleged the principal provided certain teachers with supplements, placed others as co-teachers without their knowledge and consent, and created a toxic work environment.

During the investigation, OIG Special Agents coordinated with M-DCPS's Office of Civil Rights Compliance, Payroll Department, and Office of Human Capital Management as well as the Foundation for New Education Initiatives, Inc. to obtain records and background information related to the complaint.

OIG Special Agents reviewed records obtained from the various M-DCPS departments and numerous documents including payroll, personnel, and email records for School Year 2020-2021. In addition, OIG Special Agents conducted many interviews of M-DCPS personnel including the complainant, the principal, the former school treasurer, the school counselor, and teachers.

The OIG investigation did not find any improprieties relating to overtime payments, willingness to pay supplements, and payment of extra hourly wages. The OIG's analysis of the documents reviewed also found the allegations made in the complaint concerning preferential treatment to be unfounded or unsubstantiated. Contrary to the allegations, the interviews revealed a good school environment due to the leadership of the principal. In fact, the OIG found the principal offered leadership opportunities to all faculty members and requested candid input to develop an inclusive work environment.

OIG Investigation Results in Corrective Actions Relating to Practical Nursing Program Fees

The M-DCPS OIG investigated a complaint regarding allegedly improper lab fees from a former Practical Nursing Program student. The student whose nursing course did not include Phlebotomy was charged a \$30.00 Phlebotomy Lab Fee and a second unexplained unspecified lab fee of \$174.25.

Through its investigation the OIG learned that the fees, were appropriately charged but incorrectly identified either on the student's ledger or on the school's *Approval of Fees Memorandum*. The school prepares an *Approval of Fees Memorandum*, which lists all the fees that will be charged to a student for the course of study during the trimester, and routes it to the Assistant Superintendent for review and approval. The 2020-2021 *Approval of Fees Memorandum* listed a \$30.00 Phlebotomy Lab Fee that should have been listed as a Practical Nurse Fee. The OIG learned from the school's vice-principal that such a fee was necessary to purchase supplies such as gauze, alcohol swabs, gloves, masks, etc. for the nursing program. Likewise, the \$174.25 was listed incorrectly as a lab fee on the complainant's student ledger. The fee should have been listed as a testing fee and was in fact correctly identified in the *Approval of Fees Memorandum*. The OIG verified that the errors in both the student's ledger and the *Approval of Fees Memorandum* were corrected.

In addition to verifying the changes, the OIG requested from the M-DCPS Office of Management Compliance Audits (OMCA) a copy of the last audit conducted of the internal funds at the school. A review of the audit conducted in June of 2020 did not reveal any deficiencies. The school took corrective action to ensure that moving forward the true nature of the fees will be reflected on the students' ledgers and be consistent with the *Approval of Fees Memorandum*.

Unidentified Workers on School Site



The M-DCPS OIG received an online complaint concerning unidentified workers on a school site. The complaint alleged that construction workers were present during the school day when students were on campus and were not wearing vendor identification badges, as required by M-DCPS Policy and the Jessica Lunsford Act. The complaint also alleged the workers were being allowed to wear company shirts in place of the required M-DCPS identification badges.

The OIG investigation found that contrary to the M-DCPS Office of Economic Opportunity's (OEO's) and M-DCPS Office of School Facilities Construction's (Facilities') instructions to the contractor during contractor meetings and site visits, the principal gave the workers permission to wear T-shirts with the company logo in place of the M-DCPS ID badges.

The principal explained that workers expressed concerns about wearing the ID badges while doing construction work. Workers claimed the ID badges presented a safety hazard as they may be caught in power equipment/tools or could otherwise be lost or damaged. Accordingly, the principal gave permission to the construction workers to wear shirts with their company logos instead of their M-DCPS ID badge once they had been verified for entry. The school principal advised the OIG that she instituted measures to ensure safety and security. For example, all construction workers were required to enter via a "single point of entry" and show their M-DCPS ID badge to the security monitor. They were also required to sign a logbook maintained at the main office after the ID check prior to commencing work and again at the end of their day. Further, the principal explained that she took extra steps to minimize potential contact between construction workers and students, such as planning construction work and deliveries during non-school hours while students were in classrooms, notifying parents of construction related impacts, using fencing dividers, and relocating students to other buildings within the school.

The OIG investigation found a lack of communication between M-DCPS OEO, Facilities, and school principals. The OEO conducted four site inspections of the school resulting in reports documenting the presence of workers without M-DCPS ID badges. The OIG learned that although these reports often include deficiencies identified at school sites, this information is not generally shared with the school site administrators. School site administrators, a role typically fulfilled by the school's principal, are ultimately responsible for safety and security matters at their school sites. Clearly, communication between school site administrators, OEO staff, construction contractors/subcontractors, and Facilities staff, seemed to be lacking.

While the allegation that workers were not visibly wearing their M-DCPS ID badges while on school property was substantiated, the workers were given instructions from the school site administrator contrary to the contract requirements. The OIG did not find a willful noncompliance in adhering to the M-DCPS badging requirements.

Allegations of Exploitation and Wage Theft

The M-DCPS OIG initiated an inquiry based on a complaint referral from the State of Florida, Department of Education OIG (FLDOE OIG), to the Miami-Dade County Public Schools Superintendent.

The anonymous complaint filed with FLDOE OIG alleged a school custodian was being forced to work 14-hour days but was paid for ten hours. The complaint also alleged the principal was exploiting and threatening the custodian who does not speak English well and was afraid to complain. Further it was alleged that due to the long hours, the custodian's health was affected.

To properly assess overtime pay or compensatory time for all employees (nonexempt) who work over forty hours per week, the OIG conducted a review of district payroll records, the American Federation of State, County and Municipal Employees, Local 1184 contract with M-DCPS, the Fair Labor Standards Act, and the U.S. Department of Labor's Rules, Regulations, and Interpretive Bulletins regarding the Act. The OIG also interviewed the principal, the secretary/treasurer, and the custodian in question.

The OIG's inquiry found the allegations were unfounded. The inquiry revealed that the custodian was not only properly paid by M-DCPS, but he was also making an additional four to five hours of overtime during Saturday School. The custodian clearly sought the additional work and was compensated for it without threats. It was clear to the OIG that the custodian not only understood his work schedule, but both the principal and the secretary/treasurer clearly explained his work schedule to him in English and in Haitian Creole. Moreover, the custodian stated he has a good relationship with the principal, and while he did experience a medical episode it was not related to his work hours.

Alleged Ghost Employee



The M-DCPS OIG received an anonymous complaint alleging that an assistant principal was a ghost employee—had not come to work for several years while receiving a salary.

During this inquiry, the OIG interviewed the principal and the subject of the complaint. OIG Special Agents also met with the M-DCPS Chief Auditor, District Director for School Audits, District Director for the Office of Human Capital Management, and the Administrative Director of Payroll regarding the allegations in the complaint.

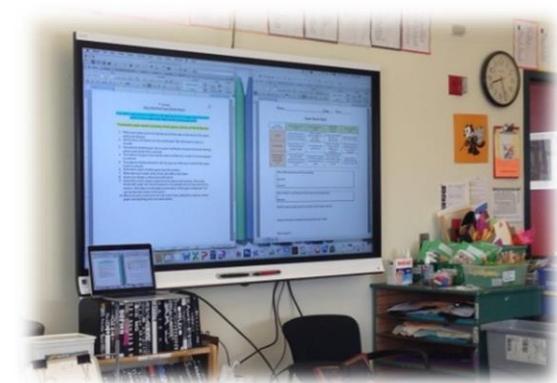
The inquiry found the assistant principal has been employed as a part-time hourly administrator since 2014, reporting directly to the principal. OIG Special Agents obtained a memorandum dated April 3, 2014, from the past principal to the Administrative Director for School Operations requesting a hiring waiver to hire the assistant principal as a part-time hourly administrator. The memorandum identified specific responsibilities for the position. Additionally, the assistant principal

was expected to interact regularly with the Leadership Team, staff and students as well as provide administrative coverage when needed.

The OIG found the Administrative Director School Operations and the Chief Operating Officer School Operations had approved the Memorandum. OIG Special Agents further reviewed an M-DCPS Hourly Administrator Request Form approved on May 6, 2014, reflecting that the assistant principal would have part-time assignments. In addition, the OIG reviewed payroll records submitted by the assistant principal identifying the number of hours worked and a brief explanation of the work performed. All the payroll forms were signed by the assistant principal and approved by school the principal.

The inquiry revealed that the assistant principal is not a “ghost employee” as alleged and has been providing services to the school district in compliance with the duties and responsibilities described in the memorandum dated April 3, 2014, and the M-DCPS Hourly Administrator Request approved on May 6, 2014.

Review of M-DCPS Smart Board Purchase



An OIG preliminary inquiry was initiated to monitor the procurement of 2500 Promethean brand smartboards following receipt of an email identifying concerns about the sole source bid. The Invitation to Bid (ITB) called for firm-fixed prices for the purchase and installation of 2500 Promethean panels. The ITB contained a mandatory subcontracting measure requiring that the installation be performed by an M-DCPS certified non-minority women or African American firm.

The ITB was released by M-DCPS on December 16, 2021. The OIG monitored the process which included reviewing an Addendum answering the issues raised in the complaint. In sum, the answers explained that the specification of purchasing Promethean panels (rather than other brands) was based on the fact that the District “has an install base of over 14,000 Promethean interactive White Boards and over 4,900 Promethean Panels. This is not a new project just a continuation of an existing project. The District is standardized to Promethean products.”

On February 8, 2022, OIG Special Agents attended the bid opening in the Procurement Management Services (PMS) office. A total of nine sealed bids were received (one response was a no-bid). Further due diligence review by PMS determined that seven of the eight were non-responsive. A recommendation to award was made to United Data Technology. No bid protests were filed, and, on May 18, 2022, the School Board awarded the contract. Our monitoring of the procurement identified no exceptions.

Allegations of Financial Mismanagement by Robotics Team Teacher

The M-DCPS OIG initiated an inquiry based on a complaint alleging mismanagement of funds and abuse of power by a Robotics Team teacher. According to the complainant, the Robotics Team had amassed more than \$20,000 in federal, private, and local government grants to run a FIRST Robotics competition program. FIRST is an organization that establishes international school robotics competitions. The complainant alleged the teacher was not buying materials for the students to build robots and refused to plan or use any of the funds for team participants to attend the annual regional competitions.

During this inquiry, the OIG interviewed the school principal, treasurer, and subject teacher. OIG Special Agents also contacted the complainant, the assistant chief auditor, and FIRST Robotics. Additionally, OIG Special Agents reviewed email correspondence and documents provided by the principal, the activities director, the subject teacher, and FIRST Robotics. OIG Agents further reviewed pertinent financial documents related to the Robotics Team, maintained by the treasurer, comprised of donation logs and general ledger entries with supporting documents for School Years 2016-17 through 2021-22.

The OIG learned that the funds were prioritized to first cover the competition registration fees prior to using them for materials/parts purchases as it is common to recycle and repurpose parts. The OIG also learned that the Robotics Team had built several robots, for which materials had been purchased, but also some materials repurposed from previous robots. The OIG discussed the matter with the assistant chief auditor, who oversaw the review of pertinent invoices and expenditures associated with a series of grants received by the Robotics Team going back several years. The assistant chief auditor informed the OIG that there were no audit findings to report and based on their review all the expenditures were properly related to the Robotics Team.

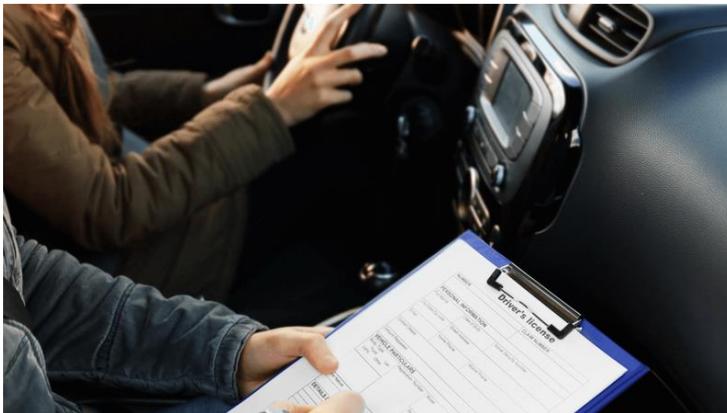
The inquiry revealed that FIRST Robotics does not have a policy requiring schools to provide transportation to members of a Robotics Team to attend regional competitions. It further revealed that parents were advised, by the school and the teacher, with sufficient notice, that transportation would not be provided prior to the competitions. The M-DCPS OIG determined that the allegations concerning transportation, purchase of equipment, and the financial status of the Robotics Team were unfounded.



VII. FOLLOW-UP ACTIVITIES

Diligent follow-up is key to successful oversight. The work of the OIG does not end once a report is finalized and issued. It is only after the report is issued that the real work of reform, through the implementation of recommendations and change, begins. The OIG actively monitors the Administration's implementation of our recommendations. These follow-up oversight efforts may involve attending key status meetings, site verifications and physical observations, and requesting additional information, including proofs demonstrating compliance. The below summaries detail our follow-up activities on two extensive investigations completed in the prior fiscal year.

Miami-Dade County Public Schools Driver Education Program



As reported in last year's annual report, the OIG received a complaint alleging that since 2003, the School Board has received over \$15 million dollars of funding from the Dori Slosberg Driver Education Safety Act (Dori Slosberg Act), and the funds were being used improperly.

The OIG investigation substantiated the allegation that M-DCPS administrators knowingly submitted ineligible expenses

for reimbursement from the County's Drivers Education Safety Trust Fund, which was created to receive funds pursuant to the Dori Slosberg Act, Section 318.1215, Florida Statutes. M-DCPS OIG Special Agents determined that M-DCPS was overpaid a total of \$6,281,814.74 of ineligible expenses, which it claimed for FY 2011-12, FY 2012-13, FY 2013-14, and FY 2015-16. These reimbursements were deposited into the M-DCPS general funds account and were used to offset the ineligible expenses and not to enhance the Driver Education Program, as required.

From its inception, the state required the funds to be used for direct educational expenses and not for administrative expenses. Furthermore, to receive any funds, the statute also required that a minimum of 30 percent of a student's time be behind-the-wheel instruction.

The OIG investigation also revealed additional areas of concern, such as M-DCPS failing to provide Adaptive Driver Education services to disabled students since December 2015, in violation of the Individuals with Disabilities Education Act. Additionally, M-DCPS did not adequately provide Driver Education opportunities for private school students, which was also required by County Resolutions and the Inter-Local Agreement between the County and M-DCPS.

The OIG provided eight recommendations for both the School Board and the County's consideration. The school district accepted all of the OIG's recommendations. Since the report was published, the OIG has requested two status reports as to the implementation of the recommendations.

We have reviewed the status reports and are pleased that M-DCPS has made progress on each recommendation. Specifically, we note that M-DCPS has obtained two vehicles that it will retrofit for Adaptive Driver Education and is in the process of filling a second instructor position for the Department of Life Skills. We also note that improvements to the driving ranges, including the installation of vehicle storage cages, are underway.

The latest status report also included information about M-DCPS's summer Driver Education Program. The summer program was offered at three sites running from June 14 through July 21, 2022.

Most importantly, the Administration continues to engage with Miami-Dade County's Office of Management and Budget (OMB) on the eligibility of expenses that can count towards writing down the \$6.2 Million financial liability. We will continue monitoring this ongoing dialogue between M-DCPS and OMB, until its resolution. After this liability is resolved, the OIG intends to monitor the adoption of any new procedures to draw down future reimbursements and/or advances from the Trust Fund. However, as it relates to summer and fall programming, the OIG has requested that the Administration provide us with a final status report on or before November 15, 2022, that provides updated information regarding the following:

- Enrollment numbers for the summer Driver Education Program by each of the three school locations with a breakdown of how many of those students were from non-public schools (private schools), charter schools, and M-DCPS students whose schools do not offer the behind-the-wheel driving experience
- A list identifying those teachers that participated and successfully completed the specific endorsement courses to teach Driver Education
- Status of retrofitting the two Adaptive Driver Education vehicles and the number of eligible students surveyed by the Department of Exceptional Student Education (ESE) to partake in Adaptive Driver Education for the fall semester
- Status of all driving range improvements and vehicle storage cages by school site. Please also include any planned improvements to add behind-the-wheel instruction to additional school sites.

The OIG is fully committed to ensuring that the M-DCPS Driver Education Program provides meaningful behind-the-wheel instruction to the students of Miami-Dade County and that disbursements from the County's Driver Education Safety Trust Fund adhere to all applicable statutory requirements.

Follow-Up Actions by M-DCPS and FNEI Relating to the OIG’s Recommendations

On June 29, 2021, the OIG issued a final report in reference to a \$1.57 million donation made to the Foundation for New Education Initiatives, Inc. (FNEI), a district support organization by K12 Florida, LLC, a vendor doing business with M-DCPS. The report contained five recommendations: one addressed to the School Board and four to FNEI. OIG staff monitored the implementation of these recommendations. OIG staff attended multiple meetings, reviewed several M-DCPS and FNEI policy/procedure updates, and maintained open communications with the appropriate M-DCPS and FNEI staff.

FNEI’s Board of Directors voted on July 12, 2021, contrary to OIG recommendation, to accept K12’s donation. The donation had been held in an FNEI account until the OIG review was complete. FNEI voted to distribute the donation as \$100 gift cards to M-DCPS teachers. However, the Superintendent (at the time Alberto Carvalho), as the OIG recommended, did not participate in the discussion, or vote of this item by the FNEI Board of Directors.

Relating to the OIG recommendation to the School Board, the Board took immediate action on January 13, 2021 (even prior to finalization of the OIG review) to amend School Board Policy 6460–Business Code of Ethics and School Board Policy 9215–Direct Support Organizations. The changes in the School Board policies directly addressed the type of donation that transpired in this case.

As to the OIG’s other three recommendations to FNEI, substantial changes were implemented. FNEI instituted a procedure prior to depositing donations that requires the depositor confirm, in writing, that the donor does not have “a pending bid solicitation, proposal, or contract award” with M-DCPS.

On April 20, 2021, the FNEI Board also amended its Gift Acceptance Policy, which now reads: “...FNEI will not solicit from or accept donations from any contractor, vendor, lobbyist, consultant, or bidder that has a pending bid solicitation, proposal, or contract award for District goods or services.” Further, the FNEI Board agreed to establish a formal review process for its Executive Director in accordance with the OIG’s recommendation. FNEI amended its Executive Director Policy codifying the position—with its reporting structure—in the FNEI By-Laws at its January 18, 2022, Board of Directors meeting. FNEI’s new process will include formalizing annual and long-term goals and ensuring that an annual performance review is completed by FNEI members instead of by M-DCPS administrators. In addition, the FNEI Board implemented OIG recommendation by removing M-DCPS administrators from having signature authority over FNEI financial accounts. FNEI has also obtained its own bank/credit cards and ceased the use of M-DCPS p-cards.

In FY 21-22, closed OIG investigations yielded significant financial impacts. We identified \$1,570,000 in questioned receivables; \$309,135 in savings put to better uses; and \$7,621,670 in damages, losses and overpayments. Noteworthy impacts stem from the investigation of the Driver Education Program, which identified \$6.2 million of ineligible reimbursed expenses, and the review into the former superintendent’s solicitation of a \$1.57 million donation from a vendor to the school district’s direct support organization.

VIII. AUDIT AND BUDGET ADVISORY COMMITTEE



Created by School Board Policy No. 6840, the Audit and Budget Advisory Committee (ABAC) serves as the principal advisory committee to assist the Board in fulfilling its fiduciary responsibilities on budgeting, financial reporting and accounting and business policies and practices. ABAC members (and their alternates) are appointed by each School Board Member, the Superintendent and the President of the PTA/PTSA. There are eleven ABAC members.

The ABAC's purpose is to review and make recommendations to the School Board and Superintendent on fiscal management matters presented to the committee. The ABAC also serves as the Board's principal agent in ensuring the independence of the school district's external and internal auditors. In addition to receiving and reviewing all reports issued by the District's Office of Management and Compliance Audits, the ABAC, pursuant to Board policy, is charged with receiving and reviewing reports issued by the OIG and monitoring the corrective action taken by the District in response to the OIG's recommendations. The OIG's annual report is also presented to the ABAC.

During the 2021-22 school year, OIG representatives attended all ABAC meetings. At its meeting held on May 10, 2022, the OIG briefed the committee on our final report into a cleaning company who failed to abide by the specification outlined in a contract with the Transportation Department to sanitize and clean the bus fleet to prevent the spread of COVID. More recently, on July 19, 2022, the OIG presented to the ABAC a status report regarding the implementation of the OIG's recommendations concerning the Driver Education Program (DEP), as well as an update on recommendations proffered to the Foundation for New Education Initiatives, Inc (FNEI). As noted above, the district has made progress on the recommendations for the DEP and FNEI has completed the implementation of all the recommendations made by the OIG. The OIG has requested a final status report concerning the DEP due on November 15, 2022 and will advise the ABAC of the information provided by the District.

IX. ETHICS ADVISORY COMMITTEE

The OIG attends all Ethics Advisory Committee (EAC) meetings where we present our investigative reports, reviews, and annual reports. Comprised of six prominent community members, Chairman Donald Slesnick, Esq.; Mr. Frank Silva, Esq.; Dr. Laura Kohn Wood; Dr. Ursula Wright; Ms. Sharon Watson, and Hon. Jerald Bagley, the EAC is regularly attended by one or more board members (or a staff delegate), and a representative from the School Board Attorney's Office.

EAC members, after a careful review of School Board Policy 0158, which established the EAC, recommended that the policy be amended to increase the membership on the EAC by adding representatives from Miami-Dade College and Florida Memorial University which will increase the diversity of the membership. Further, EAC members recommended that the two-year term limit for the Chair and Vice-Chair be eliminated and that the requirement for establishing a quorum be a minimum of four members. During the July 20, 2022, School Board Meeting Agenda Item H-7 proposed by School Board Member Dr. Marta Perez was introduced, directing the School Board Attorney to draft and propose for the Board's consideration said changes to School Board Policy 0158. Agenda Item H-7 was passed by the School Board Members.

The EAC met on February 24, 2022, wherein the OIG presented our FY 21 annual report and highlighted areas that may be of interest to the committee. More recently, at its meeting of June 9, 2022, the OIG's final report covering the investigation of a cleaning company that failed to abide by the specifications of a contract to sanitize and clean the school bus fleet was presented to the EAC for its consideration. Pursuant to the School Board's Policy establishing the EAC, the committee is charged with receiving and reviewing all OIG reports to monitor corrective actions taken by the district in response to the OIG's recommendations.

The OIG looks forward to the continued relationship with the EAC and supports its role in helping to ensure ethical governance.

