

Office of the Inspector General City Colleges of Chicago

Office of the Inspector General Bi-Annual Report January 1, 2018 – June 30, 2018

Prepared pursuant to Article II, Section 2.7.5 of the Board Bylaws

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To: Juan Salgado, Chancellor
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Rev. Dr. Darrell Griffin, Trustee
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From: John A. Gasiorowski, Inspector General

Date: August 7, 2018

RE: Office of the Inspector General ("OIG") *Bi-Annual Report* for the period of January 1, 2018 through June 30, 2018

This *Bi-Annual Report* is being provided to the Chancellor and the Board of Trustees of Community College District No. 508 pursuant to Article 2.7.5 of the Board Bylaws. This *Bi-Annual Report* covers the period of January 1, 2018 through June 30, 2018. Pursuant to Article 2.7.5, the *Bi-Annual Report* for the period of January 1st through June 30th is required no later than September 1st each year.

Article 2.7 et seq. of the Board Bylaws authorizes the OIG for the City Colleges of Chicago to conduct investigations regarding waste, fraud and misconduct by any officer, employee, or member of the Board; any contractor, subcontractor, consultant or agent providing or seeking to provide goods or services to the City Colleges of Chicago; and any program administered or funded by the District or Colleges.

The OIG would like to thank the Chancellor, the Board of Trustees and the administration of the City Colleges of Chicago for their cooperation and support.

Office of the Inspector General Bi-Annual Report

Mission of the Office of the Inspector General

The Office of the Inspector General (“OIG”) of the City Colleges of Chicago (“CCC”) will help fuel CCC’s drive towards increased student success by promoting economy, efficiency, effectiveness and integrity in the administration of the programs and operations of CCC by conducting fair, independent, accurate, and thorough investigations into allegations of waste, fraud and misconduct, as well as by reviewing CCC programs and operations and recommending policies and methods for the elimination of inefficiencies and waste and for the prevention of misconduct.

The OIG should be considered a success when students, faculty, staff, administrators and the public:

- perceive the OIG as a place where they can submit their complaints/concerns in a confidential and independent setting;
- trust that a fair, independent, accurate, and thorough investigation will be conducted and that the findings and recommendations made by the OIG are objective and consistent; and
- expect that the OIG’s findings will be carefully considered by CCC administration and that the OIG’s recommendations will be implemented when objectively appropriate.

New Developments

Reappointment of the Inspector General

Article 2.7.1(b) of the Board Bylaws provides that “(t)he Inspector General shall be appointed by the Board upon the recommendation of the Chancellor for a term of four (4) years, which may be renewed.” Inspector General John A. Gasiorowski was first appointed by the Board effective July 19, 2010, and he was reappointed to a second four-year term on June 5, 2014. On May 10, 2018, upon the recommendation of the Chancellor, the Board of Trustees approved the reappointment of Inspector General Gasiorowski for a third four-year term to run from July 20, 2018 to July 19, 2022. This action was documented in Board Report 33443.

Updates to Investigations Documented in Previous Bi-Annual Reports

Criminal Conviction in OIG Case Number 16-0022

On March 19, 2018, a former college bursar assistant assigned to a City College was sentenced in the Circuit Court of Cook County to serve a two-year term of probation, following a plea of guilty to the Class 2 Felony offense of theft on January 4, 2017. The former college bursar assistant also paid \$2,700 in restitution to CCC, which was received by the OIG and submitted to the CCC Treasurer. The case was docketed under criminal case number 16-CR-1673601.

As reported in an Investigative Summary dated February 11, 2016 and summarized in the OIG Bi-Annual Report for the period of January 1, 2016 to June 30, 2016, the OIG investigation revealed that in 2014 and 2015, the former college bursar assistant failed to process at least \$2,980.00 and failed to deposit at least \$3,125.00 in funds that she received as a result of transactions that she completed on behalf of the City College in her capacity as a college bursar assistant. The funds in question included, but were not limited to, student exam fees and student transcript request fees.

Effective December 24, 2015, two days after the OIG sought to interview the college bursar assistant, the college bursar assistant resigned from her position with CCC. As such and based on the investigation, the OIG recommended that the college bursar assistant be designated ineligible to be re-hired and that her personnel records reflect this designation. The college bursar assistant was subsequently designated ineligible to be re-hired. At the completion of the investigation, the OIG referred the matter to the Cook County State's Attorney's Office.

After resigning from her position with CCC, the former college bursar assistant obtained a position with a Chicago sister agency. Upon learning of her employment, the OIG contacted the Office of the Inspector General for the sister agency. Following a recommendation by the Office of the Inspector General for the sister agency, administrative action was subsequently taken by the sister agency.¹

Updates regarding disciplinary recommendations made during the July 1, 2017 to December 31, 2017 reporting period

In the *Bi-Annual Report* submitted for the July 1, 2017 to December 31, 2017 reporting period, the OIG submitted fifteen reports documenting investigations which resulted in sustained findings of waste, fraud and misconduct, resulting in thirteen recommendations of disciplinary action. At the time the *Bi-Annual*

¹ The Office of the Inspector General for the Chicago Housing Authority's *Recommendation for Employment Action* against this employee can be found at http://www.thecha.org/assets/1/6/2017Annual_Attachment_1.pdf.

Report was submitted, disciplinary action was pending regarding several of the investigations. The following table updates disciplinary actions recommended by the OIG regarding the CCC employees and the actions taken by CCC.

Disciplinary Action Updates from Investigations Reported On In Previous Bi-Annual Report (July 1, 2017 to December 31, 2017)			
Case Number	Subject	Recommendation	Final Disciplinary Action
17-0217	Senior Reprographics Technician	DNRH (following retirement) ²	
17-0218	Tutor / Lecturer	Appropriate Discipline	Pending
17-0251	Full-Time Faculty	Appropriate Discipline	Written reprimand
17-0252	Security Officer	Appropriate Discipline	Written reprimand
17-0258	Lecturer	Appropriate Discipline	Pending ³
17-0253	Security Officer	Appropriate Discipline	Verbal Reprimand
17-0118	Coordinator - Laboratories	Termination / DNRH	Resignation / DNRH
17-0118	Clinical Coordinator	Termination / DNRH	Resignation / DNRH
17-0295	Manager of Student Loan Default Program	Termination / DNRH	
17-0202	Security Officer	DNRH (following resignation)	
18-0022	Security Officer	Termination / DNRH	Resignation / DNRH
17-0189	Computer Lab Manager	Termination / DNRH	Resignation / DNRH
17-0232	Chief Engineer	Termination / DNRH	Retirement / DNRH

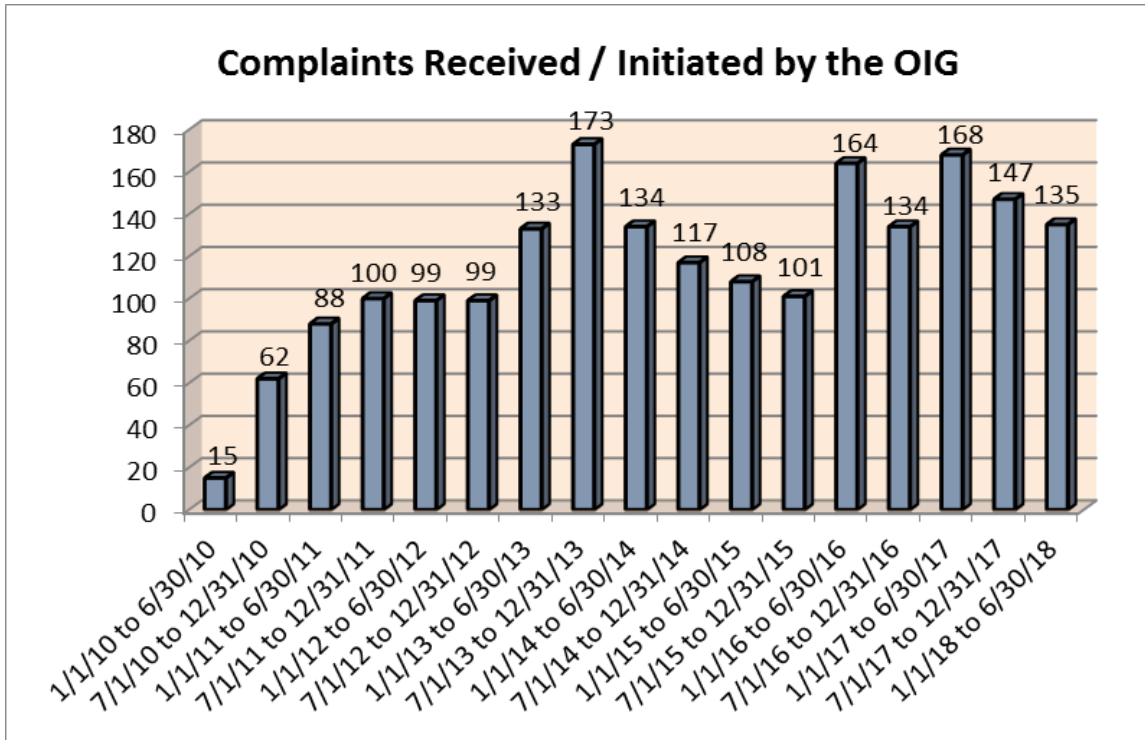
Complaints Received

For the period of January 1, 2018 through June 30, 2018, the OIG received 135 complaints. These 135 complaints included complaints forwarded to the OIG from outside sources as well as investigations (or audits / reviews) initiated based on the OIG's own initiative.⁴ For purposes of comparison, the following table documents the complaints received by the OIG during the current and previous reporting periods.

² "DNRH" means that the individual was designated "do not re-hire" or ineligible to be re-hired.

³ The part-time lecturer has not been scheduled to teach since the submission of the OIG's findings and recommendations.

⁴ Under Article II, Section 2.7.2 of the Board Bylaws, the powers and duties of the OIG include: c) To investigate and audit the conduct and performance of the District's officers, employees, members of the Board, agents, and contractors, and the District's functions and programs, either in response to a complaint or on the Inspector General's own initiative, in order to detect and prevent waste, fraud, and abuse within the programs and operations of the District....



The 135 complaints received represent a variety of subject matters. The table to follow documents the subject matters of the complaints received.

Subject Matters of Complaints Received from January 1, 2018 to June 30, 2018		
Subject Matter (Allegation)	Number	Percentage
OIG initiated reviews	2	1.48%
Violation of Outside Employment Policy	2	1.48%
Giving preferential treatment	2	1.48%
Waste of funds	2	1.48%
Failure to meet/maintain prerequisites of the position	2	1.48%
Engaging in conduct in violation of the Illinois Compiled Statutes	3	2.22%
Conduct unbecoming a public employee	3	2.22%
Misappropriation of funds / Theft	5	3.70%
Violation of CCC Ethics Policy	5	3.70%
Inappropriate use of sick leave	5	3.70%
Violation of miscellaneous CCC Policies	5	3.70%
Incompetence in the performance of the position	6	4.44%
Fraud (including financial aid or tuition)	8	5.93%
Inattention to duty	11	8.15%
Discourteous treatment	12	8.89%
Residency	17	12.59%
Falsification of attendance records	19	14.07%
Sexual or other harassment / discrimination / retaliation	26	19.26%
Totals	135	100.00%

Status of Complaints

As reported in the previous *Bi-Annual Report*, as of December 31, 2017, the OIG had 92 complaints that were pending, meaning that the OIG was in the process of conducting investigations regarding these complaints. During the period of January 1, 2018 through June 30, 2018, the OIG closed 136 complaints. These complaints were closed for a variety of reasons, including the following: the complaint was sustained following an investigation and a report was submitted; the complaint was not sustained following an investigation or no policy violation was found; the complaint was referred to the appropriate CCC department; the subject of the complaint retired or resigned from CCC employment prior to or during the course of the investigation; the complaint was a duplicate of a complaint previously received; and other reasons. The following chart categorizes the reasons that the OIG closed the 136 complaints during the current reporting period.

Complaints Closed Between January 1, 2018 and June 30, 2018		
Reason Closed	Number	Percentage
Sustained	14	10.29%
Not sustained / No policy violation	49	36.03%
Referred / Deferred	39	28.68%
Subject inactive	10	7.35%
Duplicate complaint	15	11.03%
Complaint included with another active investigation	8	5.88%
Board mandated audit concluded	1	0.74%
Totals	136	100.00%

Regarding the complaints closed during the period of January 1, 2018 to June 30, 2018, the table below documents the average number of calendar days between the date that the complaint was received and the date that the complaint was closed as compared to the average number of calendar days between the date that complaints were received and the date that complaints were closed for the complaints closed during the previous reporting period (July 1, 2017 through December 31, 2017).⁵

⁵ A complaint is considered closed only after the investigative activity of the investigator to whom the complaint was assigned has been reviewed and approved by a Supervising Investigator or the Assistant Inspector General and then the Inspector General. In situations where a complaint is sustained, the complaint is not considered closed until the Investigative Summary documenting the investigation is prepared and submitted pursuant to Article II, Section 2.7.3 of the Board Bylaws.

Average Calendar Days to Close a Complaint				
Reason Closed	7/1/17 to 12/31/17		1/1/18 to 6/30/18	
	Number	Average Calendar Days to Close	Number	Average Calendar Days to Close
Sustained	14	153	14	269
Review with Recommendations	1	78	0	--
Not Sustained / No Policy Violation	51	236	49	278
Referred / Deferred	49	1	39	1
Completed Board Mandated Audit	0	--	1	120
Other	43	56	33	44
Totals	158		136	

As of June 30, 2018, the OIG had 91 pending complaints. Fifty-two of these 91 pending complaints (57%) were received between January 1, 2018 and June 30, 2018, and 23 of these 91 pending complaints (25%) were received between July 1, 2017 and December 31, 2017.

OIG Reports Submitted – January 1, 2018 through June 30, 2018

During the reporting period of January 1, 2018 through June 30, 2018, the OIG submitted fourteen reports.⁶ These fourteen reports included: twelve reports documenting fourteen sustained findings of waste, fraud and/or misconduct; the annual OIG Audit of the District’s Compliance with the Residency Policy; and one report documenting a not sustained finding, regarding which the OIG determined that a report was necessary.

Reports Submitted Documenting Sustained Findings of Waste, Fraud and/or Misconduct

Pursuant to the provisions of Article 2.7.5 of the Board Bylaws, the following are summaries of the OIG investigations for which reports were submitted documenting sustained findings of waste, fraud or misconduct during the period of January 1, 2018 through June 30, 2018.

OIG Case Numbers 16-0247 and 17-0249

The OIG received two complaints regarding time and attendance-related issues regarding a full-time faculty member assigned to a City College. The OIG investigation revealed the following:

⁶ Pursuant to Article II, Section 2.7.3 of the Board Bylaws, the Inspector General submits reports to the Chancellor, the Board Chairman, and the General Counsel at the conclusion of an investigation with recommendations for disciplinary or other action.

- The full-time faculty member failed to comply with the CCC Outside Employment Policy, in that: 1) he failed to disclose various outside employment activities performed during calendar year 2016 on an Outside Employment Certification form that he submitted in 2017; and 2) he engaged in outside employment which interfered with his CCC position, in that on various occasions, he utilized sick days with CCC but performed outside employment-related activities.
- On as many as fifteen occasions, the full-time faculty member used sick leave in an unauthorized manner, in that he utilized sick time to engage in non-CCC-related activities, and he was not sick.
- On various occasions, the full-time faculty member left his assigned City College during his scheduled office hours and/or class hours without authorization.

The full-time faculty member's actions violated Section III of the CCC District-Wide Employee Manual; Section IV, Paragraphs 2, 7, 11, 13, 42, and 50 of the CCC District-Wide Employee Manual; and Article 4.13(1)(e)ii of the Board Policies and Procedures for Management and Government. The full-time faculty member also failed to perform his duties and responsibilities as set forth in Article VIII, Paragraph D.2 of his collective bargaining agreement.

Based on the investigation, the OIG recommended that the full-time faculty member be terminated. The OIG further recommended that the full-time faculty member be designated ineligible to be re-hired and that his personnel records reflect this designation.

Prior to his pre-disciplinary hearing, the full-time faculty member resigned from his CCC position. Subsequently, the full-time faculty member was designated ineligible to be re-hired.

OIG Case Number 17-0127

CCC and the City of Chicago are currently parties to a Professional Services Agreement for CCC to administer the certification and re-certification process for the Chicago Department of Public Health Food Service Protection Program. Regarding CCC's role in this process, the OIG received a complaint alleging that a project secretary, assigned to a City College, had Summer Festival Vendor Sanitation Certificates processed for students who attended her son's ("son1") non-CCC certification classes despite the fact that at the time that son1 taught those classes, his teaching certificate was expired, and he was therefore ineligible to teach and have certificates processed for his students. The OIG investigation revealed the following:

- The project secretary recommended son1, a non-CCC employee, as a Summer Festival Vendor Sanitation Certification instructor to a food

vendor seeking Summer Festival Vendor Sanitation Certification information at the City College.

- The project secretary had four Summer Festival Vendor Sanitation Certificates processed for students who attended son1's classes despite the fact that at the time that son1 taught those classes, his teaching certificate was not valid, and he was therefore ineligible to teach and have certificates processed for his students.
- The project secretary failed to safeguard a blank Malcom X College receipt, which was subsequently inappropriately utilized by the project secretary's other son ("son2"), also a non-CCC employee.
- The project secretary threatened to send inspectors to a food vendor's place of business when the food vendor complained that despite receiving \$400 from the food vendor, son1 failed to provide the training, the exam and the Summer Festival Vendor Sanitation Certificates to the food vendor.

The project secretary's actions violated Section IV, Paragraphs 12, 21, 26, 31, 38, 44 and 50 of the CCC District-Wide Employee Manual, as well as Article 5.2.10(1) of the CCC Ethics Policy.

Based on the investigation, the OIG recommended that the project secretary be terminated. The OIG further recommended that the project secretary be designated ineligible to be re-hired and that her personnel records reflect this designation.

Following the disciplinary process, the project secretary was terminated, and she was designated ineligible to be re-hired.

OIG Case Number 18-0086

The OIG received a complaint that a dean at a City College inserted her son into a program at the City College without her son participating in the rigorous application process for the program. The OIG investigation revealed that the dean inserted her son into the program during the Summer/Fall 2017 term. Unlike all of the other non-military participants in the program, the dean's son did not participate in the rigorous application process. The dean's son did not submit an online application; did not complete the requested essays; did not take the twenty-six question assessment tool; did not take part in a telephone interview and an in-person interview; and his qualifications were not evaluated or compared to the other candidates' qualifications. The dean's son became a participant in the program simply because his mother was a dean at the City College as well as the person who oversaw the program.

The dean's insertion of her son into the program, without her son going through the application process as all other student-candidates were required, constituted

preferential treatment. Giving preferential treatment to another in the course of employment violated Section IV(26) of the CCC District-Wide Employee Manual.

Moreover, the familial relationship between the dean and her son constituted a “special interest” under Article 5.2.2(ee) of the CCC Ethics Policy. Thus, the dean’s decision to insert her son into the program violated Article 5.2.10(1) of the CCC Ethics Policy, in that the dean made a decision with respect to a matter in which she had a special interest.

Based on the investigation, the OIG recommended that CCC takes appropriate disciplinary action against the dean.

The dean was subsequently terminated.

OIG Case Number 17-0219

The OIG received multiple complaints that a full-time faculty member who teaches at multiple City Colleges engaged in outside employment that interfered with his CCC position, and he routinely arrived late for class. The OIG investigation revealed the following:

- The full-time faculty member failed to disclose all outside employers on an Outside Employment Certification form that he submitted on May 13, 2017 for calendar year 2016.
- The full-time faculty member engaged in outside employment that interfered with his City Colleges of Chicago position, in that on various occasions he engaged in outside employment-related activities while using the CCC network, computer and office space as well as during scheduled class hours and office hours.
- On various occasions during the Fall 2017 and Spring 2018 terms, the full-time faculty member failed to be present at the college for a significant portion of his scheduled Saturday office hours.

These actions of the full-time faculty member violated the CCC Outside Employment Policy and Section IV, Paragraphs 2, 6, 7, 19, 30, 38, 42, and 50 of the CCC District-Wide Employee Manual. Additionally, the full-time faculty member failed to perform his duties and responsibilities as set forth in his collective bargaining agreement.

Based on the investigation, the OIG recommended that CCC takes appropriate disciplinary action against the full-time faculty member.

During the course of the disciplinary process, the full-time faculty member resigned from his CCC position.

OIG Case Number 18-0087

The OIG discovered information that a college lab assistant assigned to a City College was falsifying his attendance records. The OIG investigation revealed that the college lab assistant falsified his attendance records in several different ways during 2017 and early 2018. On nine occasions, the college lab assistant arrived late for work, failed to swipe in, and subsequently submitted override requests inaccurately reflecting that he arrived earlier than he actually arrived. On at least two occasions, the college lab assistant represented that he worked until 4:30 p.m., and he received pay consistent with working until 4:30 p.m., despite ending his workday well in advance of 4:30 p.m. On at least three occasions, the college lab assistant swiped for his lunch break for times that did not accurately reflect the amount of time and/or the time frames of his actual lunch breaks. On at least one occasion, the college lab assistant left the college building three times to obtain food or beverages outside his documented lunch break. The college lab assistant's actions violated Section IV, Paragraphs 2, 5, 7, 11, 38, and 50 of the CCC District-Wide Employee Manual, as well as Article 4.11(c) of the Board Policies and Procedures for Management and Government.

Based on the investigation, the OIG recommended that CCC takes appropriate disciplinary action against the college lab assistant.

Following the disciplinary process, the college lab assistant was suspended for a period of five days.

OIG Case Number 18-0191

The OIG initiated an investigation after receiving information in March 2018 from the Cook County State's Attorney's Office that on May 21, 2016, a part-time security assistant assigned to a City College was charged with the offenses of unlawful use of weapons, driving under the influence of alcohol, leaving the scene of an accident, and failing to yield the right of way at an intersection in Hillside, Illinois.⁷ The OIG investigation revealed that on April 17, 2018, the security assistant pled guilty in the Circuit Court of Cook County to the offenses of unlawful use of weapons and driving under the influence of alcohol. The security assistant was sentenced to serve an eighteen-month term of supervision.

Based on the investigation, the OIG recommended that the security assistant be terminated. The OIG further recommended that the security assistant be designated ineligible to be re-hired and that his personnel records reflect this designation.

⁷ The security assistant was the subject of a previous OIG investigation that was summarized in the OIG Bi-Annual Report for the period of January 1, 2017 and June 30, 2017 under OIG Case Number 17-0180.

Additionally, due to the fact that a court's imposition of supervision does not constitute a conviction under Illinois law, the security assistant was under no obligation to disclose his court disposition to CCC under the *Post-Employment Convictions* section of Section III of the CCC District-Wide Employee Manual. However, CCC's need to know of the security assistant's conduct was no less significant because the court decided to impose a sentence of supervision as opposed to imposing a sentence which resulted in a legal conviction.

In order to enable CCC to be aware of all potential risks as a result of an employee's off-duty criminal conduct, the OIG recommended that the *Criminal History Verification and Post-Employment Convictions* section of Section III of the CCC District-Wide Employee Manual be amended (the recommended new language is underlined) as follows:

All employees must disclose any history of criminal convictions on their employment application. Applicants for employment must consent to a criminal history verification as part of the application process. Employees who are convicted of any crime (including misdemeanors but not minor traffic violations) during their CCC employment must advise the Chief Talent Officer Vice-Chancellor of Human Resources of the conviction within five (5) business days of the conviction. Certain criminal convictions and/or a failure to advise or disclose may make applicants or employees ineligible for employment. For purposes of this section, a conviction also includes any guilty plea, sentences of expungable probation and/or impositions of supervision.

In most situations, the commission of a criminal offense resulting in the imposition of court supervision will likely have little or no effect on a current employee's eligibility for continued employment. However, in limited situations like the situation at hand, the employee whose criminal conduct results in an imposition of supervision might be assigned to a sensitive position or the employee's conduct has significant nexus to his or her position. In such cases, CCC needs to be aware of the employee's criminal conduct resulting in a guilty plea and the imposition of supervision in order to determine whether any action should be taken to protect CCC's students, employees and/or assets. The recommended changes to Section III merely place the obligation on the employee to advise CCC of such situations so that CCC becomes aware that action might need to be taken.

As of the date of this Bi-Annual Report, the disciplinary action regarding the security assistant was pending. Likewise, no action was taken regarding the policy recommendation.

OIG Case Number 18-0180

The OIG received information that a vice president assigned to a City College utilized sick time in an inappropriate manner. The OIG investigation revealed that the vice president took sick days on Friday, February 16, 2018 and Tuesday, February 20, 2018, when in fact he was not sick.⁸ In fact, the vice president attended the 2018 National Basketball Association All-Star Weekend in Los Angeles, California over that weekend. The vice president's use of sick time when he was not in fact sick was contrary to Article 4.13(1)(e)ii of the Board Policies and Procedures for Management and Government, which in turn is a violation of Section IV(13) of CCC District-Wide Employee Manual.

Based on the investigation, the OIG recommended that CCC takes appropriate disciplinary action against the vice president. The OIG further recommended that two vacation days be deducted from the vice president's benefit day balance, and two sick days be restored to the vice president's benefit day balance.

In response to the OIG's inquiry whether any action was taken regarding the vice president, the President of the City College responded via email, "I did have a disciplinary discussion with (the vice president) last week to discuss expectations and employee work rules with respect to time tracking. Also gave him physical copies."

OIG Case Number 18-0015

The OIG received a complaint that a part-time tutor at a City College, who was also an adjunct instructor, falsified employment records. The OIG investigation revealed that the part-time tutor created fraudulent CCC earnings statements, and she submitted those fraudulent documents to a state agency as part of the application process for childcare assistance. The part-time tutor's actions violated Section IV, Paragraphs 11 and 50 of the CCC District-Wide Employee Manual.

Based on the investigation, the OIG recommended that CCC takes appropriate disciplinary action against the tutor.

Following the disciplinary process, the part-time tutor was suspended for three days.

OIG Case Number 18-0071

The OIG received a complaint from CCC's online bookstore that the credit card of an eighty-two year old woman who resides in Arizona was used to purchase textbooks through the account associated with a CCC student. The OIG investigation revealed that the CCC student fraudulently used a credit card that

⁸ Monday, February 19, 2018 was Presidents' Day, a CCC holiday.

he was not authorized to use in order to make a book purchase totaling \$263.29. Such action violated Section 8.18(d) of the CCC Academic and Student Policy.

Based on the investigation, the OIG recommended that the City College at which the student was enrolled takes appropriate disciplinary action against the student pursuant to Section 8.21 of the CCC Academic and Student Policy.

Following a disciplinary hearing, the student was permanently dismissed from the college, and he was barred from the campus.

OIG Case Numbers 18-0120 and 18-0123

The OIG received a complaint that a director at a City College violated the CCC Ethics Policy in that she supervised two relatives. During the course of the investigation, the OIG found public records indicating that the director resided outside the City of Chicago; thus, a residency-related investigation was initiated.

- Residency investigation (OIG Case Number 18-0123)

Regarding the residency-related issue, the OIG investigation revealed that the director resided in South Holland, Illinois, in violation of Article 4.6(a) of the Board Policies and Procedures for Management & Government and Section III of the CCC District-Wide Employee Manual.

The OIG investigation further revealed that the director falsified employment records in that she fraudulently affirmed on various CCC residency certification documents that she resided in Chicago, Illinois, when in fact she resided in South Holland, Illinois, in violation of Section IV(11) of the CCC District-Wide Employee Manual.

- Ethics Investigation (OIG Case Number 18-0120)

Regarding the Ethics Policy-related issue concerning the director's relationship with her husband's cousin, the OIG investigation revealed that the director engaged in a conflict of interest contrary to the CCC Ethics Policy. The OIG investigation revealed that from September 2013 through April 2016, the director made decisions regarding her husband's cousin through her supervision of her husband's cousin. Based on the relationship, the director was prohibited from making decisions regarding her husband's cousin, with whom she had a special interest by virtue of their familial relationship, pursuant to Article 5.2.10(1) of the CCC Ethics Policy.

The OIG did not find that the director violated Article 5.2.8(1)(i) of the CCC Ethics Policy, which prohibits employees from employing/supervising

relatives, since a “cousin-in-law” is not a “relative” under the current definition of “relative” pursuant to Article 5.2.2(bb) of the CCC Ethics Policy.⁹ As such, the OIG recommended the following amendment be made to Article 5.2.2(bb) of the CCC Ethics Policy:

- Current: “Relative” means a person who is related to a Board member, employee, or spouse or any of the following whether by blood or by adoption: parent, child, brother or sister, aunt or uncle, cousin, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather, stepson or step daughter, step brother or step sister, half-brother, half-sister.
- Amended: “Relative” means a person who is related to a Board member or employee as a spouse, parent, child, brother or sister, aunt or uncle, cousin, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather, stepson or stepdaughter, stepbrother or stepsister, half-brother, half-sister and shall include any similar relationship created by blood, legal adoption, or marriage.

It should be noted that this identical issue has been brought to the attention of CCC on at least two prior occasions in 2013 and 2014; however, as of the date of this Bi-Annual Report, similar recommended amendments to Article 5.2.2(bb) have not been made.

Regarding the Ethics Policy-related issue concerning the director’s other “relative,” the OIG investigation could not determine whether the individual was the director’s nephew by virtue of the fact that his mother was the director’s sister through adoption or was the director’s mother simply the legal guardian of the individual’s mother. Consequently, the OIG could not sufficiently prove whether the individual was a “relative” of or had a “familial relationship” with the director as defined by the CCC Ethics Policy.

Based on the investigation regarding the violation of the City Colleges of Chicago residency policy, the OIG recommended that the director be terminated. The OIG further recommended that the director be designated ineligible to be re-hired and that her personnel records reflect this designation.

The director was terminated, and she was designated ineligible to be re-hired.

⁹ The definition of “familial relationship” under 5.2.2(s), which is utilized in the Conflicts of Interest section of the City Colleges of Chicago Ethics Policy, is broader than the definition of “relative” under 5.2.2(bb), which is utilized in the Employment of Relatives section of the policy.

OIG Case Number 18-0082

The OIG received a complaint that a director assigned to the District Office resided outside the City of Chicago. The OIG investigation revealed that the director resided in Warrenville, Illinois, in violation of Article 4.6(a) of the Board Policies and Procedures for Management & Government and Section III of the CCC District-Wide Employee Manual.

The OIG investigation further revealed that the director falsified employment records, in that he fraudulently affirmed on CCC residency certification documents that he resided in Chicago, Illinois when in fact he resided in Warrenville, Illinois, in violation of Section IV(11) of the CCC District-Wide Employee Manual.

Based on the investigation, the OIG recommended that the director be terminated. The OIG further recommended that the director be designated ineligible to be re-hired and that his personnel records reflect this designation. The director was terminated, and he was designated ineligible to be re-hired.

OIG Case Number 16-0092

The OIG received a complaint that a project math instructor assigned to a City College resided outside the City of Chicago. The OIG investigation revealed that the project math instructor resided in Markham, Illinois, in violation of Article 4.6(a) of the Board Policies and Procedures for Management & Government and Section III of the CCC District-Wide Employee Manual.

The OIG investigation further revealed that the project math instructor falsified employment records in that he fraudulently affirmed on a CCC residency certification document that he resided in Chicago, Illinois when in fact he resided in Markham, Illinois, in violation of Section IV(11) of the CCC District-Wide Employee Manual.

Based on the investigation, the OIG recommended that the project math instructor be terminated. The OIG further recommended that the project math instructor be designated ineligible to be re-hired and that his personnel records reflect this designation.

As of the date of this Bi-Annual Report, the disciplinary action regarding the project math instructor was pending.

Annual Audit of District's Compliance with the Residency Policy
(OIG Case Number 18-0166)

Under the heading *Annual Certification of Residency*, Article 4.6(a) of the Board Policies and Procedures for Management & Government, which sets forth the CCC Residency Policy, provides that on February 1st of each year every full-time CCC employee will be required to certify their compliance with the residency policy. The employee's certification shall include an oath or affirmation that the employee is not required to be an actual resident because he/she falls within one of the exceptions to the requirement or that the employee is an actual resident of the City of Chicago. Additionally, Article 4.6(a) provides that "the Inspector General shall conduct an annual audit of the District's compliance with this Policy and shall submit a report of audit findings to the Board no later than the first regularly scheduled public meeting of the Board following July 1st of each year." On May 31, 2018, the OIG submitted the 2018 Audit of Compliance with the District's Residency Policy.

On February 1, 2018, all full-time employees of CCC were sent an e-mail regarding the need to certify their Chicago residency for 2018 by completing the online *Annual Certification of Residency* form. The e-mail was sent to 1,967 full-time employees.

On March 16, 2018, the Office of Human Resources provided the OIG with the results of all of the responses received. The great majority (1,933) of the 1,967 (98%) full-time employees responded to the Annual Certification Process. Of the thirty-three employees who did not respond, the OIG confirmed that twenty-one were on leaves of absence, two were on sabbatical leaves, eight resigned or retired, and one was terminated. Therefore, all but one of the 1,967 full-time employees who were active and working during the 2018 Annual Recertification of Residency process responded. The table below documents the responses received District-Wide, as recorded by the Office of Human Resources and confirmed by the OIG.

Response	Number	%
No response	1	0.05%
No response due to employee being on a leave of absence	21	1.07%
No response due to employee being on a sabbatical	2	0.10%
No response due to resignation or retirement of the employee	8	0.41%
No response due to termination of the employee	1	0.05%
1. Required to be a resident, with correct address	1,884	95.78%
2. Not required to be a resident, with correct address	9	0.46%
3. Required to be a resident, with incorrect address	9	0.46%
4. Not required to be a resident, with incorrect address	1	0.05%
5. Required to be a resident, but does not currently live within the City of Chicago	31	1.58%
Totals	1,967	100.00%

As part of the audit of compliance with the District’s residency requirement, the OIG analyzed these full-time employee responses. The OIG analysis of these responses revealed the following:

- Regarding the 1,893 employees who responded that they were required to be residents (See Responses 1 and 3 in the table above):
 - Six of these 1,893 employees had documented exceptions to the residency requirement filed with the Office of Human Resources. All six of these employees had a City of Chicago address listed in the CCC PeopleSoft system.
 - As of the date that the audit results were submitted, the OIG had pending investigations regarding twenty of these 1,893 full-time employees who represented that they were required to be a resident of the City of Chicago.

- Regarding the ten employees who responded that they were not required to be a resident of the City of Chicago (See Responses 2 and 4 in the table above):
 - Nine of these ten employees fell within an exception to the CCC residency requirement.
 - Five of these nine employees were hired before July 1, 1977.
 - Four of these nine employees were exempt from the CCC residency requirement due to side letter agreements.
 - One of these ten employees had been employed for less than six months.

- Regarding the thirty-one employees who responded that they were required to be residents but did not currently reside within the City of Chicago (See Response 5 in the table above):

- Nine of the thirty-one employees were employed for less than six months or previously received approved extensions.
- Twenty-two of the employees responded that they did not currently reside within the City of Chicago, despite the fact that CCC records indicated a City of Chicago residential address for the employee.
 - The OIG reviewed CCC personnel records and public records. This review revealed that twenty of these employees appear to reside within the City of Chicago and probably checked the wrong box on the Annual Certification of Residency online form.
 - The OIG initiated investigations regarding two of these employees. As of the date of this Bi-Annual Report, these investigations were active.
- Regarding the one employee who failed to respond but was an active and working employee:
 - In addition to failing to respond to the Annual Certification of Residency process, this employee also failed to move into the City of Chicago following two approved extensions. Effective July 20, 2018, this employee resigned from her position.

Reports Submitted Documenting Not Sustained Findings

OIG Case Number 18-0107

The OIG was referred a complaint received by the CCC Equal Employment Opportunity (“EEO”) Office. This complaint alleged that a full-time faculty member assigned to a City College sexually harassed a student, who was enrolled in two of the faculty member’s courses during the Fall 2017 term. Although the CCC EEO Office typically investigates sexual harassment-type allegations, the complaint was referred to the OIG in order to avoid a conflict of interest.

The OIG investigation did not reveal that the faculty member sexually harassed the student. Based on this finding, the OIG made no recommendation regarding disciplinary action.

It should be noted that it is not the usual policy of the OIG to report on investigations that result in not sustained findings and where no recommendations are made. However, the OIG issued this Investigative Summary so that the CCC EEO Office’s records could be complete.