



Office of the Inspector General City Colleges of Chicago

Office of the Inspector General Bi-Annual Report July 1, 2015 – December 31, 2015

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

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Inspector General

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To: Cheryl L. Hyman, Chancellor
Dr. Charles R. Middleton, Chair of the Board of Trustees
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Clarisol Duque, Secretary of the Board of Trustees
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From: John A. Gasiorowski, Inspector General

Date: February 19, 2016

RE: *OIG Bi-Annual Report* for the period of July 1, 2015 through December 31, 2015

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, 2015 through December 31, 2015. 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 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.

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 Previous Bi-Annual Reports

Updates regarding disciplinary recommendations made during the January 1, 2015 to June 30, 2015 reporting period

In the *Bi-Annual Report* submitted for the January 1, 2015 to June 30, 2015 reporting period, the OIG submitted sixteen 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 documents updates of disciplinary actions recommended by the OIG regarding CCC employees as well as the actions taken by CCC.

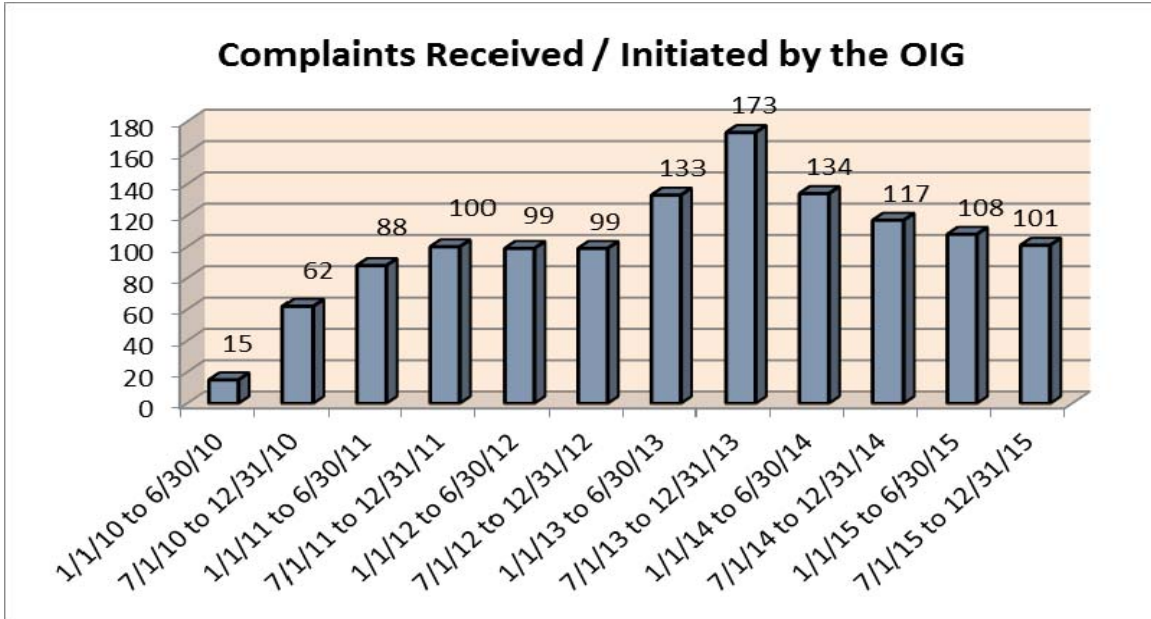
Case Number	Subject	Recommended Action	Action Taken
15-0100	College Lab Assistant I	Termination / DNRH ¹	
15-0089	Lecturer	Termination / DNRH	
15-0108	Note Taker	Termination / DNRH	
15-0001	Full-Time Faculty	Appropriate Discipline	1-day Suspension
15-0098	College Clerical Supervisor I	Resignation / DNRH	
	College Clerical Assistant II	Resignation / DNRH	
	College Clerical Assistant II	Resignation / DNRH	
15-0098	College Clerical Assistant II	Resignation / DNRH	
	College Storekeeper	Resignation / DNRH	
15-0054	Full-Time Faculty	Termination / DNRH	
15-0147	Technology Integration Specialist	Appropriate Discipline	Pending
15-0177	Janitor	Appropriate Discipline	5-day Suspension
15-0129	Business Manager	Termination / DNRH	
14-0113	Janitor	Termination / DNRH	
15-0010	Full-Time Faculty	Appropriate Discipline	None
15-0203	Security Officer	DNRH (following resignation)	
15-0104	Full-Time Faculty	DNRH (following resignation)	
15-0106	Full-Time Faculty	Termination / DNRH	Resignation / DNRH
15-0132	Technician	Appropriate Discipline	Written Warning

Complaints Received

For the period of July 1, 2015 through December 31, 2015, the OIG received 101 complaints. These 101 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.² For purposes of comparison to the number of complaints received during the period of July 1, 2015 through December 31, 2015, the following table documents the complaints received by the OIG during previous reporting periods.

¹ "DNRH" means "do not re-hire." In such cases, the employee is designated ineligible to be re-hired, and such designation is documented in the employee's personnel records.

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

Allegation	7/1/2015 to 12/31/2015	
	Number	%
Incompetence in the performance of the position	1	1%
Excessive tardiness	1	1%
Drinking alcohol during working hours	1	1%
Retaliation	1	1%
Fraud (including financial aid / tuition)	1	1%
Solicitation on CCC property	1	1%
Waste of Funds	1	1%
Violation of the Collective Bargaining Agreement	1	1%
Possession of Marijuana on duty	1	1%
Preferential Treatment	2	2%
Use of CCC property for unauthorized purposes	3	3%
Discourteous treatment	3	3%
Fraud in securing employment / Falsification of Employment Records	3	3%
Misappropriation of funds / Theft	4	4%
Engaging in conduct in violation of the Illinois Compiled Statutes	6	6%
Falsification of attendance records	9	9%
Violation of CCC Ethics Policy	12	12%
Sexual or other harassment / Discrimination	12	12%
Inattention to duty	19	19%
Residency	19	19%
Totals	101	100%

Status of Complaints

As reported in the previous *Bi-Annual Report*, as of June 30, 2015, the OIG had 88 complaints that were pending, meaning that the OIG was in the process of conducting investigations regarding these complaints. During the period of July 1, 2015 through December 31, 2015, the OIG closed 103 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; a review was completed and recommendations were made; and other reasons. The following chart categorizes the reasons that the OIG closed the 103 complaints during the current reporting period.

Complaints Closed Between July 1, 2015 and December 31, 2015		
Reason Closed	Number	%
Sustained	16	15.53%
Not Sustained / No Policy Violation	35	33.98%
Not Sustained with recommendations	1	0.97%
Review with recommendations	1	0.97%
Referred / Deferred	31	30.10%
Subject Inactive	7	6.80%
Duplicate Complaint	9	8.74%
Employee previously disciplined	1	0.97%
Complaint included with active investigation	2	1.94%
Totals	103	100.00%

Regarding the complaints closed during the period of July 1, 2015 to December 31, 2015, the table below documents the 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 (January 1, 2015 through June 30, 2015).³

³ 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 and 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.

Reason Closed	1/1/15 to 6/30/15		7/1/15 to 12/31/15	
	Number	Average Days to Close	Number	Average Days to Close
Sustained	17	220	16	303
Not Sustained / No Policy Violation	64	245	35	263
Not Sustained with Recommendations	0	0	1	1062
Referred / Deferred	26	1	31	1.7
Other	24	156	20	143
Totals	131		103	

As of December 31, 2015, the OIG had 86 pending complaints. Thirty-nine of these 86 pending complaints (45%) were received between July 1, 2015 and December 31, 2015, and 22 of these 86 pending complaints (26%) were received between January 1, 2015 and June 30, 2015.

OIG Reports Submitted – July 1, 2015 through December 31, 2015

During the reporting period of July 1, 2015 through December 31, 2015, the OIG submitted twenty reports.⁴ These twenty reports included: one report documenting an OIG review with recommendations; sixteen reports documenting sustained findings of waste, fraud and/or misconduct; two reports documenting not sustained findings but in which the OIG made recommendations; and one report documenting not sustained findings, which due to the public nature in which the allegations, the OIG determined that an Investigative Summary was appropriate.

Report Submitted Documenting an OIG Review

OIG Case Number 15-0193

The OIG initiated a review of invoices submitted to CCC by an office supply vendor after the OIG received an invoice from the vendor reflecting sales tax charges, despite the fact that CCC is exempt from payment of Retailers' Occupational Tax, the Service Occupation Tax (both state and local), the Use Tax, and the Service Use Tax, as required by Illinois law.

The OIG review revealed that for the period of January 2, 2015 through January 15, 2015, the vendor charged CCC more than \$2,280.00 in sales tax on sixty-nine invoices. In all, CCC paid sales tax charges totaling \$190.07 as reflected on twelve of sixty-nine (17%) invoices reflecting sales tax. The business offices at four of the City Colleges paid sales tax charges totaling \$160.68 on seven of sixty-four (11%) vendor invoices, while the business office for the District Office paid

⁴ Pursuant to Article 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.

sales tax charges totaling \$29.39 on all five (100%) of the invoices containing sales tax charges that were issued to the District Office.

The OIG review further revealed that although CCC did not pay the sales tax on 83% of the vendor invoices reflecting sales tax by “short paying” the invoices - that is, paying the invoice amount less the sales tax amount – vendor records continued to reflect the invoices as outstanding and the sales tax amounts as unpaid. While the business offices at the various City Colleges identified and did not pay the sales tax charges on these vendor invoices containing sales tax charges, these business offices failed to reconcile the vendor statements, thereby failing to identify that the unpaid sales tax charges were subsequently being reflected as outstanding balances.

As of September 2, 2015, at the OIG’s request, the vendor reconciled and closed the invoices that were reflected as having outstanding balances as a result of the inappropriately charged sales tax that was not paid by the various City Colleges.

As of September 23, 2015, at the OIG’s request, the vendor issued credit memos for the twelve invoices for which sales tax was paid by the four City Colleges and the District Office.

As a result of the review, the OIG recommended the following:

- The OIG recommended that the Accounts Payable Section of the Department of Finance ensures that the twelve credit memos issued by the vendor to cover the inappropriate sales tax charges paid by the four City Colleges and the District Office are immediately utilized to offset current balances so that the credits do not go unutilized.
- The OIG recommended that the Department of Finance requires the business offices at the various City Colleges and the District Office to perform monthly reconciliations on vendor statements received to ensure that amounts charged and balances are accurate and reflect all payments made and credits received.

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 July 1, 2015 through December 31, 2015.

OIG Case Number 13-0190

The OIG received a complaint that a director at a City College requested and accepted Family and Medical Leave Act (“FMLA”) leave purportedly since he needed to take care of his mother who suffered a stroke, when in fact he was seeking another employment position in Miami, Florida. The OIG investigation determined that the director resigned from his position with CCC effective April 26, 2013. As early as March 22, 2013, it was announced that the director was appointed to a director position at a university in Miami, Florida.

The OIG investigation revealed that the director used sick leave in an unauthorized manner for purposes other than allowed under CCC policy, specifically Section 4.13(e)(ii) of the Board Policies and Procedures for Management & Government, in that while utilizing twelve weeks of sick leave (February 4, 2013 to April 26, 2013) to purportedly care for his mother who was in Mexico, the director was in Chicago, Illinois, for at least two weeks (April 8, 2013 to April 19, 2013) of this period and in Florida for at least one week (April 22, 2013 to April 26, 2013) of this period. These fifteen days of unauthorized sick leave use resulted in the director receiving \$4,410.75 in salary to which he was not entitled and CCC’s payment of \$903.59 in premiums on the director’s behalf for benefits for which he would otherwise not have been entitled to receive. Such actions violated Section IV, Paragraphs 13 and 50 of the CCC District-Wide Employee Manual.

The OIG investigation further revealed the following:

- The director’s request for FMLA leave was approved despite the lack of the submission of a sufficient “Certification of Health Care Provider” Form to support the request, contrary to the “Family and Medical Leave Act-Review” portion of the CCC District-Wide Employee Manual.
- The director accrued 5.01 vacation days while on a leave of absence, contrary to Sections 4.13(1)(e)(i) and (viii) of the Board Policies and Procedures for Management & Government.
- The director accrued three days of sick leave while on a leave of absence, contrary to Sections 4.13(1)(e)(ii) and (viii) of the Board Policies and Procedures for Management & Government.
- The director was overpaid by \$588.10 during his FMLA leave in that he was paid twice for the two days of spring recess (March 28, 2013 and March 29, 2013) that fell during his FMLA leave.

Based on the OIG investigation, the OIG recommended the following:

- Since effective April 26, 2013, the director resigned from his position with CCC, the OIG recommended that the director be designated ineligible to be re-hired and that his personnel records reflect this designation. Subsequently, the director was designated ineligible to be re-hired.
- The OIG recommended that CCC uses all legal and fiscally responsible remedies to recoup at least \$6,196.49 from the director, including but not limited to the following:
 - The damages that occurred as a result of the director's fraudulent use of 15 days of sick leave valued at \$5,314.34;
 - The inappropriate duplicate payment for two days of spring recess valued at \$588.10; and
 - The vacation day that the director inappropriately accrued while on a leave of absence and for which he received a payout valued at \$294.05.
- The OIG recommended that the Payroll Department review its procedures to ensure that employees do not accrue vacation or sick time during leaves of absence, pursuant to Section 4.13(1)(e)(viii) of the Board Policies and Procedures for Management & Government.

The twelve weeks of paid leave at the director's salary rate amounted to \$17,642.88. This does not include CCC benefit payments on the director's behalf. As described above, at least three weeks of the leave was an inappropriate use of sick leave pursuant to the Board Policies and Procedures for Management & Government. Based on the OIG's lack of subpoena power, the OIG was not able to acquire evidence to determine whether any of the other nine weeks of the director's leave were inappropriate; thus, the amount of salary paid to him subject to recoupment may in fact be greater. If CCC pursues legal remedies to recoup at least \$6,196.49 from the director, the discovery tools available to litigants may provide an effective avenue to more fully determine the extent of the director's fraudulent conduct.

OIG Case Number 16-0041

The OIG received a complaint that a part-time lifeguard assigned to a City College falsified his attendance records by swiping in and then immediately leaving the campus. The OIG investigation revealed that since his hire, effective March 23, 2015, the lifeguard worked fifty shifts as a lifeguard at his assigned City College. The OIG investigation revealed that on at least five (10%) of those shifts, the lifeguard engaged in time abuse. In three instances, the lifeguard left the campus while on duty and did not return. Most significantly, on one of those instances, the lifeguard swiped in at 8:24 a.m., immediately returned to his vehicle, drove from the campus, and never returned. The lifeguard subsequently submitted an

electronic override for his failure to swipe out indicating that he worked until 2:00 p.m. Additionally, in two instances, the lifeguard swiped in, immediately returned to his car for at least twenty minutes and then reentered the City College. The lifeguard's actions violated Section IV, Paragraphs 2, 7, 11, 17, 35, 38, 48, and 50 of the CCC District-Wide Employee Manual.

Furthermore, during his interview with the OIG, the lifeguard made at least two false statements. As such, the lifeguard violated Section IV(8) of the CCC District-Wide Employee Manual.

Lastly, the OIG investigation revealed that on at least three occasions, the lifeguard's time and attendance records from another municipal government agency reflected that he was on duty and working for that government agency, when in fact he was either present and on duty at the City College or he was on his way to the City College. In either situation, the lifeguard misappropriated funds of the other government agency, in violation of Section IV(17) of the CCC District-Wide Employee Manual. The results of this investigation were forwarded to the Office of the Inspector General for that government agency.

Based on the investigation, the OIG recommended that the lifeguard 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 utilize all legal and fiscally responsible remedies to recoup at least \$100.74 from the lifeguard.

The lifeguard was terminated, and he was designated ineligible to be re-hired.

OIG Case Number 15-0199

The OIG received a complaint that a college advisor assigned to a City College created false education plans for thirty-eight students by simply duplicating the same education plan for each of the students. The OIG investigation revealed that between 1:25 p.m. and 3:54 p.m. on March 6, 2015, the college advisor uploaded thirty-eight student education plans to the Grades First system. March 6, 2015 was a deadline for college advisors to report to the associate dean of student services the percentage of students assigned to them with completed student education plans.

The OIG investigation further revealed that the information contained in at least twenty-nine of the thirty-eight student education plans uploaded by the college advisor on March 6, 2015 did not match the students' academic histories at all. In fact, nineteen of the education plans were simply duplicates of one another, and four other student education plans were simply duplicates of one another.

During her interview with the OIG, the college advisor admitted that she uploaded the numerous duplicate and inaccurate education plans due to the fact that she

had not completed her assigned education plans and such education plans were due on March 6, 2015.

By uploading the numerous inaccurate student education plans in order to meet deadlines, the college advisor violated Section IV, Paragraphs 6, 7, 11, 38, 39, and 50 of the CCC District-Wide Employee Manual.

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

The college advisor resigned from her position with CCC. Subsequently, the college advisor was designated ineligible to be re-hired.

OIG Case Number 14-0041

The OIG received a complaint that a senior-level employee falsified her attendance records in that she attended classes at a local university and in Asia during working hours without using any benefit time. The OIG investigation revealed that between July 2012 and August 2013, the employee went on at least three trips outside of the United States. These trips were to London in July 2012, Singapore via Hong Kong in August 2012, and Nassau, Bahamas, in August 2013. An interview with the employee established that the trips to London (July 5, 2012 to July 18, 2012) and Singapore (August 10, 2012 to August 24, 2012) were taken pursuant to a course of international study abroad as part of her MBA program at the local university. The trip to the Bahamas (August 2, 2013 to August 10, 2013) was a “family vacation.” None of the trips were in any part related to CCC business.

The OIG obtained the employee’s Certificates of Attendance, covering the periods of these trips. In briefest summary, a comparison of the employee’s time and attendance to the dates of the trips revealed what would appear to be inappropriate entries:

- London trip – Five full work days and five sick days.
- Singapore trip – Two full work days and one sick day.

Moreover, regarding the Bahamas trip, CCC payroll records revealed that no benefit time was deducted for the six work days covered by the trip. The OIG could not locate, either in payroll or elsewhere, a Certificate of Attendance submitted by the employee covering the pay period in question. However, the employee provided the OIG with a copy of her Certificate of Attendance for the pay period in question. The Certificate of Attendance, dated July 31, 2013, reflected her intent to use six vacation days to cover the trip. In June 2015, subsequent to the OIG’s interview of the employee, these six vacation days were finally deducted from the employee’s vacation day balance.

Based on the investigation, the OIG recommended the following:

- The OIG recommended that the employee's time and attendance for the period of July 5, 2012 through August 24, 2012 be adjusted as follows:
 - Reduce the time reflected as worked by 3 days.
 - Add 6 days to her sick day balance.
 - Deduct 9 days from her balance of "non-sick" benefit days.⁵
- The OIG recommended that CCC develops general guidelines concerning employees working remotely, including but not limited to guidelines regarding notice to one's supervisor and the tracking of tasks performed.
- The OIG recommended that CCC develops general guidelines concerning what constitutes a full day's work for exempt employees and when benefit time needs to be utilized for a partial day absence.

OIG Case Number 16-0026

The OIG received a complaint from the Office of Safety and Security that a part-time security officer assigned to a City College treated a student discourteously. The OIG investigation - as documented through various interviews, by an audio recording made by the student, and by security video - revealed that the security officer while on duty at his assigned City College, twice attempted to take a recording device from the student's hand, shoved the student in the back for no justifiable reason, essentially chased the student around the College's library for no justifiable reason, and talked to the student in a most aggressive and discourteous manner. The security officer's actions violated Section IV, Paragraphs 15, 28, 31, 39 and 50 of the CCC District-Wide Employee Manual as well as 720 ILCS 5/12-3(a).

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

The security officer resigned from his position, and he was designated ineligible to be re-hired.

The OIG further noted that the Department of Safety and Security still lacked any policies and procedures regarding when it is justifiable for a security officer to make physical contact with a student, despite the fact that the OIG recommended the development and implementation of such policies and procedures following an OIG investigation of a previous unrelated physical altercation between a security officer and a student at the same College in 2012.

⁵ "Non-sick" benefit days are vacation days, personal days, and floating holidays.

As previously recommended in an Investigative Summary submitted in March 2013, the OIG again recommended that the CCC Department of Safety and Security develops policies and procedures regarding when it is appropriate for security officers to engage in physical contact with students and other individuals, particularly physical contact for the purpose of detention and/or arrest. The OIG further recommended that when such policies and procedures are developed and implemented, the Department of Safety and Security trains all security personnel regarding such policies and procedures.

In a letter to the Vice Chancellor of Safety and Security, the Chancellor provided the following response to the OIG recommendation:

In addition to the disciplinary action recommended against this employee, the Inspector General also recommends that the Department of Safety and Security “develops policies and procedures regarding when it is appropriate for security officers to engage in physical contact with students...” The Inspector General notes that this recommendation was previously made after a similar incident that occurred in October 2012. I have discussed this matter with the General Counsel, and he agrees that a new, specific policy on this topic is not necessary at this time. Indeed, the security officer involved in the previous incident was terminated under provisions of the City Colleges of Chicago District-Wide Employee Manual, which seem adequate to address these types of situations. Furthermore, these situations are frequently fact specific, and it is probably less suited for a policy statement and better suited for appropriate incorporation in your training of new and current security officers. Please collaborate with the General Counsel and the Vice Chancellor of Human Resources to ensure that our officers are properly trained to distinguish between inappropriate physical contact and physical contact which is necessary to provide for the safety and security of our students and employees.

OIG Case Number 15-0210

The OIG received a complaint that various tools and other equipment utilized at a City College’s satellite facility were missing. The OIG investigation did not reveal who took these items. However, the OIG investigation revealed that a janitor assigned to the facility entered a room and took a package containing a set of plumbing fixtures without authorization. Such action by the janitor violated Section IV, Paragraphs 19 and 49 of the CCC District-Wide Employee Manual as well as Section 5.2.7 of the CCC Ethics Policy, which in turn is a violation of Section IV(44) of the CCC District-Wide Employee Manual. The OIG investigation further revealed that the janitor routinely entered the facility’s fitness center, when it was not open for students and/or employees, to work out while he

was on duty and without authorization. Such actions by the janitor violated Section IV, Paragraphs 2, 7, 11, 44 and 49 of the CCC District-Wide Employee Manual.

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

Following the disciplinary process, the janitor was terminated, and he was subsequently designated ineligible to be re-hired.

OIG Case Number 16-0002

The OIG received a complaint from the Department of Finance that although a federal work-study student requested that a stop-payment order be placed on a paycheck for \$238.64 in federal work-study wages that CCC issued to him, he later cashed this paycheck, and he also cashed the replacement paycheck. The OIG investigation revealed that as of the Summer 2015 term, the student was no longer affiliated with CCC. As such and based on the investigation, the OIG made no recommendation regarding disciplinary action in regards to the student. However, the OIG recommended that CCC uses all legal and fiscally responsible remedies to recoup \$238.64 from the student.

In order to minimize the risk of the reoccurrence of a similar situation, the OIG recommended that the Request for Paycheck Replacement form be amended. Language should be added to the form to inform the requestor that under no circumstances should the requestor cash or otherwise negotiate the check on which the requestor is seeking a stop-payment order, and if the requestor does negotiate this check, the requestor shall be held liable by CCC for the damages that result, including any service fees imposed upon CCC as a result of the negotiation. Furthermore, the Request for Paycheck Replacement form should inform the requestor that the replacement paycheck may come in the form of a check that also includes payment for other earnings periods.

Based on the recommendation of the OIG, the Department of Finance made the recommended changes to the Request for Paycheck Replacement form.

OIG Case Number 14-0231

The OIG received a complaint from a City College alleging that a retention specialist received full pay even though she did not turn in Certificates of Attendance for about three months in 2014. The OIG investigation revealed that on numerous occasions, particularly in the spring of 2014, the retention specialist's payroll did not accurately reflect the hours that she worked and/or the benefit time she took, which resulted in the retention specialist being inaccurately paid during specific pay periods. In total, the retention specialist was paid in

excess of \$5,300.00 to which she was not entitled. Additionally, on one occasion, the retention specialist's Certificate of Attendance failed to accurately reflect the days that she did not work, and she failed to submit a corrected Certificate of Attendance, in violation of Section 4.11(c) of the Board Policies and Procedures for Management and Government.

The OIG investigation also revealed that a college personnel assistant II was inattentive to her duty as an employee responsible for payroll, in that she failed to ensure that the retention specialist's payroll accurately reflected the hours that the retention specialist worked and the benefit time that the retention specialist used, in violation of Section IV(38) of the CCC District-Wide Employee Manual.

During the course of the investigation, the retention specialist's position was eliminated, and she no longer worked for CCC at the conclusion of the investigation. As such, the OIG did not recommend any disciplinary action regarding the retention specialist; however, based on the investigation, the OIG recommended that CCC uses all legal and fiscally responsible remedies to recoup at least \$5,335.45 in overpayment from the retention specialist. Additionally, the OIG recommended that CCC takes appropriate disciplinary action against the college personnel assistant II.

Following the disciplinary process, the college personnel assistant II was suspended for a period of one day.

OIG Case Number 16-0080

The OIG received a referral from the City Colleges of Chicago Equal Employment Opportunity Office regarding various allegations against an adult educator assigned to a City College. The OIG investigation revealed that the adult educator engaged in conduct in violation of the CCC Ethics Policy, in that she accepted in excess of \$100 in gifts from a student in her class, contrary to Section 5.2.5 of the CCC Ethics Policy, which in turn is a violation of Section IV(44) of the CCC District-Wide Employee Manual.

The OIG investigation also revealed that the adult educator engaged in conduct unbecoming of a public employee, in that she twice asked a student who complained about another adult educator to drop her complaint against the adult educator. Additionally, the adult educator made numerous telephone calls and text messages to students apparently in order to obtain information from them regarding the investigation that the City College was conducting regarding the adult educator, in violation of Section IV(50) of the CCC District Wide Employee Manual.

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

Following the disciplinary process, the adult educator was terminated.

OIG Case Number 15-0159

The OIG completed an investigation of a full-time faculty member assigned to a City College who also taught classes for two other City Colleges. The OIG investigation revealed that on as many as six occasions during the Fall 2014 term, the faculty member was being paid by a hospital for her role as a registry nurse at the hospital at the same time that she was to conduct scheduled clinical classes for the two City Colleges. The faculty member's actions violated Section IV, Paragraphs 7, 11, 12, 42, and 50 of the CCC District-Wide Employee Manual.

Due to the faculty member's failure to swipe in and out at the hospital, the actual number of hours that the faculty member worked at the hospital on a given day during this period could not be specifically determined. As a result, the OIG was not able to determine the actual extent of the overlapping hours between her hospital paid work hours and her CCC scheduled class hours. Moreover, due to the fact that three of the six days on which the hours overlapped occurred on either the first or last day of classes, the extent of the overlapping time may be further mitigated, although it is clear that the faculty member was being paid by the hospital for some of the same hours for which she was being paid by CCC.

Based on the investigation, the OIG recommended that CCC takes appropriate disciplinary action against the faculty member. Additionally, based on the findings documented in the investigation, the findings documented in other investigations regarding other full-time faculty members assigned to the same City College, and an investigation documenting similar time and attendance issues regarding a City College lecturer who taught an off-campus nursing skills class, the OIG again recommended that CCC develops and implements a policy prohibiting faculty members from teaching off-campus clinical and/or skills classes at any facility at which the faculty member is also engaged as an employee.

As of the date of this report, the disciplinary process regarding the faculty member is pending.

OIG Case Number 15-0206

The OIG received a complaint that a lecturer assigned to a City College cancelled five class sessions during the Spring 2015 term and that the lecturer missed ten of the class sessions that she was scheduled to teach. Five of these missed class sessions involved a class that met once a week on Saturdays. The five missed Saturday classes represented five of the seventeen (29.41%) total classes held during the term. Likewise, five of these missed class sessions involved a class that met on Mondays and Wednesdays. Moreover, the Certificates of Attendance submitted by the lecturer for these missed class days reflect that she worked her full class schedule. Additionally, the lecturer failed to

subsequently submit amended Certificates of Attendance reflecting that she did not work the days in question. As such, the lecturer received \$1,114.48 in pay to which she was not entitled.

The lecturer's actions violated various CCC policies, including Section IV, Paragraphs 1, 3, 7, 11, 17, 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 lecturer. It should be noted that the lecturer was previously issued an oral warning for five of the days in question. The OIG further recommended that CCC uses all legal but fiscally responsible means to recoup \$1,114.48 in pay that the lecturer received to which she was not entitled.

As of the date of this report, the disciplinary process regarding the lecturer is pending.

OIG Case Number 16-0028 (security officer)

During the course of an investigation regarding the theft of a cellular telephone at a City College, which is discussed later in this Bi-Annual Report under the heading *OIG Case Number 16-0028 (theft of cellular telephone)*, the OIG learned that a part-time security officer at the City College was inattentive to his duty as a security officer. The OIG investigation revealed that on at least five occasions during an eight-week period, the security officer, who typically worked the 10:00 p.m. to 6:00 a.m. shift, went into a room, turned off the lights, and remained in the room for in excess of two and one half hours each time. Even when the security officer's collective bargaining agreement mandated breaks are considered, the security officer remained in the room with the lights turned off for between one hour and twenty-nine minutes and three hours and fifty minutes on these five occasions. On more than one of these occasions, the security officer had a pillow with him as he entered/exited the room. As such, the security officer was inattentive to his duty as a security officer, in violation of Section IV(38) of the CCC District-Wide Employee Manual.

Additionally, the OIG investigation revealed that the security officer mistakenly edited his CCCWorks time and attendance system entries to reflect that he worked a shift on September 21, 2015, when in fact he was not present at the City College during that shift. As such, the security officer failed to properly verify and submit his attendance and hours of work, in violation of Section 4.11(a) 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 security officer. The OIG also recommended that CCC uses all legal and fiscally responsible remedies to recoup \$139.92 from the

security officer. This represents the pay that the security office received for September 21, 2015 to which he was not entitled.

The security officer was subsequently terminated.

OIG Case Number 14-0176

The OIG received a complaint that four tires were stolen from a CCC-owned semi-truck parked in a fenced-in construction area at a City College. The tires were stolen by three individuals in a minivan who drove into the fenced-in construction area when the gate was left open and unlocked. The OIG was unable to determine the identity of the individuals who stole the truck tires.

However, the OIG investigation did reveal that an engineer assigned to the City College was the individual who left the gate unlocked and open for several hours, contrary to his supervisor's orders, while he performed snow plowing duties at the college. The engineer's failure to lock the gated area enabled the thieves to enter the gated area and steal the truck tires. At a minimum, the engineer's failure to lock the gate violated Section IV, Paragraphs 34 and 38 of the CCC District-Wide Employee Manual.

The loss due to the stolen truck tires was financially significant. The truck tires which were stolen were of various brands but were size 11 R 22.5. An invoice, dated August 3, 2010, for the purchase of two 11 R 22.5 tires by the City College reflected that at that time, the tires cost \$333.37 each; thus, the four tires had a cost of \$1,333.48. According to a CCC vendor, the current cost of a size 11 R 22.5 tire is \$395.50 per tire; thus, the four tires had a current replacement value of \$1,582.00.

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

As of the date of this report, the disciplinary process regarding the engineer is pending.

OIG Case Number 15-0144

The OIG received a complaint that a program director of a federal grant-funded program inappropriately allowed her daughter to attend a grant-funded activity with other participants in the same federal grant-funded program. The OIG investigation revealed that in both 2009 and 2014, the program director accepted and approved her daughter's applications into the grant-funded program at a City College. Clearly, the program manager had a special interest in her daughter being accepted into the grant-funded program, which provides individuals (typically middle school and high school students) with various federally funded activities and opportunities from which her daughter benefitted. As such, the

program director violated Section 5.2.10(1) of the CCC Ethics Policy which provides, in pertinent part, that “(n)o employee...shall make or participate in the making of any decision or take away any action with respect to any matter in which (s)he has any special interest.” Pursuant to Section 5.2.2(ee) of the CCC Ethics Policy, “special interest” is defined as “any economic or other personal interest that is in any way distinguishable from the interests of the public generally...; it may include a romantic or familial relationship.”

Additionally, the OIG investigation revealed that the program director invited her daughter to a program workshop despite the fact that her daughter had not been originally selected and invited to attend the event. As such, the program director gave her daughter preferential treatment, in violation of Section IV(26) of the CCC District-Wide Employee Manual.

The OIG investigation further revealed that the college had a well-established rule that there must be one chaperone for every ten students who attend an off-campus trip. Twenty-nine program participants attended the workshop at a near north side restaurant. As the project director of the program, the program director should have ensured that three chaperones accompanied the twenty-nine participants to the workshop; however, only two chaperones accompanied the participants to the workshop. As such, the program director was inattentive to her duty in violation of Section IV(38) of the CCC District-Wide Employee Manual. Additionally, the program director failed to comply with the college’s chaperone rule, in violation of Section IV(48) of the CCC District-Wide Employee Manual.

Prior to the completion of the investigation, the program director resigned from her position with CCC. As such and based on the investigation, the OIG made no recommendation regarding disciplinary action against the program director.

OIG Case Number 15-0187

The OIG received a complaint that a manager assigned to a City College resided outside the City of Chicago in violation of the CCC Residency Policy. The OIG investigation revealed that the manager resided in Skokie, 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 manager falsified employment records in that she fraudulently affirmed on a CCC residency certification document that she resided in Chicago, Illinois, when in fact she resided in Skokie, Illinois, in violation of Section IV(11) of the CCC District-Wide Employee Manual. Additionally, during her interview with the OIG, the manager made at least three false statements, in violation of Section IV(8) of the CCC District-Wide Employee Manual.

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

Prior to the initiation of the disciplinary process, the manager resigned from her position with CCC. Subsequently, the manager was designated ineligible to be re-hired.

OIG Case Number 14-0021

The OIG received a complaint that a training specialist assigned to a City College resided outside the City of Chicago in violation of the CCC Residency Policy. The OIG investigation revealed that the training specialist resided in Evanston, 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 training specialist 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 Evanston, Illinois, in violation of Section IV(11) of the CCC District-Wide Employee Manual.

Subsequent to being notified that the OIG requested his presence for an interview and being advised of the subject matter of the interview, the training specialist resigned from his position with CCC. As such and based on the investigation, the OIG recommended that that the training specialist be designated ineligible to be re-hired and that his personnel records reflect this designation.

Subsequently, the training specialist was designated ineligible to be re-hired.

Reports Submitted Documenting Investigations that Resulted in Not Sustained Findings but in Which Recommendations Were Made

OIG Case Number 13-0090

During the course of an investigation concerning athletic scholarships issued at a City College, the OIG conducted interviews of various members of one of the college's athletic teams who participated during the 2013-2014 and 2014-2015 seasons. During those interviews, an issue arose regarding the sale of textbooks purchased with athletic scholarship funds.

Regarding the issue of the sale of textbooks purchased with athletic scholarship or book voucher funds, the OIG investigation revealed that various members of one of the college's 2013-2014 and 2014-2015 athletic teams sold textbooks,

purchased with athletic scholarship funds, back to the bookstore at the end of the term and maintained the funds received. According to the associate director of compliance for the National Junior College Athletic Association (“NJCAA”), such practice would be contrary to Article VIII, Section 1.E (currently Article VI, Section B.1.a) of the NJCAA Constitution and Bylaws. Moreover, the OIG investigation revealed that CCC lacks any policies and procedures concerning the appropriate end-of-term disposal of textbooks purchased by student athletes with scholarships/vouchers so that the student athletes do not sell the textbooks and maintain the funds from such sales in violation of the NJCAA Constitution and Bylaws.

Based on the investigation, the OIG recommended that CCC develops and adopts policies and procedures to account for textbooks purchased by student athletes with athletic scholarship/book voucher funds so that student athletes do not sell the textbooks and maintain the funds from such sales in violation of Article VI of the NJCAA Constitution and Bylaws.

OIG Case Number 16-0028 (theft of cellular telephone)⁶

The OIG received a complaint that a CCC student’s cellular telephone was stolen after the cellular telephone was found and turned in to a City College’s Department of Safety and Security (“Safety and Security”). The OIG investigation revealed that within twelve hours’ time after the student’s misplaced cellular telephone was turned in to Safety and Security, the cellular phone was stolen from Safety and Security’s possession. The OIG investigation did not reveal the individual responsible for the theft of the cellular telephone.

However, the OIG investigation revealed that Safety and Security had inadequate policies and procedures regarding the intake and safekeeping of found items of value, and it did not enforce the policies and procedures in place. The OIG investigation revealed that, among other issues, Safety and Security did not maintain found property of value in a locked place of storage, and despite a policy that found property be documented in an incident report, such policy was routinely not followed and not enforced.

Because the OIG had now twice reported on the loss of found cellular telephones from the custody of Departments of Safety and Security within the past six months and to prevent future liability for CCC and its security personnel, the OIG recommended that the Department of Safety and Security develop and strictly enforce District-Wide policies and procedures regarding the intake and

⁶ As previously reflected in this Bi-Annual Report under the heading *OIG Case Number 16-0028 (security officer)*, OIG Case Number 16-0028 is documented as a sustained investigation. However, the original allegation - theft of a cellular telephone - was not sustained, and the OIG issued a separate Investigative Summary with a recommendation regarding that issue. Thus, the separate Investigative Summary is documented in this portion of the Bi-Annual Report.

safekeeping of such found items of value. Such policies and procedures should include a requirement that incident reports be made for any reports received regarding lost property of value at a City College and for any instances where Department of Safety and Security personnel receive found property of value. Furthermore, in instances where property of value is found, security personnel should contact a Department of Safety and Security supervisor as soon as practical and turn the property over to that individual. Failure to follow the aforementioned steps should be grounds for discipline. Finally, the Department of Safety and Security supervisor should store the property in a secured area until it is claimed, and the storage of the property and the turning over of the property to the claimant should be officially documented in the incident report or in a supplementary report.

The Vice Chancellor of Safety and Security responded that “(a)s recommended by the Inspector General we have created a Lost and Found Policy that is currently in final draft and being reviewed.”

Reports Submitted Documenting Not Sustained Findings

While it is atypical for the OIG to issue an Investigative Summary documenting the results of a not sustained investigation, due to the public nature in which the allegations in the investigation discussed below were made, the OIG determined that an Investigative Summary was appropriate.

OIG Case Number 15-0095

The OIG received a complaint from a second-tier sub-contractor alleging that the general contractor of the New Malcolm X College Campus construction project improperly awarded the millwork portion of the project. The complainant, a second-tier sub-contractor for a first-tier sub-contractor (“contractor 1”) who was not awarded the work, alleged two issues. One issue was that the general contractor allegedly represented that only contractors who initially bid would be permitted to submit bids on the updated design documents of the Malcolm X College construction project, but the general contractor allowed a sub-contractor (“contractor 2”) to submit a proposal despite the fact that contractor 2 did not submit a bid during the initial phase. Second, contractor 2 was awarded the contract because it allegedly “knew someone” at the general contractor’s office.

The OIG investigation did not reveal that the general contractor’s re-opening of its bid process regarding the millwork portion of the Malcom X College construction project violated its contract with CCC and/or was otherwise inappropriate. This finding was based on various factors, including: the bids were reopened only after it was found that the initial scope of the millwork portion of the project was significantly underestimated and the complainant’s firm’s initial bid only accounted for 4.3% of the budgeted scope of the millwork to be completed; and neither contractor 1 nor contractor 2 bid in the initial bidding

process but were both nonetheless allowed to bid when the design documents were completed.

Regarding the second issue raised by the complainant, the OIG investigation did not reveal any evidence that the general contractor awarded the millwork portion of the Malcolm X College construction project to contractor 2 because contractor 2 “knew someone” at the general contractor’s office. No direct evidence of any inappropriate relationship between contractor 2 and anyone at the general contractor was revealed during the OIG investigation.

The OIG investigation further examined the stated reasons that the general contractor awarded the millwork portion of the Malcolm X College construction project to contractor 2. A project executive for the general contractor stated that the millwork portion of the Malcolm X College construction project was awarded to contractor 2 because contractor 2 was the lower bidder; contractor 2’s performance bond company had an “A” Rating while contractor 1’s performance bond company had an “R” rating; and contractor 2’s project capabilities were higher than contractor 1’s project capabilities.

In summary, based on the language of the agreement between the general contractor and CCC, nothing in the general contractor’s actions regarding its awarding of the sub-contract for the millwork portion of the Malcolm X College construction project prohibited the general contractor from making its choice of contractor 2. Depending on the cost allocated to contractor 1’s surety bond and whether it was included in contractor 1’s proposal - facts which could not be ascertained with any certainty by the OIG investigation - contractor 1’s proposal was either lower than contractor 2’s proposal by a mere \$144, or contractor 2’s proposal was \$9,000 lower than contractor 1’s proposal. When the ratings of the security bond companies utilized by the two competitors and the significance of the projects on which they previously worked were added to the equation, the OIG investigation revealed no evidence that the awarding of the sub-contract to contractor 2 was not objectively fair.

Based on the investigation, the OIG did not recommend that any action be taken by CCC.