



**CITY COLLEGES<sup>®</sup>**  
OF CHICAGO

JANUARY 1 – JUNE 30

**2023**

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

# OFFICE OF THE INSPECTOR GENERAL BI-ANNUAL REPORT

LAMESHA SMITH  
INSPECTOR GENERAL  
CITY COLLEGES OF CHICAGO



# CITY COLLEGES<sup>®</sup>

## OF CHICAGO

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  
Laritza Lopez, Trustee  
Darrell A. Williams, Trustee  
Yehuda Goldbloom, Student Trustee

From: Lamesha Smith, Inspector General

Date: August 23, 2023

RE: Office of the Inspector General *Bi-Annual Report* for the period of January 1, 2023 through June 30, 2023

This *Bi-Annual Report* is being provided to the Chancellor and the Board of Trustees of Community College District No. 508 pursuant to Article 2.7.5 of the Board Bylaws. This *Bi-Annual Report* covers the period of January 1, 2023 through June 30, 2023. Pursuant to Article 2.7.5, the *Bi-Annual Report* for the period of January 1st through June 30th is required no later than September 1st each year.

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

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

## **Office of the Inspector General Bi-Annual Report**

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](mailto: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

### Association of Inspectors General Institute

From August 14, 2023 to August 18, 2023, five OIG staff members attended the Association of Inspectors General Institute held in Chicago, Illinois. The Association of Inspectors General is an organization of state, local, and federal inspectors general and their staff members. As a result of attending the week-long training institute, as well as successfully passing a comprehensive examination, these five OIG staff members earned the designation of either *Certified Inspector General* or *Certified Inspector General Investigator*. Currently, all OIG staff members hold the designation of *Certified Inspector General* and/or *Certified Inspector General Investigator*.

### Dispositions in Federal 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.<sup>1</sup> The indictment totaled

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<sup>1</sup> Copies of the press release from the United States Attorney for the Northern District of Illinois

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 periods of July 1, 2021 through December 31, 2021, January 1, 2022 through June 30, 2022, as well as July 1, 2022 through December 31, 2022, the OIG received restitution payments for either one or both of those defendants. Those restitution payments are detailed in the *Bi-Annual Reports* covering the periods of July 1, 2021 through December 31, 2021, January 1, 2022 through June 30, 2022, as well as July 1, 2022 through December 31, 2022.

During the reporting period of January 1, 2023 through June 30, 2023, the OIG received an additional restitution payment. 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.<sup>2</sup> 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 not to violate any laws as well as to abide by various other terms and conditions, including paying \$15,000.00 in restitution to CCC. Previous to the reporting period of January 1, 2023 through June 30, 2023, the OIG received partial restitution payment checks totaling \$2,000.00 for Tiffany Capel. Subsequently, the OIG provided the aforementioned restitution checks to the CCC Controller's Office for deposit into CCC's treasury. The restitution payment that the OIG received for Tiffany Capel during the reporting period of January 1, 2023 through June 30, 2023 is as follows:
  - In January 2023, the OIG received another partial restitution payment in the amount of \$200.00 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.
- As of June 30, 2023, the OIG had received a total of \$2,200.00 of the \$15,000.00 in restitution that Tiffany Capel owes to CCC.

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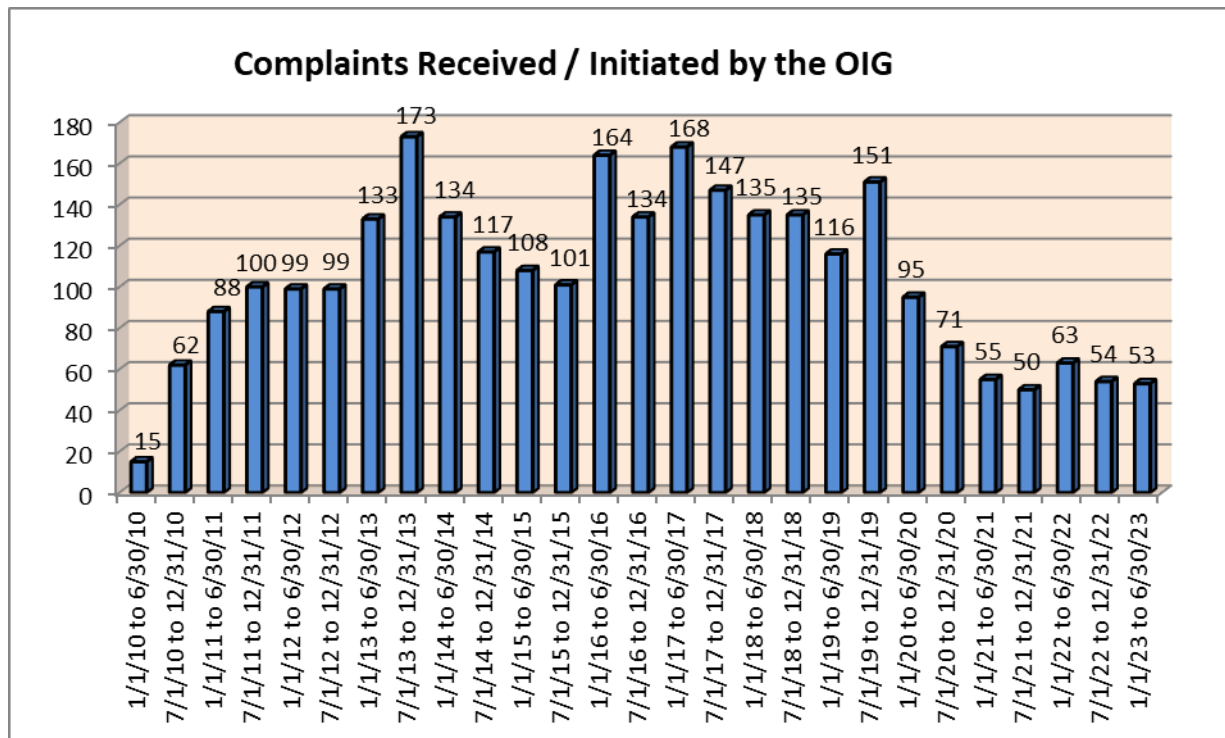
and the indictment can be accessed at the following link: <https://www.justice.gov/usao-ndil/pr/federal-indictment-charges-former-vice-chancellor-city-colleges-chicago-devising>.

<sup>2</sup> As was documented in the *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.

As of the date of this Bi-Annual Report, the criminal charges against other defendants charged in this case are still pending.

## Complaints Received

For the period of January 1, 2023 to June 30, 2023, the OIG received 53 complaints. These 53 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.<sup>3</sup> The following table documents the complaints received by the OIG during the current and previous reporting periods.



The 53 complaints received represent a variety of subject matters. The following table documents the subject matters of the complaints received.

<sup>3</sup> 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....

<b>Subject Matter of Complaints Received from January 1, 2023 to June 30, 2023</b>		
<b>Subject Matter (Allegation)</b>	<b>Number</b>	<b>Percentage</b>
Board Mandated Audit	1	1.89%
Hostile Work Environment	1	1.89%
Discrimination	1	1.89%
Test Cheating	1	1.89%
Theft	1	1.89%
Unfair Treatment	1	1.89%
Violation of Title IX	1	1.89%
Violation of Drug Free Workforce Policy	1	1.89%
Unknown	1	1.89%
Drinking Alcohol During Working Hours	2	3.77%
Engaging in Conduct Prohibited by the Illinois Compiled Statutes	2	3.77%
Harassment	2	3.77%
Inattention to Duty	2	3.77%
Retaliation	2	3.77%
Violation of Ethics Policy	3	5.66%
Violation of Outside Employment Policy	3	5.66%
Discourteous Treatment	4	7.55%
Preferential Treatment	4	7.55%
Residency	4	7.55%
Fraud	5	9.43%
Falsification of Attendance Records	5	9.43%
Falsification of Records	6	11.32%
<b>Total</b>	<b>53</b>	<b>100%</b>

### Status of Complaints

As reported in the previous *Bi-Annual Report*, as of December 31, 2022, the OIG had 68 pending complaints, meaning that the OIG was in the process of conducting investigations regarding these complaints. During the period of January 1, 2023 through June 30, 2023, the OIG closed 54 complaints. The following chart categorizes the reasons that the OIG closed the 54 complaints.

<b>Complaints Closed Between January 1, 2023 through June 30, 2023</b>		
<b>Reason Closed</b>	<b>Number</b>	<b>Percentage</b>
Completion of Board Mandated Audit	1	1.85%
Sustained	1	1.85%
Administratively Closed	1	1.85%
Subject Already Disciplined	2	3.70%
Complaint Included with Another Active Investigation	3	5.56%
Subject Inactive	5	9.26%
Duplicate Complaint	8	14.81%
Referred / Deferred	14	25.93%
Not Sustained / No Policy Violation	19	35.19%
<b>Totals</b>	<b>54</b>	<b>100%</b>

Regarding the complaints closed during the period of January 1, 2023 to June 30, 2023, the table below documents the average number of calendar days between the date that the complaints were received and the date that the complaints were closed as compared to the average number of calendar days between the date that complaints were received and the date that complaints were closed for the complaints closed during the previous reporting period (July 1, 2022 to December 31, 2022).<sup>4</sup>

Average Calendar Days to Close				
Reason Closed	7/1/22 to 12/31/22		1/1/23 to 6/30/23	
	Number	Average Calendar Days to Close	Number	Average Calendar Days to Close
Completion of Board Mandated Audit	0	-	1	126
Sustained	2	1,211	1	265
Administratively Closed	5	390	1	1,297
Subject Already Disciplined	1	6	2	127
Complaint Included with an Active Investigation	6	1	3	3
Subject Inactive	5	285	5	692
Duplicate Complaint	5	0	8	2
Referred / Deferred	9	1	14	29
Not Sustained / No Policy Violation	19	298	19	526
<b>Totals</b>	<b>52</b>		<b>54</b>	

As of June 30, 2023, the OIG had 68 pending complaints. Twenty-two (22) of these 68 pending complaints (32%) were received between January 1, 2023 and June 30, 2023, and 17 of these 68 pending complaints (25%) were received between July 1, 2022 and December 31, 2022.

<sup>4</sup> 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.



## **OIG Reports Submitted – January 1, 2023 through June 30, 2023**

During the reporting period of January 1, 2023 to June 30, 2023, the OIG submitted reports regarding one sustained investigation<sup>5</sup> as well as regarding the annual Board-mandated audit of the District's compliance with the CCC Residency Policy.

### ***Report Submitted Documenting Sustained Findings of Waste, Fraud and/or Misconduct***

#### **OIG Case Number 22-0107**

The OIG received a complaint alleging that a full-time faculty member assigned to a City College had not been providing instruction to the students enrolled in his Summer 2022 term course. Based on this complaint, the OIG initiated an investigation.

The OIG investigation revealed that in all, over the course of the eight-week Summer 2022 term, the faculty member was required to meet in person with his classes on a total of 11 days. However, the OIG found that the faculty member departed prior to the scheduled end time of his classes on a total of 10 (91%) of those 11 days. The total amount of time that the faculty member departed prior to the scheduled end time for both of his Summer 2022 term courses equaled 17 hours and 46 minutes.

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

- The faculty member was inattentive to his duty as a full-time faculty member, in that on numerous occasions during the Summer 2022 term, he failed to be physically present at the City College, as required, for a significant portion of his in-person class times, in violation of Section IV(38) of the CCC District-Wide Employee Manual.
- Based on the above finding, the faculty member engaged in conduct unbecoming a public employee, in violation of Section IV(50) of the CCC District-Wide Employee Manual.

The OIG made no finding as to the propriety of the manner in which the faculty member completed his Certificates of Attendance. During his interview with the OIG, the faculty member indicated that the college personnel assistant who worked on payroll, instructed him on how he should complete his Certificates of Attendance. The OIG was unable to interview the college personnel assistant

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<sup>5</sup> 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.

regarding the faculty member's Certificates of Attendance due to that person being on a leave of absence.

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

Subsequently, the faculty member resigned from his position with CCC.

### ***Annual Audit of the District's Compliance with the CCC Residency Policy***

#### **OIG Case Number 23-0066**

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

On June 22, 2023, the OIG submitted the 2023 Audit of Compliance with the District's Residency Policy.

On February 16, 2023, all full-time CCC employees were sent an email regarding the need to certify their Chicago residency for 2023 by completing the online *Annual Certification of Residency* form, with directions on how to complete the form online.

Subsequently, on May 12, 2023, the Office of Human Resources provided the OIG with the results of all the responses received.

The great majority (2,008) of the 2,048 (98%) full-time employees responded to the Annual Certification Process.

Of the 40 employees who did not respond, the OIG confirmed that nine (9) changed employment status from part-time to full-time during the certification period, 23 were on leaves of absence, and three (3) were on sabbatical leaves. Therefore, all but five (5) of the full-time employees who were active and working during the 2023 certification of residency process responded. The table below documents the responses received District-Wide, as confirmed by the OIG.

Response	Number	%
No response	5	0.24%
No response – employee status change from part-time to full-time during certification period	9	0.44%
No response – employee on a leave of absence	23	1.12%
No response – employee on sabbatical	3	0.15%
1. Required to be a resident, with correct address	1940	94.73%
2. Not required to be a resident, with correct address	5	0.24%
3. Required to be a resident, with incorrect address	3	0.15%
4. Not required to be a resident, with incorrect address	0	0.00%
5. Required to be a resident, but does not currently live within the City of Chicago	60	2.93%
<b>Total</b>	<b>2048</b>	<b>100%</b>

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

- Regarding the 1,943 employees who responded that they were required to be a resident of the City of Chicago (See Responses 1 and 3 in the table above):
  - As of June 15, 2023, the OIG had active investigations regarding nine (9) of these 1,943 full-time employees who represented that they were required to be a resident of the City of Chicago.
- Regarding the five (5) employees who responded that they were not required to be a resident of the City of Chicago (See Responses 2 and 4 in the table above):
  - All five (5) of those employees fell within an exception to the CCC residency requirement.
    - One (1) of these five (5) employees was hired before July 1, 1977.
    - Four (4) of these five (5) employees were exempt from the CCC residency requirement due to side letter agreements.
- Regarding the 60 employees who responded that they were required to be residents but did not currently reside within the City of Chicago (See Response 5 in the table above):
  - One (1) of the 60 employee's employment status, during the certification period, changed from full-time to part-time status.
  - Three (3) of the 60 employees' employment status, subsequent to the certification period, changed to terminated.
  - Twelve (12) of the 60 employees were full-time employees for less than six months or received approved extensions.
  - Forty-four (44) of the 60 employees responded that they did not currently reside within the City of Chicago, despite the fact that



CCC records indicated a City of Chicago residential address for the employee.

- The OIG reviewed CCC personnel records and public records regarding these 44 employees. This review revealed that 42 of the 44 employees appeared to reside in the City of Chicago, and they most likely checked the wrong box on the Annual Certification of Residency online form.
  - As a result of this audit, the OIG initiated investigations regarding two (2) of these 44 employees.
- Regarding the five (5) employees who failed to respond but were active and working employees:
    - CCC records indicated a City of Chicago residential address for four (4) of these employees. The OIG reviewed public records regarding these four (4) employees who did not respond. This review revealed that these four (4) employees appeared to reside in the City of Chicago.
    - The OIG initiated an investigation regarding one (1) of these five (5) employees.