



Office of the Inspector General City Colleges of Chicago



Office of the Inspector General Bi-Annual Report July 1, 2021 – December 31, 2021

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

Lamesha Smith
Inspector General

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To: Juan Salgado, Chancellor
Dr. Walter E. Massey, Chair of the Board of Trustees
Elizabeth Swanson, Vice-Chairperson of the Board of Trustees
Peggy A. Davis, Secretary of the Board of Trustees
Karen Kent, Trustee
Laritza Lopez, Trustee
Deborah H. Telman, Trustee
Darrell A. Williams, Trustee
Imran Fazal Hoque, Student Trustee

From: Lamesha Smith, Inspector General

Date: February 22, 2022

RE: Office of the Inspector General *Bi-Annual Report* for the period of July 1, 2021 through December 31, 2021

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 July 1, 2021 through December 31, 2021. Pursuant to Article 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.

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

The Office of the Inspector General for the City Colleges of Chicago has the authority to conduct investigations regarding waste, fraud and misconduct by any officer, employee, 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 full scope of the powers and duties of the OIG can be found in Article 2.7 of the Bylaws of the Board of Trustees, which can be accessed here: <https://www.ccc.edu/departments/Documents/Board%20Bylaws.pdf>.

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.

Make a Confidential Complaint

Anyone can make a confidential complaint regarding waste, fraud and misconduct involving CCC programs, Board members, officials, employees, or those doing or seeking to do business with CCC in any manner with which they are comfortable, including the methods listed below:

- **Clicking** [here and submitting](#) a confidential complaint online
- **Sending** an e-mail to InspectorGeneral@ccc.edu
- **Calling** the OIG Fraud Hotline at (312) 553-3399
- **Mailing** a letter to:
The Office of the Inspector General
City Colleges of Chicago
740 North Sedgwick Street
Suite 310
Chicago, Illinois 60654
- **Making** an in-person complaint at 740 North Sedgwick, Suite 310

New Developments

Updates to Federal Criminal Case

As discussed in the OIG Bi-Annual Report for the period of July 1, 2019 through December 31, 2019, on November 19, 2019, as a result of an investigation initiated by the OIG, and worked in partnership with the Federal Bureau of Investigation (“FBI”) and the Office of the United States Attorney for the Northern District of Illinois, a federal grand jury indicted three CCC employees (a former vice chancellor, a former project director, and a now former liaison with local government agencies) as well as five CCC vendors.¹ The indictment totaled sixteen counts of wire fraud and two counts of making a false statement to the FBI.

In the *Bi-Annual Report*, for the reporting period of July 1, 2020 through December 31, 2020, the OIG detailed the dispositions regarding two of the defendants. During the reporting period of July 1, 2021 through December 31, 2021, the OIG received restitution payments for those two defendants. The details are summarized as follows.

- Tiffany Capel, the principal of a now former CCC vendor, was originally charged with one count of wire fraud.² In August 2020, Tiffany Capel entered into an Agreement to Defer Prosecution, which was approved by Judge Dow of the United States District Court for the Northern District of Illinois on August 17, 2020. Under the terms and conditions of the agreement, Tiffany Capel agreed

¹ Copies of the press release from the United States Attorney for the Northern District of Illinois and the indictment can be accessed at the following link: <https://www.justice.gov/usao-ndil/pr/federal-indictment-charges-former-vice-chancellor-city-colleges-chicago-devising>.

² As was documented in the previous *Bi-Annual Report*, for the period of January 1, 2021 through June 30, 2021, effective August 5, 2021, Tiffany Capel and the vendor company were permanently debarred from doing any future business with CCC.

- not to violate any laws as well as to abide by various other terms and conditions, including paying \$15,000 in restitution to CCC.
- In August 2021, the OIG received a partial restitution payment in the amount of \$700.00 via check for Tiffany Capel. Subsequently, the OIG provided the aforementioned restitution check to the CCC Controller's Office for deposit into CCC's treasury.
 - In October 2021, the OIG received another partial restitution payment in the amount of \$300.00 via check for Tiffany Capel. Subsequently, the OIG provided the aforementioned restitution check to the CCC Controller's Office for deposit into CCC's treasury.
- Marquita Payne, the principal of a now former CCC vendor, was originally charged with two counts of wire fraud.³ In December 2020, Marquita Payne entered into an Agreement to Defer Prosecution, which was approved by Judge Dow of the United States District Court for the Northern District of Illinois on December 21, 2020. Under the terms and conditions of the agreement, Marquita Payne agreed not to violate any laws as well as to abide by various other terms and conditions, including paying \$15,000 in restitution to CCC.
 - In August 2021, the OIG received a partial restitution payment in the amount of \$8,400.00 via check for Marquita Payne. Subsequently, the OIG provided the aforementioned restitution check to the CCC Controller's Office for deposit into CCC's treasury.
 - In September 2021, the OIG received a restitution payment in the amount of \$6,600.00 via check for Marquita Payne. Subsequently, the OIG provided the aforementioned restitution check to the CCC Controller's Office for deposit into CCC's treasury. The aforementioned restitution payment was the remaining balance of the restitution that Marquita Payne was ordered to pay to CCC.

³ As was documented in the previous *Bi-Annual Report*, for the period of January 1, 2021 through June 30, 2021, effective August 5, 2021, Marquita Payne and the vendor company were permanently debarred from doing any future business with CCC.

Update to Reports Documented in Previous Bi-Annual Report

Update regarding recommendation made during the January 1, 2021 to June 30, 2021 reporting period

Among the reports documented in the *Bi-Annual Report* submitted for the January 1, 2021 to June 30, 2021 reporting period, the only outstanding update was regarding a recommendation that the OIG made relevant to OIG Case Number 21-0043.

Regarding OIG Case Number 21-0043, the OIG submitted a report documenting an OIG investigation which revealed that in August 2020 and October 2020, a college senior storekeeper assigned to a City College, who previously worked as an employee in the Central Stores Department of a City College, charged a total of three personal shipments not related to City Colleges of Chicago, totaling \$62.91 to the Federal Express (“FedEx”) account of the City College and such costs were charged to and paid by that City College. However, the OIG investigation did not conclusively reveal that the employee intentionally charged those three personal shipments to the FedEx account of the City College. Because the OIG investigation did not conclusively reveal that the employee intentionally charged the three personal shipments to the FedEx account of the City College, the OIG did not find that the employee violated any CCC policy.

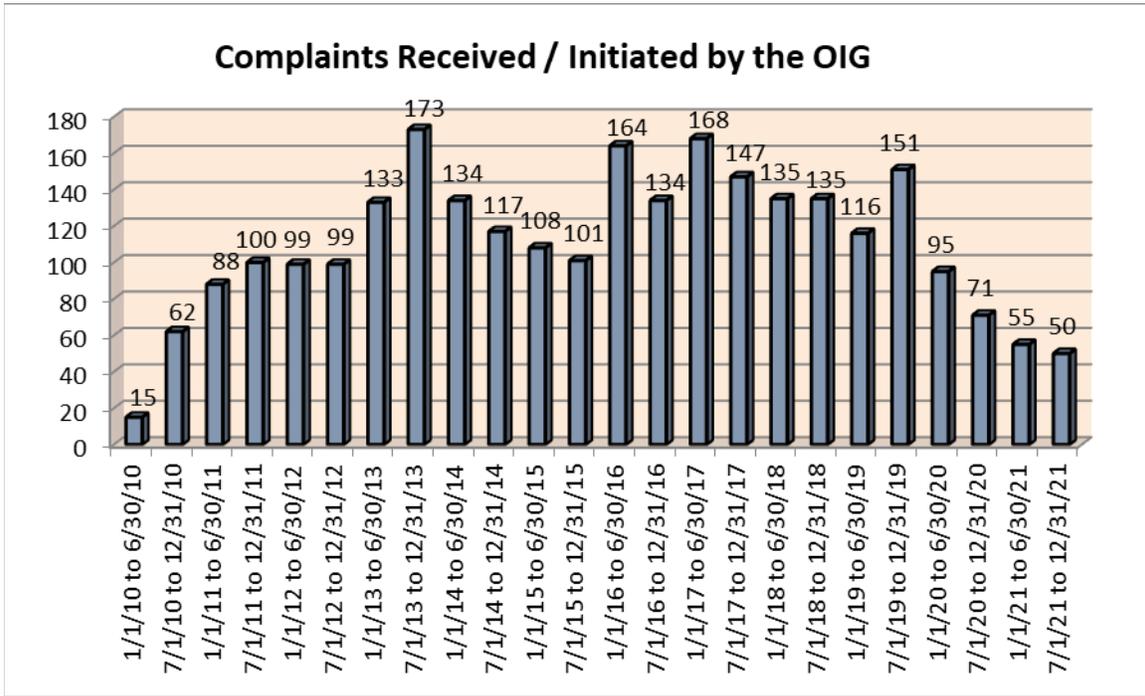
Based on the investigation, the OIG made various recommendations, including the following:

- The OIG did not recommend any disciplinary action against the employee.
- As the employee personally benefitted from the City College paying for his three personal FedEx shipments, the OIG recommended that the employee reimburse the City College in the amount of \$62.91 for the cost of the employee’s three personal FedEx shipments that were charged to and paid for by the City College.

On August 26, 2021, the OIG was notified by the Office of Human Resources that the Finance Department informed the Office of Human Resources that the employee reimbursed CCC.

Complaints Received

For the period of July 1, 2021 through December 31, 2021, the OIG received 50 complaints. These 50 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 The following table documents the complaints received by the OIG during the current and previous reporting periods.



The 50 complaints received represent a variety of subject matters. The following table documents the subject matters of the complaints received.

⁴ Under Article 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 of Complaints Received from July 1, 2021 to December 31, 2021		
Subject Matter (Allegation)	Number	Percentage
Falsification of Documents	1	2.00%
Use of CCC Property for Unauthorized Purposes	1	2.00%
Drinking Alcohol During Working Hours	1	2.00%
Conduct Unbecoming a Public Employee	1	2.00%
Violation of Computer Use Policy	1	2.00%
Engaging in Conduct in Violation of the Illinois Compiled Statutes	1	2.00%
Unknown	1	2.00%
Failing to Comply with Rules Governing Health, Safety, and Sanitary Conditions	2	4.00%
Hostile Working Environment	2	4.00%
Retaliation	2	4.00%
Theft	2	4.00%
Violation of Outside Employment Policy	2	4.00%
Unfair Treatment	2	4.00%
Violation of CCC Ethics Policy	2	4.00%
Residency	3	6.00%
Giving Preferential Treatment	4	8.00%
Inattention to Duty	4	8.00%
Discourteous Treatment	4	8.00%
Fraud (including identity theft and financial aid fraud)	6	12.00%
Falsification of Attendance Records	8	16.00%
Total	50	100.00%

Status of Complaints

As reported in the previous *Bi-Annual Report*, as of June 30, 2021, the OIG had 67 pending complaints, meaning that the OIG was investigating these complaints. During the period of July 1, 2021 to December 31, 2021, the OIG closed 52 complaints. The following chart categorizes the reasons that the OIG closed the 52 complaints during the current reporting period.

Complaints Closed Between July 1, 2021 to December 31, 2021		
Reason Closed	Number	Percentage
Sustained	2	3.85%
Not Sustained / No Policy Violation	25	48.08%
Referred / Deferred	14	26.92%
Subject Inactive	5	9.62%
Duplicate Complaint	2	3.85%
Complaint Included with Another Active Investigation	3	5.77%
Administratively Closed	1	1.92%
Totals	52	100%

Regarding the complaints closed during the period of July 1, 2021 to December 31, 2021, the table below documents, (1) the average number of calendar days between the date that the complaints were received and the date that the complaints were closed, and (2) compares them 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 (January 1, 2021 to June 30, 2021).⁵

Average Calendar Days to Close				
Reason Closed	1/1/21 to 6/30/21		7/1/21 to 12/31/21	
	Number	Average Calendar Days to Close	Number	Average Calendar Days to Close
Sustained	0 ⁶	-	2	181
Completed Board Mandated Audit	1	148	-	-
Not Sustained but Report Submitted with Recommendations	1	206	0	-
Not Sustained / No Policy Violation	32	300	25	193
Referred / Deferred	17	0	14	4
Subject Inactive	11	44	5	304
Duplicate Complaint	5	1	2	2
Complaint Included with An Active Investigation	0	-	3	0
Administratively Closed	0	-	1	1
Totals	67		52	

Pending Complaints

As of December 31, the OIG had 64 pending complaints. Nineteen of these 64 pending complaints (29.7%) were received between July 1, 2021 and December 31, 2021, and 12 of these 64 pending complaints (18.8%) were received between January 1, 2021 and June 30, 2021.

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 2.7.3 of the Board Bylaws.

⁶ As discussed in the *Bi-Annual Report* regarding the period of January 1, 2021 through June 30, 2021, the OIG issued three reports during that reporting period, and one of those reports was a sustained investigation regarding OIG Case Number 17-0179. However, OIG Case Number 17-0179 remains an active investigation while the remaining defendants' criminal cases are pending. As such, this table reflects zero closed cases that were sustained instead of one.

OIG Reports Submitted – July 1, 2021 to December 31, 2021

During the reporting period of July 1, 2021 to December 31, 2021, the OIG submitted two reports.⁷ Those two reports documented sustained findings of waste, fraud and/or misconduct.

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

OIG Case Number 21-0069

The OIG received a complaint alleging that two individuals came to the home of a member of the public and told her that they were representatives of a City College. Those two individuals asked the member of the public for donations to the CCC Star Scholarship. It was further alleged that one of the individuals asked the member of the public to write the checks in the names of those two individuals. The member of the public did not write the checks, the two individuals left the home, and the incident was reported to the CCC Call Center. Based on this allegation, the OIG initiated an investigation.

The OIG investigation revealed that one of the two aforementioned individuals was a CCC student who was most recently enrolled during the Summer 2021 term. The other individual was not a CCC student or employee. Regarding the student, the OIG found that the student engaged in dishonesty involving college documents and identification cards, in that on various occasions, the student used a CCC identification card and/or the CCC/City College name and/or logo to misrepresent to members of the public that the student was seeking donations for the CCC Star Scholarship Program, in violation of Section 8.18(d)(2) and Section 8.18(d)(2.1c) of the CCC Academic and Student Policy.

The OIG found that on at least one occasion, which occurred in or around September 2020, as a direct result of the student's misrepresentations, one of the members of the public issued a check to the student in the student's name, specifically in the amount of \$109.00.

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

Subsequently, the President of the City College in which the student was last enrolled, advised that since the student was not active in the system, an indefinite hold should be placed on any attempts for the student to register or re-

⁷ Pursuant to Article 2.7.3 of the Board Bylaws, the Inspector General submits reports to the Chancellor, the Board Chairperson, and the General Counsel at the conclusion of an investigation with recommendations for disciplinary or other action.

enroll. Further, before the student could potentially register or re-enroll, a disciplinary hearing would be required.

Due to the potential criminal nature of the student's actions, and because the potential criminal activity affected members of the public in both Cook County and DuPage County, the OIG submitted the results of this investigation to the Illinois Office of the Attorney General. Subsequent to completing its review, the Illinois Office of the Attorney General informed the OIG that it would not pursue charges related to the investigation due to concerns about witness cooperation if criminal charges were pursued.

OIG Case Number 22-0019

The OIG received a complaint alleging that a part-time lecturer assigned to a City College was showing adult sites to his online classes. It was further alleged that a link to an adult site was visible on Zoom while the lecturer was teaching, and had been visible since the Fall 2021 term began. Based on this complaint, the OIG initiated an investigation.

The OIG investigation revealed the following:

- During the Fall 2021 term while teaching his assigned classes, the lecturer used his CCC Zoom account and displayed bookmarked tabs with descriptions and/or the portion of a name of websites of a pornographic/sexually explicit nature on the screen of his personal laptop, which may have caused discomfort or embarrassment to others, in violation of Section III of the District-Wide Employee Manual, specifically the Policies and Guidelines Governing the Use of Computing and Technology Resources.
- During the Fall 2021 term while teaching his assigned classes, the lecturer used his CCC Zoom account and displayed obscene or pornographic text on his bookmarked tabs, in violation of Article 6.4 of the Acceptable Use Policy, as outlined in the Board Policies and Procedures for Management and Government.
- The lecturer was inattentive to his duty as a representative of CCC, in that, while in the performance of his duties as a lecturer, during numerous class sessions via Zoom, he displayed bookmarked tabs with descriptions and/or the portion of a name of websites of a pornographic/sexually explicit nature on the screen of his personal laptop, in violation of Section IV(38) of the District-Wide Employee Manual.

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

At the time of submission of this Bi-Annual Report, the disciplinary process regarding the lecturer was pending.