

Office of the Inspector General City Colleges of Chicago

Office of the Inspector General Bi-Annual Report July 1, 2012 – December 31, 2012

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

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To: Cheryl L. Hyman, Chancellor
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From: John A. Gasiorowski, Inspector General

Date: February 14, 2013

RE: OIG *Bi-Annual Report* for the period of July 1, 2012 through December 31, 2012

This *Bi-Annual Report* is being provided to the Chancellor and the Board of Trustees of Community College District No. 508 pursuant to Section 2.7.5 of the Board Bylaws. Pursuant to Section 2.7.5, the *Bi-Annual Report* for the period of July 1st through December 31st is required no later than March 1st each year. This is the fifth *Bi-Annual Report* submitted pursuant to the amendments to Section 2.6 et seq. of the Board Rules for Management and Government adopted by the Board of Trustees on July 14, 2010 and subsequently made part of the Board Bylaws effective December 1, 2011 as Article II, Section 2.7 et seq.

Section 2.7 et seq. of the Board Bylaws authorizes the Office of the Inspector General ("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. This *Bi-Annual Report* covers the period of July 1, 2012 through December 31, 2012.

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.

Updates to Investigations Documented in the Previous Bi-Annual Report

In the *Bi-Annual Report* submitted for the January 1, 2012 to June 30, 2012 reporting period, the OIG submitted thirteen reports documenting investigations which resulted in sustained findings of waste, fraud and misconduct. At the time the *Bi-Annual Report* was submitted, disciplinary action was pending regarding several of the investigations. The following table updates the status of the disciplinary action recommended by the OIG and the action taken by CCC.

Case Number	Subject	Recommended Disciplinary Action	Disciplinary Action Taken
11-0084	Administrator	Do Not Rehire	Retirement / Do Not Rehire
11-0092	Director	Appropriate Discipline	2 Day Suspension
11-0100	Lecturer	Appropriate Discipline	Written Reprimand
11-0100	Clerical Assistant	Appropriate Discipline	Written Reprimand
11-0100	Coordinator	Appropriate Discipline	Written Reprimand
11-0123	Janitor Supervisor	Termination / Do Not Rehire	Termination / Do Not Rehire
11-0132	Janitor	Termination / Do Not Rehire	Termination / Do Not Rehire
12-0006, 12-0010	Program Director	Appropriate Discipline	1 Day Suspension
12-0016	Vice-President	Termination / Do Not Rehire	Termination / Do Not Rehire
12-0020	Coordinator	Appropriate Discipline	Termination
12-0020	Lecturer	Appropriate Discipline	Termination
12-0020	Lecturer	Appropriate Discipline	Termination
12-0020	Dean	Appropriate Discipline	Written Reprimand
12-0022	Full-Time Faculty	Termination / Do Not Rehire	Termination / Do Not Rehire
12-0034(a)	Executive Director	Do Not Rehire	Do Not Rehire
12-0034(a)	Chief Engineer	Appropriate Discipline	Retirement / Do Not Rehire
12-0034(b)	Executive Director	Do Not Rehire	Do Not Rehire
12-0034(b)	Director of Security	Appropriate Discipline	Verbal Counseling
12-0053	Dean	Appropriate Discipline	Retirement / Do Not Rehire
12-0171	Vice President	Appropriate Discipline	Oral Reprimand
12-0171	Clerical Assistant	Appropriate Discipline	Oral Reprimand
12-0171	Administrative Assistant	Appropriate Discipline	Oral Reprimand

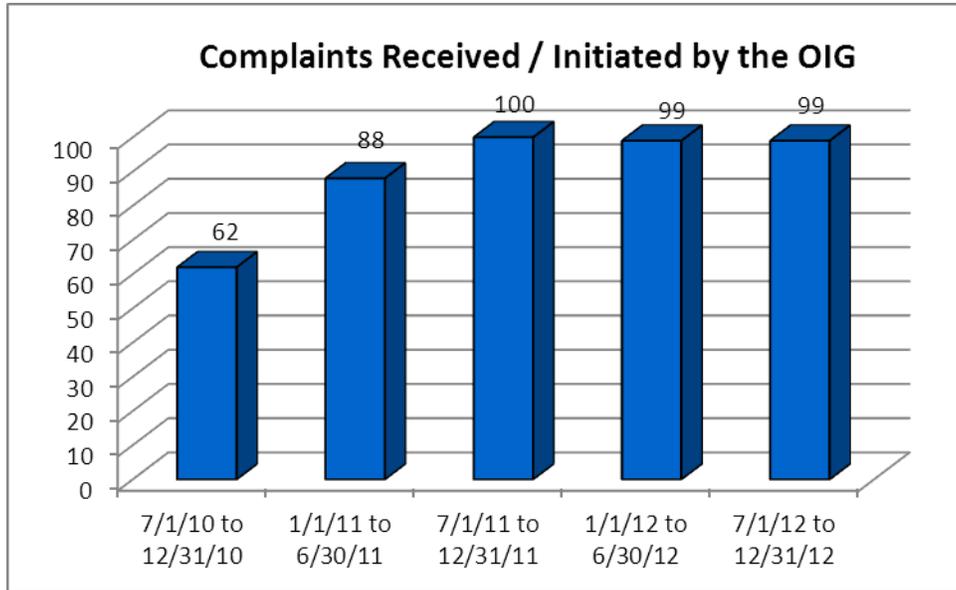
Criminal indictment as a result of OIG investigation (Case Number 11-0034)

As reported in the Bi-Annual Report submitted for the July 1, 2010 to December 31, 2010 reporting period, an OIG investigation revealed that a full-time faculty member at a City College fraudulently misrepresented her educational background. This caused her to be paid at a lane IV rate as opposed to a lane I rate since the time of her hire in August 1995, resulting in the employee receiving compensation totaling in excess of \$307,000.00 to which she was not entitled. The full-time faculty member was terminated from employment with CCC and was deemed ineligible for re-hire.

On August 15, 2012, a Cook County Grand Jury indicted the full-time faculty member for the Class X felony offense of Theft of Government Property, the Class 1 felony offense of Continuing Financial Crimes Enterprise, and the Class 3 felony offense of Forgery. The criminal charges against the full-time faculty member are currently pending in the Circuit Court of Cook County under criminal case number 12 CR 15307.

Complaints Received

For the period of July 1, 2012 through December 31, 2012, the OIG received ninety-nine complaints. These ninety-nine complaints include complaints forwarded to the OIG from outside sources as well as investigations (or audits / reviews) initiated based on the OIG’s own initiative.¹ For purposes of comparison to the number of complaints received during the period of July 1, 2012 through December 31, 2012, the following table documents the complaints received by the OIG during previous reporting periods.



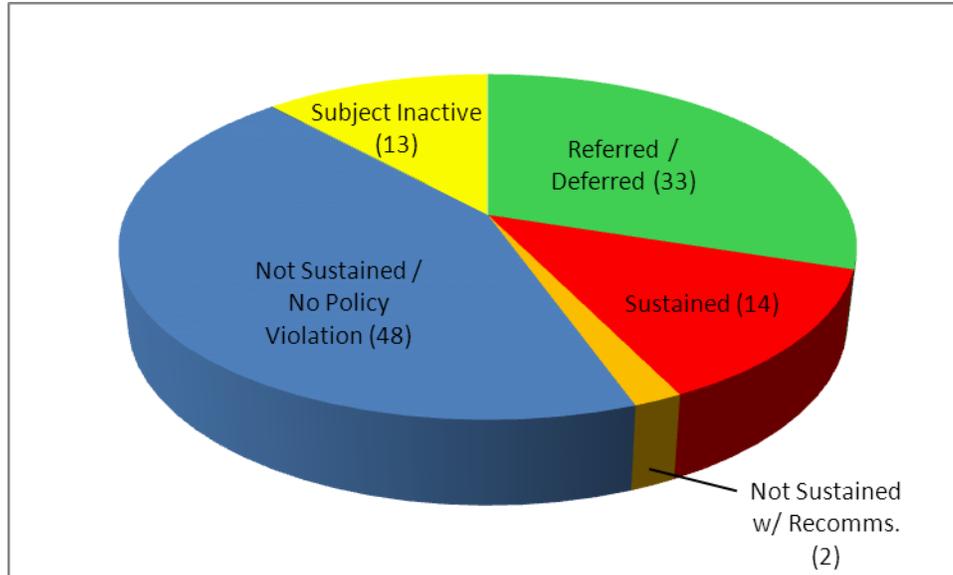
The ninety-nine complaints received represent a variety of subject matters. The table to follow documents the subject matters of the complaints received.

¹ 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;....

Subject Matter	Number
Ethics Violation	2
Conduct Unbecoming a Public Employee	3
Discrimination	3
Fraud	4
Preferential Treatment	5
Residency	5
Misappropriation of Funds / Theft	6
Falsification of Employment or Other Records	8
Sexual or Other Harassment	9
Discourteous Treatment	9
Falsification of Attendance Records	9
Inattention to Duty	10
Reviews Initiated by the OIG	11
Violation of Other Miscellaneous CCC Policies	15
	99

Status of Complaints

As reported in the previous *Bi-Annual Report*, as of June 30, 2012, the OIG had ninety-one complaints that were pending, meaning that the OIG was in the process of conducting investigations regarding these complaints. During the period of July 1, 2012 through December 31, 2012, the OIG closed one hundred and ten complaints. These complaints were closed for a variety of reasons, specifically the following: the complaint was sustained following an investigation and a report was submitted; the complaint was not sustained but the OIG issued a report with recommendations; the complaint was not sustained following an investigation or no policy violation was found; the complaint was referred to the appropriate CCC department; and the subject of the complaint retired or resigned from CCC employment prior to or during the course of the investigation and further investigation was deemed unwarranted. The following chart categorizes the reasons that the OIG closed the one hundred and ten complaints during this reporting period.



During the Inspector General’s presentation to the Board of Trustees on September 13, 2012, members of the Board of Trustees asked for statistics regarding how long complaints received by the OIG remain open. A complaint is considered closed by the OIG only after the investigative activity of the investigator to whom the complaint was assigned has been completed and the investigative file is reviewed and approved by a Supervising Investigator and the Inspector General. In situations where a complaint is classified as sustained, the complaint is not considered closed until the Investigative Summary documenting the investigation is prepared and submitted pursuant to Section 2.7.3 of the Board Bylaws.

The length of time that a complaint remains open is influenced by various factors. These factors include, but are not limited to, the nature of the allegation under investigation, the complexity of the investigation, other on-going investigations of a similar or related nature, the availability of witnesses, the cooperation of witnesses, other issues uncovered during the course of the investigation, or other investigations of higher priority.

Regarding the complaints closed during the period of July 1, 2012 to December 31, 2012, the table below documents the number of days between the date that the complaint was received and the date that the complaint was closed.

All Complaints Closed Between July 1, 2012 and December 31, 2012			
Reason Complaint Closed	Number of Complaints Closed	Average Number of Calendar Days to Close	Median Number of Calendar Days to Close
Referred / Deferred	33	<1	0
Sustained	14	196	156
Not Sustained w/ Recommendations	2	70	70
Not Sustained / No Policy Violation	49	258	188
Subject Inactive	12	265	229
Total	110		

For purposes of comparison, the table below documents the number of days between the date that the complaint was received and the date that the complaint was closed for complaints closed during the previous reporting period, specifically January 1, 2012 to June 30, 2012:

All Complaints Closed Between January 1, 2012 and June 30, 2012			
Reason Complaint Closed	Number of Complaints Closed	Average Number of Calendar Days to Close	Median Number of Calendar Days to Close
Referred / Deferred	24	1	1
Sustained and Report Submitted	14	295	300
Not Sustained w/ Recommendations	0	--	--
Not Sustained / No Policy Violation	53	183	122
Subject Inactive	7	71	54
Totals	98		

As mentioned previously in this report, during the period of July 1, 2012 to December 31, 2012, the OIG received ninety-nine complaints. Of these ninety-nine complaints received, fifty-four of the complaints were also closed during the period of January 1, 2012 to June 30, 2012. The table below documents the number of days between the dates that these fifty-four complaints were received and the dates that these complaints were closed.

Complaints Received and Closed Between July 1, 2012 and December 31, 2012			
Reason Complaint Closed	Number of Complaints Closed	Average Number of Calendar Days to Close	Median Number of Calendar Days to Close
Referred / Deferred	32	1	1
Sustained	5	64	56
Not Sustained w/ Recommendations	2	70	70
Not Sustained / No Policy Violation	13	50	53
Subject Inactive	2	0	0
Total	54		

As of December 31, 2012, the OIG had eighty pending complaints. Forty-five of these pending complaints were received between July 1, 2012 and December 31, 2012.

OIG Reports Submitted – July 1, 2012 through December 31, 2012

During the reporting period of July 1, 2012 through December 31, 2012, the OIG submitted sixteen reports.² These sixteen reports included fourteen reports documenting sustained findings of waste, fraud and/or misconduct. The two other reports, which will be discussed later in this Bi-Annual Report, documented investigations resulting in not sustained findings; however, the OIG submitted various recommendations.

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

Pursuant to the provisions of Section 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 July 1, 2012 through December 31, 2012. These reports document fourteen investigations and recommend disciplinary or other action regarding eighteen employees and two vendors.

Case Number 12-0176

The OIG received a complaint that an hourly support staff member assigned to a City College was falsifying his attendance records. During the course of the investigation, the OIG learned that the employee was also an employee of another municipal agency. When the OIG compared the employee’s CCC time records with the employee’s swipe records from the other municipal agency, the OIG investigation revealed fourteen instances, totaling almost thirty-seven hours,

² Pursuant to 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.

when the employee's swipe times with the other municipal agency significantly conflicted with the times that he purportedly worked for CCC as recorded on his Certificates of Attendance. At his pay rate, these fourteen instances represented in excess of \$1,000 in pay to which he received from CCC when he was recorded as being present for work at the other municipal agency. The OIG investigation also revealed seventy instances when the employee's swipe-out time from the other municipal agency was the same or within six minutes, plus or minus, of his CCC start time, despite the fact that the Google Maps website revealed that it is a nine minute walk from the employee's job site at the other municipal agency to the employee's CCC work site. The OIG investigation revealed that the employee violated Section III and Sections IV(4), (7), (11), (17) and (50) of the CCC District-Wide Employee Manual. The OIG investigation also revealed that an associate dean signed twelve of the employee's fourteen Certificates of Attendance which conflicted with the employee's swipe times with the other municipal agency. As such, the associate dean violated Section IV(38) of the CCC District-Wide Employee Manual.

Prior to the submission of the OIG's findings, the hourly support staff member resigned from his position with CCC. The OIG recommended that the hourly support staff member be designated ineligible to be re-hired and that his personnel records reflect this designation. The OIG also recommended that CCC takes appropriate disciplinary action against the associate dean.

The hourly support staff member was designated as ineligible to be re-hired. The disciplinary process regarding the associate dean is pending.

Case Number 12-0169

The OIG conducted an investigation regarding billing and Minority Business Enterprise / Women Business Enterprise ("M/WBE") compliance by a CCC vendor regarding its contracts with CCC spanning the period of December 2007 through February 2012. The OIG investigation revealed the following:

- The vendor overbilled CCC by submitting invoices reflecting hourly rates for equipment which were significantly higher than the hourly rates to be charged for such equipment as agreed to by the vendor in its bid submission, in violation of Section 5.3.3(i) of the CCC Debarment Policy. The overbilling by the vendor totaled in excess of \$16,000.00.
- The vendor failed to meet the MBE direct participation goal of 25% of the contract price and the WBE direct participation goal of 7% of the contract price as set forth in its contracts with CCC, contrary to Section 4.3 of the CCC Minority & Women Business Enterprise Contract Participation Plan. The OIG investigation revealed that the vendor was unable to establish that it engaged in any direct MBE or WBE participation in its contracts with CCC.

- The vendor on its own essentially modified its MBE/WBE compliance bid/proposal by attempting to meet its contractual MBE and WBE goals with regard to its CCC contract via indirect participation despite the fact that its bid submission provided for direct M/WBE participation, in violation of Section 7.1(C) of the CCC Minority & Women Business Enterprise Contract Participation Plan.
- The vendor changed/added M/WBE participants, during the terms of its contracts, without receiving the prior written approval of the Office of M/WBE Contract Compliance, in violation of Section 9.1 of the CCC Minority & Women Business Enterprise Contract Participation Plan.
- The vendor failed to enter into and submit contracts or purchase orders from its M/WBE subcontractors to CCC within five working days after the contract award, in violation of Section 10.1 of the CCC Minority & Women Business Enterprise Contract Participation Plan.
- The vendor failed to submit notarized *Monthly and Quarterly Reports of Payments to MBE and WBE Subcontractors*, to attest to current payment amounts and cumulative dollar amounts of payments made throughout the terms of its contracts, in violation of Section 10.1 of the CCC Minority & Women Business Enterprise Contract Participation Plan.
- The vendor failed to maintain required documentation regarding its M/WBE subcontractors, in violation of Section 10.2 of the CCC Minority & Women Business Enterprise Contract Participation Plan.
- The chief engineer and the business manager assigned to a City College were incompetent in the performance of their respective positions, in that they failed to conduct any meaningful review of the invoices submitted to the College by the vendor by neglecting to review the hourly rates charged by the vendor and compare such rates to the rates agreed to by the vendor, in violation of Section IV(39) of the District-Wide Employee Manual.
- The Office of M/WBE Contract Compliance of the Department of Administrative and Procurement Services failed to adequately monitor the vendor's compliance with the CCC Minority & Women Business Enterprise Contract Participation Plan.

Based on the investigation, the OIG made the following recommendations:

- The OIG recommended that CCC immediately ceases doing business with the vendor and initiates debarment proceedings regarding the vendor pursuant to Section 5.3.5 of the CCC Debarment Policy.

- The OIG recommended that the Office of M/WBE Contract Compliance of the Department of Administrative and Procurement Services initiates the process provided in Section XI of the CCC Minority & Women Business Enterprise Contract Participation Plan regarding the vendor. If, pursuant to Section 11.3 and as found by the OIG, the Office of M/WBE Contract Compliance determines that the vendor has not met the applicable MBE or WBE goals and is not demonstrating or has not demonstrated every good faith (sic) to meet the goals, the Office of M/WBE Contract Compliance should impose the appropriate sanction(s) provided under Section 11.4 of the CCC Minority & Women Business Enterprise Contract Participation Plan.
- The OIG recommended that one of the sanctions imposed on the vendor for its violations of various sections of the CCC Minority & Women Business Enterprise Contract Participation Plan should be to pay the cost of the “investigator hours” expended during the course of the OIG investigation. The OIG conservatively determined that the 23.33 hours of investigative work conducted by an Investigator II and the 4.75 hours of investigative work conducted by a Supervising Investigator during the course of this investigation resulted in an expenditure of \$862.62 in investigator hours.
- The OIG recommended that CCC utilizes all legal but fiscally responsible remedies to recoup \$16,804.90 from the vendor.
- The OIG recommended that CCC takes appropriate disciplinary action against the chief engineer and the business manager.
- The OIG recommended that the Department of Administrative and Procurement Services makes copies of bid submissions/contracts approved by the Board of Trustees readily available to all of the Colleges and/or user departments. This will ensure that invoices submitted by vendors operating under District-Wide contracts can be meaningfully reviewed, including whether the agreed to/approved hourly rates were charged.

The disciplinary process regarding the vendor is pending. Likewise, the disciplinary process regarding the chief engineer and the business manager is pending.

Case Number 12-0154

The OIG conducted an investigation regarding M/WBE compliance by a CCC vendor regarding its two contracts with CCC spanning the period of May 2008 to March 2012. The OIG investigation revealed the following:

- The vendor failed to meet the MBE participation goal of 25% of the contract price and the WBE participation goal of 7% of the contract price as set forth in its contracts with CCC, contrary to Section 4.3 of the CCC Minority & Women Business Enterprise Contract Participation Plan. The OIG investigation revealed that the vendor had MBE participation of 14.71% or failed to meet its MBE participation goal by 41.17%. The OIG investigation revealed that the vendor had WBE participation of 0.60% or failed to meet its WBE participation goal by 91.08%.
- The vendor utilized a non-certified vendor as a WBE participant, contrary to Section 5.1 of the CCC Minority & Women Business Enterprise Contract Participation Plan.
- The vendor changed/added M/WBE participants during the terms of its contracts without receiving the prior written approval of the Office of M/WBE Contract Compliance, in violation of Section 9.1 of the CCC Minority & Women Business Enterprise Contract Participation Plan.
- The vendor failed to submit notarized *Monthly and Quarterly Reports of Payments to MBE and WBE Subcontractors*, to attest to current payment amounts and cumulative dollar amounts of payments made to date, throughout the terms of its contracts, in violation of Section 10.1 of the CCC Minority & Women Business Enterprise Contract Participation Plan. Likewise, CCC failed to enforce such vendor reporting requirements.
- A Board Report authorizing the extension of the initial CCC contract with the vendor for two additional years reflected that CCC reviewed the original agreement with the vendor and determined that “it is in compliance with the MBE and WBE components” of the CCC Minority & Women Business Enterprise Contract Participation Plan. However, the OIG investigation revealed that the vendor was not in fact in compliance with the CCC Minority & Women Business Enterprise Contract Participation Plan.
- Another Board Report authorizing the extension of the second CCC contract with the vendor for two additional years reflected that CCC reviewed the original agreement with the vendor and determined that it “remains in compliance” with the CCC Minority & Women Business Enterprise Contract Participation Plan. However, the OIG investigation revealed that the vendor was not in fact in compliance with the CCC Minority & Women Business Enterprise Contract Participation Plan.

Based on the investigation, the OIG made the following recommendations:

- The OIG recommended that CCC initiate the process provided in Section XI of the CCC Minority & Women Business Enterprise Contract Participation Plan. If, pursuant to Section 11.3 and as found by the OIG, CCC determined that the vendor had not met the applicable MBE or WBE goals and is not demonstrating or has not demonstrated every good faith (sic) to meet the goals, CCC should impose the appropriate sanction(s) provided under Section 11.4 of the CCC Minority & Women Business Enterprise Contract Participation Plan.
- The OIG recommended that one of the sanctions imposed on the vendor for its violations of various sections of the CCC Minority & Women Business Enterprise Contract Participation Plan should be to pay the cost of the “investigator hours” expended during the course of the OIG investigation. The OIG conservatively determined that the forty-four hours of investigative work conducted by an Investigator II and the one hour of investigative work conducted by a Supervising Investigator during the course of this investigation resulted in an expenditure of \$1,308.66 in investigator hours.

The disciplinary process regarding the vendor is pending.

Case Number 11-0074

The OIG conducted a review of a National Science Foundation grant awarded to CCC and administered by a full-time faculty member at a City College. The grant provided funds for research, conducted by the full-time faculty member and four CCC students, in a foreign country. The grant was used to fund trips in 2010 and 2011. The OIG review of the expenditures and administration of the grant funds revealed the following:

- The full-time faculty member falsified employment records, in that he submitted at least two altered and/or fraudulent lodging receipts totaling no less than the equivalent of \$710.00 as support for expenditures of advanced funds, in violation of Section IV(11) of the CCC District-Wide Employee Manual.
- The full-time faculty member engaged in conduct prohibited by the Illinois Compiled Statutes, in that he engaged in conduct constituting the offense of Forgery, as provided in 720 ILCS 5/17-3, in violation of Section IV(15) of the CCC District-Wide Employee Manual.

- In various ways, the full-time faculty member misappropriated CCC / National Science Foundation funds, in violation of Section IV(17) of the CCC District-Wide Employee Manual, specifically:
 - He submitted at least two altered and/or fraudulent receipts totaling no less than the equivalent of \$710.00 purportedly for accommodation expenses as support for expenditures of advanced funds.
 - In fifteen instances, he submitted no less than the equivalent of \$345.25 in duplicate receipts as support for expenditures of advanced funds.
 - Regarding the two trips to the foreign country, he submitted in excess of \$12,000.00 in vehicle rental expenses, \$790.44 in insurance expenses, in excess of \$2,400.00 in vehicle maintenance expenses, and in excess of \$1,500.00 in fuel expenses for use of a vehicle that he in fact owned.

- In numerous ways, the full-time faculty member mismanaged CCC / National Science Foundation funds provided to him as cash advancements prior to the 2010 and 2011 trips to the foreign country, in violation of Section IV(37) of the CCC District-Wide Employee Manual, specifically:
 - He submitted at least two altered and/or fraudulent receipts totaling no less than the equivalent of \$710.00 purportedly for accommodation expenses as support for expenditures of advanced funds.
 - He submitted no less than the equivalent of \$26.14 in receipts reflecting expenses for alcohol as support for expenditures of advanced funds.
 - In fifteen instances, he submitted no less than the equivalent of \$345.25 in duplicate receipts as support for expenditures of advanced funds.
 - He listed a \$1,690.00 expense for pay for foreign field assistants during the 2011 trip as support for the expenditure of advanced funds, but only provided a receipt for \$750.00.
 - During the 2010 trip, he provided cash advances totaling the equivalent of \$355.79 to each student for food but failed to request or obtain receipts from the students and/or failed to maintain an itemized list of expenses incurred.
 - During the 2011 trip, he provided cash advances totaling the equivalent of \$266.12 to each student for food but failed to request or obtain receipts from the students and/or failed to maintain an itemized list of expenses incurred.
 - Regarding the two trips, he submitted in excess of \$12,000.00 in vehicle rental expenses, \$790.44 in insurance expenses, in excess

of \$2,400.00 in vehicle maintenance expenses, and in excess of \$1,500.00 in fuel expenses for use of a vehicle that he in fact owned.

- The full-time faculty member was incompetent in the performance of the duties of his position, in that during the 2010 trip he left the students unattended in the capital city of the foreign country, while spending time with his family, in violation of Section IV(39) of the CCC District-Wide Employee Manual.
- Regarding both the 2010 and 2011 trips, the full-time faculty member submitted no less than the equivalent of \$26.14 in receipts reflecting expenses for alcohol as support for the expenditure of advanced funds, in violation of Section 5.01(A) of the City Colleges of Chicago Operations Manual in effect at the time and the *Cost Principles for State, Local, and Indian Tribal Governments*, 2 CFR Part 225, Appendix B.
- Regarding both the 2010 and 2011 trips, the full-time faculty member failed to request or obtain receipts from students to whom he advanced funds for food, in violation of Section 5.3.7 of the Board Rules for Management and Government, in effect at the time.
- Regarding the 2010 trip, the full-time faculty member failed to submit a receipt to support an expenditure of the equivalent of \$367.00 for lodging expenses, in violation of §301-52.4(b)(1) of the Federal Travel Regulations.
- Regarding the 2010 trip, the full-time faculty member failed to submit four receipts totaling \$742.00 for expenditures costing more than \$75.00, in violation of §301-52.4(b)(2) of the Federal Travel Regulations.
- The full-time faculty member made false, inaccurate or deliberately incomplete statements during interviews with the OIG, in violation of Section IV(8) of the CCC District-Wide Employee Manual.
- Based on all of the above, the full-time faculty member engaged in conduct unbecoming a public employee, in violation of Section IV(50) of the CCC District-Wide Employee Manual.

Based on the OIG investigation, the OIG recommended that the full-time faculty member be terminated, that he be designated ineligible to be re-hired and that his personnel records reflect this designation. The OIG also recommended that CCC utilizes all legal but fiscally responsible remedies to recoup at least \$7,607.25 from the full-time faculty member. The OIG further recommended that CCC notifies the National Science Foundation of the misconduct engaged in by

the full-time faculty member regarding the inappropriate expenditure of National Science Foundation funds.

At the initiation of the disciplinary process, the full-time faculty member resigned from his position with CCC and reimbursed CCC the sum of \$4,733.89. The full-time faculty member was subsequently designated ineligible to be re-hired.

OIG Number 13-0027

The OIG received a complaint that a college clerical assistant II assigned to a City College fraudulently created an e-mail to appear as if it was previously written and sent to him by his supervisor. The OIG investigation revealed that the college clerical assistant fraudulently created an e-mail, which documented a purported conversation with his supervisor regarding his special accommodation request, to appear as if it was previously sent to him by his supervisor. The college clerical assistant subsequently sent the e-mail, as an attachment to another e-mail, to his supervisor and twelve other individuals, both CCC employees and others. The college clerical assistant violated Sections IV(11) and (15) by creating and sending the fraudulent e-mail.

The OIG recommended that the college clerical assistant be terminated. The OIG further recommended that college clerical assistant be designated ineligible to be re-hired and that his personnel records reflect this designation. Following the disciplinary process, the Board of Trustees approved the termination of the college clerical assistant and he was subsequently deemed ineligible to be re-hired.

Case Number 13-0052

The OIG received a complaint that the same college clerical assistant II discussed above under Case Number 13-0027 presented two more fraudulently created e-mails during his pre-disciplinary hearing regarding the above discussed OIG investigation. In this second investigation of the college clerical assistant, the OIG revealed that the college clerical assistant II fraudulently created two e-mails that he presented as evidence at his pre-disciplinary hearing. One of these e-mails was created to appear as if it was authored by him and previously sent to his supervisor, while the other e-mail was created to appear as if it was authored by him and previously sent by him to a computer lab manager assigned to the College.

Prior to the submission of the Investigative Summary documenting this investigation, the Board of Trustees approved the termination of the college clerical assistant as a result of the previous OIG investigation. The OIG recommended that the college clerical assistant be deemed ineligible to be re-hired. Subsequently, he was in fact deemed ineligible to be re-hired.

Case Number 13-0021

The OIG received a complaint that during August 2012, a full-time faculty member at a City College falsified his attendance records by representing on Certificates of Attendance that he worked when in fact he was not present for work. The investigation revealed that on July 27, 2012, the full-time faculty member submitted a Certificate of Attendance reflecting that he would be working on August 8, 2012, August 9, 2012, and August 10, 2012, when in fact he knew that he would be on a pre-planned vacation in Hawaii during those three days and did not in fact work. At no time upon his return to work following the trip did he submit an amended Certificate of Attendance reflecting that he did not in fact work on those three days. As such, the OIG investigation revealed that the full-time faculty member falsely represented to a superior the quantity of work performed, in violation of Section IV(7) of the City Colleges of Chicago District-Wide Employee Manual; the full-time faculty member falsified his attendance records, in violation of Section IV(11) of the City Colleges of Chicago District-Wide Employee Manual; and the full-time faculty member failed to correct an erroneously submitted Certificate of Attendance no later than the first payroll in which he actively worked following the submission of the erroneous certificate, in violation of Section 4.11(c) of the Board Policies and Procedures for Management and Government.

The OIG recommended that CCC takes appropriate disciplinary action against the full-time faculty member. The OIG further recommended that CCC uses all legal but fiscally responsible remedies, such as the docking of future pay or deducting vacation days from his current balance, to recoup \$1,954.51 from the full-time faculty member for salary that he was paid to which he was not entitled.

The disciplinary process regarding the full-time faculty member is pending.

OIG Case Number 12-0187

The OIG received a complaint that a program director made inappropriate comments to a female employee under his supervision. The OIG investigation revealed that on numerous occasions, the program director called the employee a “bitch” and on numerous occasions made offensive comments about the employee’s weight. Therefore, the program director treated the employee discourteously, in violation of Section IV(22) of the CCC District-Wide Employee Manual.

The OIG recommended that CCC takes appropriate disciplinary action against the program director. Following the disciplinary process, the program director was terminated and was designated ineligible to be re-hired.

Case Number 11-0140

The OIG received a complaint that a full-time faculty member assigned to a City College resided outside the City of Chicago. The OIG investigation revealed that the full-time faculty member resided in Norridge, Illinois, in violation of Section 4.6(a) of the Board Policies and Procedures for Management & Government and Section III of the CCC District-Wide Employee Manual. Additionally, the OIG investigation revealed that the full-time faculty member falsified employment records, in that on a CCC residency certification document, she fraudulently affirmed that she resided in Chicago, Illinois when in fact she resided in Norridge, Illinois, in violation of Section IV(11) of the CCC District-Wide Employee Manual.

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

Prior to the disciplinary process, the full-time faculty member retired from her position with CCC. The full-time faculty member was designated ineligible to be re-hired.

Case Number 12-0095

The OIG received a complaint that a student of a middle college received credit to which she was not entitled. The OIG investigation revealed the following:

- A college career coach, a college clerical assistant I and an instructor, who were teaching summer classes, each provided their individually assigned passwords to various students which allowed students to access on-line course tests without being present at the school and in the presence of their instructor. Such disclosure of passwords was a violation of Section 6.3 of the Board Policies and Procedures for Management & Government.
- The college career coach also provided credit to students for completing on-line courses despite the fact that these students were not assigned to the courses, provided credit to numerous students for completing on-line courses despite the fact that the students did not complete the requisite assignments in these courses, and provided students with more credits than the maximum amount allowed for completing on-line courses.
- The college clerical assistant I provided credit to numerous students for completing on-line courses despite the fact that the students did not complete the requisite assignments in these courses.
- The instructor provided credit to numerous students for completing on-line courses despite the fact that these students were not assigned to the

courses, provided credit to students for completing on-line courses despite the fact that the students did not complete the requisite assignments in these courses, provided credit to students for completing on-line courses in which they had already received credit, resulting in these students receiving credit twice for completing the same course during the 2011 summer session, and did not log-in to the on-line program either on or after the last day of the program; thus, he could not have properly assessed the students and given them each a fair grade based upon their actual work in their courses.

- A teacher neglected to properly monitor the courses and to supervise the above discussed employees during the 2011 summer session, registered students for more than the maximum number of courses for which students were allowed to receive credit, and the teacher registered six students for the same course twice, resulting in five of these students receiving duplicate credits for the same course.

In all, the OIG investigation further revealed that a total of 19.25 credit hours (summer courses being worth .25 credit hours per course) were awarded to 32 students who received a passing grade in 65 courses, when in fact, only a total of 1.50 credit hours should have been awarded to 3 of 32 students who completed 6 of 65 courses. Thus, a total of 17.75 credit hours were improperly awarded to students who did not complete the requisite assignments in 59 courses. A total of 10.75 credit hours were improperly awarded to 17 students who were registered in 36 courses during the 2011 summer session, but were no longer enrolled as of the 2011 fall semester. A total of 7.00 credit hours were withdrawn by the middle college from the records of 12 students who were enrolled at the middle college as of the 2011 fall semester and who were registered in a total of 23 courses during the 2011 summer session.

In that the four employees left their positions with CCC prior to the submission of the OIG's findings, the OIG recommended that the four employees be designated ineligible to be re-hired and that his/her personnel records reflect this designation. Subsequently, the four employees were deemed in-eligible to be re-hired.

Case Number 13-0058

The OIG received a complaint that false information was provided to a loan company by a CCC employee when the loan company sought employment verification from CCC. The OIG investigation revealed that a staff assistant assigned to the District Office provided false information to a loan company seeking employment verification that the mother of the staff assistant was a CCC employee. The mother of the staff assistant was not and has never been a CCC employee. During one call, the loan company was informed that the staff assistant's mother was a current CCC employee and had been a CCC employee

since May 2008. During a subsequent call, the loan company was informed that the mother of the staff assistant was a former CCC employee. In providing the false information to the loan company, the staff assistant gave preferential treatment in the course of employment to another, specifically her mother, in violation of Section IV(26) of the CCC District-Wide Employee Manual.

The OIG recommended that CCC takes appropriate disciplinary action against the staff assistant. The staff assistant's position was subsequently eliminated.

Case Number 13-0009

The OIG received a complaint alleging that during the period that a librarian served as the library chairperson at a City College, the librarian failed to ensure that in excess of \$46,000 in services provided by a state database to the College library were paid, in compliance with the City Colleges of Chicago procurement procedures. The OIG investigation revealed the following:

- For various reasons, the librarian was incompetent in the performance of his duties as the College library chairperson, in violation of Section IV(39) of the City Colleges of Chicago District-Wide Employee Manual, including the following:
 - Since January 2006, when he was appointed the College library chairperson, the librarian failed to ensure that the College library paid for services that the College library received from the state database totaling in excess of \$46,000.
 - At some time after August 29, 2011, when the librarian finally decided to take some action regarding the unpaid invoices, the librarian still did not take the necessary steps to get the matter resolved.
 - The librarian failed to competently supervise a college library assistant III in order to confirm that the college library assistant was fulfilling his responsibility of completing requisitions and processing invoices for payments to ensure that the state database would be paid by the College library for its services in a timely manner.
 - The librarian never responded to the executive director of business operations' request for information from him regarding the unpaid invoices.
- Since January 2006, the librarian failed to ensure that the state database and other vendors were paid in a timely manner, in violation of Section 4.02(A) of the CCC Operations Manual, adopted on September 3, 2008 as well as Section 1.7(A) of the Board Policies and Procedures for Management and Government, adopted on December 1, 2011.
- The college library assistant was incompetent in the performance of his duties, in that he failed to complete requisitions and process invoices for

payment to ensure that the state database and other vendors were paid by the College library for its services in a timely manner, in violation of Section IV(39) of the CCC District-Wide Employee Manual.

- Since January 2006, the college library assistant failed to ensure that the state database and other vendors were paid in a timely manner, in violation of Section 4.02(A) of the CCC Operations Manual, adopted on September 3, 2008 as well as Section 1.7(A) of the Board Policies and Procedures for Management and Government, adopted on December 1, 2011.

Based on the investigation, the OIG recommended that CCC takes appropriate disciplinary action against the librarian and the college library assistant. The OIG also recommended that in order to ensure that the College does not underpay or overpay for the services provided by the state database, the College library and the College business office reconcile the total amount of debt that the College owes regarding the state database services. The OIG further recommended that the Office of Academic Affairs ensures that the agreement to be executed for fiscal year 2013 with the state database reflects that the annual membership fee for Daley College is \$6,072, and not \$8,096.

The disciplinary process regarding the librarian and the college library assistant III is pending.

OIG Case Number 12-0116

The OIG received a complaint that a full-time faculty member who also served as the advisor for a student organization at a City College failed to maintain proper records regarding the funds of the organization. The OIG investigation revealed that the full-time faculty member failed to deposit funds earned during fundraising events hosted by the student organization with the College's business office, in violation of Section 5.3.11 of the Board Rules for Management and Government, which was in effect at the time that she failed to deposit these funds, and in violation of various provisions of the CCC District-Wide Employee Manual. The full-time faculty member maintained the funds collected in a cash box in her desk. The OIG investigation also revealed that the full-time faculty member failed to maintain complete records of funds collected during fundraising events as well as failed to maintain complete records of funds purportedly expended as reimbursements to students, in violation of various provisions of the CCC District-Wide Employee Manual.

The OIG recommended that CCC takes appropriate disciplinary action against the full-time faculty member. The full-time faculty member was issued a written reprimand.

OIG Case Number 12-0175

The OIG received a complaint that during the 2011-2012 season, the head coach of the men's basketball team of a City College collected \$150.00 from each of several members of the men's basketball team under the threat that the failure to pay the money would preclude the individual member from playing in basketball games. The OIG investigation revealed that during the 2010-2011 and 2011-2012 seasons, the coach did in fact collect \$150.00 from several members of the College's men's basketball team under the threat that the failure to pay the money would preclude the individual member from playing in basketball games. Such conduct violated Section 5.2.5 of the CCC Ethics Policy and Section IV(44) of the CCC Chicago District-Wide Employee Manual as well as Section 7.0 (E) of the CCC Athletic Governance Policy.

During an interview with the OIG, the coach said that the money was collected as part of a fundraising project. Even assuming that the \$150.00 payments received by the coach from the members of the men's basketball team were part of a fundraising project, the coach failed to deposit the funds with the College's business manager, in violation of Section 5.3.11 of the Board Rules for Management & Government / Section 1.12.10 of the Board Policies and Procedures for Management and Government and his failure to deposit the funds and/or otherwise account for said funds, in violation of Section IV(17) of the CCC District-Wide Employee Manual.

Prior to the time that the OIG received the complaint, the coach resigned from his position with CCC. The OIG recommended that the coach be designated ineligible to be re-hired and that his personnel records reflect this designation. Subsequently, the coach was designated ineligible to be re-hired.

Reports Submitted of Investigations Resulting in Not Sustained Findings; however, the OIG Submitted Recommendations

Case Number 13-0014

The OIG received a referral of a complaint from the CCC Equal Employment Opportunity Office ("EEO") regarding an allegation of gender-based discrimination based on unequal pay. The CCC EEO referred the complaint to the OIG due to a potential conflict of interest.

The OIG investigation did not reveal sufficient evidence to support a sustained finding of gender-based discrimination when the case is analyzed under the provisions of the Equal Pay Act (29 U.S.C. §206(d)(1)). The OIG investigation revealed that when the female complainant / employee was appointed to an interim position at a City College, she was assigned a salary consistent with the CCC Classification and Pay Plan for interim appointments. In fact, during the same period, when the male employee, who was eventually promoted to the full position in which the female complainant / employee served as interim, was

appointed to the same interim position at a different City College, he too was assigned the same salary per the CCC Classification and Pay Plan.

The OIG investigation further revealed that while the pay difference between the female employee's salary in the interim position and the male employee's salary, when he was eventually promoted to the full position, may establish a *prima facie* case of discrimination under the Equal Pay Act, CCC provided a factor other than sex to support the pay disparity. Thus, the gender-based discrimination claim would fail under the Equal Pay Act analysis.

Although the OIG investigation did not reveal that the female employee was the victim of gender-based discrimination, the OIG investigation revealed the following:

- The male employee was promoted from a position at a City College to a higher position at another City College and received a salary in excess of the minimum range of the salary for the position, contrary to Section C(3) of the CCC Classification and Pay Plan.
- CCC lacks a procedure to ensure that interim appointments, which exceed the six month limit as provided in the CCC Classification and Pay Plan, are reviewed. The female employee served in the interim position for a period of about seventeen months.

Based on the above findings, the OIG made the following recommendations:

- The OIG recommended that the Office of Human Resources and Staff Development should consistently follow the guidelines set forth in the CCC Classification and Pay Plan when assigning salaries. In those circumstances where it is fairly and objectively determined that a salary be assigned in excess of CCC Classification and Pay Plan guidelines, the OIG recommends that the factors and rationale supporting such decision be specifically documented and maintained in the employee's personnel file.
- The OIG recommended that the Board of Trustees adopts a policy requiring the Office of Human Resources and Staff Development to review all interim appointments, when such appointments approach the six month limit set forth by the City Colleges of Chicago Classification and Pay Plan, in order to determine whether fair and objective justification exists to maintain the interim status of the position.
- The OIG recommended that the Office of Human Resources and Staff Development develops procedures to identify all interim

appointments that are approaching the six month threshold, and develops processes and criteria to review the continued appropriateness of such interim appointments. In those circumstances where it is fairly and objectively determined that an interim appointment continue beyond a six month period, the OIG recommends that the factors and rationale supporting such decision be specifically documented and maintained in the employee's personnel file.

OIG Number 13-0043

The OIG received a complaint that security officers assigned to a City College used excessive force during the course of an incident with a student of the College which resulted in the student being arrested for disorderly conduct and battery. The OIG investigation consisted of interviews of the student, six staff members, another student and five security personnel. Based on these interviews, the OIG investigation did not reveal that the security officers utilized excessive force during the course of the incident.

During the course of this investigation, the OIG obtained and reviewed memos purportedly written by three individual security officers involved in the incident. This review revealed that the memos were identical, including the misspelling of the director of security's name, except for each officers' signature. The memos provided little, if any specific facts regarding the incident. The one specific that the memos did provide, the date of the incident, was incorrect. Moreover, the officers contradicted each other as well as themselves when answering questions regarding the creation of the memos.

Based on these issues, the OIG recommended that the Department of Safety and Security implements training and policies regarding report writing for security personnel, specifically including the need for accuracy and thoroughness and the need for reports to be reviewed for accuracy and thoroughness prior to submission.

REPORT

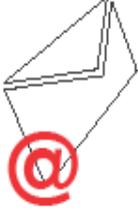
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regarding City Colleges of Chicago officials, employees, or those doing business with the City Colleges to the Office of the Inspector General

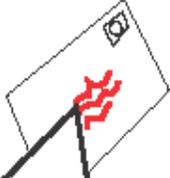
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- July 1, 2012 to December 31, 2012