

Department of Education
Office of Inspector General
ANNUAL REPORT



Fiscal Year 2012-2013

FLORIDA DEPARTMENT OF EDUCATION



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Pam Stewart
Commissioner of Education

September 27, 2013

Pam Stewart
Commissioner of Education
325 West Gaines Street, Suite 1514
Tallahassee, Florida 32399-0400

Dear Commissioner Stewart:

I am pleased to submit our Annual Report on the activities of the Office of Inspector General for the fiscal year ending June 30, 2013, as required by Section 20.055(7), Florida Statutes.

We look forward to working with you and our fellow Department of Education employees in meeting the challenges and opportunities that face the department. We are committed to promoting accountability and integrity and continuing our efforts to detect and prevent fraud, waste, abuse and mismanagement in department programs. Thank you for your continued support.

Respectfully submitted,

A handwritten signature in blue ink that reads "Mike Blackburn".

Mike Blackburn

MB/dm

FLORIDA DEPARTMENT OF EDUCATION
OFFICE OF INSPECTOR GENERAL

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INTRODUCTION

MISSION STATEMENT

The mission of the Office of Inspector General (OIG) is to assist the Commissioner of Education in achieving the department's mission of increasing student proficiency and maintaining an accountability system that measures student progress. The OIG accomplishes this by providing independent audits and reviews of programs and activities, conducting investigations of alleged violations, and offering consulting services to assist management in their efforts to maximize effectiveness and efficiency.

OIG RESPONSIBILITIES

Section 20.055, Florida Statutes, establishes the Office of Inspector General within each state agency to provide a central point for coordination of, and responsibility for, activities that promote accountability, integrity, and efficiency in government. Additionally, in accordance with section 1001.20, Florida Statutes, the OIG will conduct or coordinate investigations into substantiated allegations that a district school board or college board of trustees is unwilling or unable to address relating to waste, fraud, or financial mismanagement, as determined by the Commissioner of Education.

This annual report is presented to the commissioner to comply with statutory requirements and to provide departmental staff and interested parties with information on the OIG's progress in accomplishing its mission as defined by Florida law. OIG's responsibilities include:

- Conducting audits, investigations, and management reviews relating to the programs and operations of the department, including employment screening and background investigations;
- Reviewing and evaluating internal controls necessary to ensure the fiscal accountability of the department;
- Keeping the commissioner informed concerning fraud, abuse, and deficiencies relating to programs and operations administered or financed by the department, recommending corrective action, and reporting on the progress made in implementing corrective action;
- Advising in the development of performance measures, standards, and policies and procedures for department programs;
- Reviewing actions taken by the department in response to recommendations made by the Office of the Auditor General, the Office of Program Policy Analysis and Government Accountability, the Florida Department of Financial Services, the U.S. Department of Education, and other external agencies; and
- Ensuring that an appropriate balance is maintained between audit, investigative, and other accountability activities.

ORGANIZATION AND STAFF

The Inspector General reports directly to the Commissioner of Education. The OIG consists of 14 professional and administrative positions that perform internal audit and investigative functions, as shown below.

Office of Inspector General Organization Chart



OIG staff is highly qualified and brings various backgrounds and expertise to the department. The collective experience spans a variety of disciplines, including auditing, accounting, investigations, and information systems.

OIG STAFF CERTIFICATION

OIG staff members continually seek to enhance their abilities and contributions to the office and the department. Many staff members have obtained certifications that demonstrate their knowledge, motivation, and commitment to the profession. Professional certifications held by OIG staff members include:

- Certified Inspector General (CIG)
- Certified Internal Auditor (CIA)
- Certified Fraud Examiner (CFE)
- Certified Information Systems Auditor (CISA)
- Certified Governmental Auditing Professional (CGAP)
- Certified Inspector General Investigator (CIGI)



AFFILIATIONS

OIG staff members participate in a number of professional organizations to maintain proficiency in their area of expertise and certification. These associations allow them to establish and advance professional networks and participate in professional development activities. OIG staff members are affiliated with the following professional organizations:

- Institute of Internal Auditors (IIA)
- Association of Inspectors General (AIG)
- Association of Government Accountants (AGA)
- Association of Certified Fraud Examiners (ACFE)
- Information Systems Audit and Control Association (ISACA)
- Southeast Evaluation Association (SEA)

MAJOR ACTIVITIES AND FUNCTIONS

INTERNAL AUDIT

The purpose of the Internal Audit Section is to provide independent, objective assurance and consulting activities designed to add value and improve the department's operations. Our vision is to help the department by facilitating change directed toward improving efficiency, effectiveness, accountability, and teamwork.

Responsibilities of Internal Audit include:

- Conduct financial, compliance, electronic data processing, and performance audits of the department to identify and recommend corrective action for deficiencies or matters of noncompliance.
- Assess the reliability and validity of department performance measures.
- Conduct consulting activities in order to provide independent advisory services to department management.
- Ensure effective coordination and cooperation with the Auditor General, OPPAGA, federal auditors, and other governmental bodies to ensure proper coverage and minimize duplication of effort.
- Monitor the implementation of the department's response to audit reports issued by the department's inspector general, Auditor General, OPPAGA, or other oversight agency.
- Conduct risk assessments of the department annually, taking into consideration the input of senior management.
- Develop annual and long-term audit plans outlining the audits to be conducted during each year and related resources to be devoted to the respective audits.
- Develop and maintain a quality assurance and improvement program that covers all aspects of the internal audit activity, with an external assessment being conducted every three years.
- Participate in enterprise projects and provide assistance as requested by the Chief Inspector General.

Audits are conducted in accordance with the *International Standards for the Professional Practice of Internal Auditing*, published by the Institute of Internal Auditors, Inc. Reports are distributed to the Commissioner of Education, Office of the Auditor General, Office of Program Policy Analysis and Government Accountability, the Governor's Chief Inspector General, and affected department managers.

INVESTIGATIONS

The Investigations Section works to deter, detect, and investigate allegations of fraud, waste, abuse or employee misconduct impacting the department. The Section receives inquiries or complaints regarding departmental activity from many sources, including: the Whistle-blower's Hotline, the Florida Department of Financial Services' Get Lean Hotline, the Chief Inspector General's Office, an on-line complaint form on the OIG's website, letters, telephone calls, e-mails, and the Executive Office of the Governor.

If suspicion of potential criminal activity is discovered, it is referred to the appropriate law enforcement agency. The OIG coordinates with law enforcement on any criminal investigation, while ensuring that issues of an internal nature are addressed, administratively.

Investigations staff monitor and track all cases:

- All case findings are reported to the Commissioner and appropriate managers.
- The OIG provides the necessary facts to the department's Office of Labor Relations, the Office of the General Counsel, and department managers to assist them in taking the appropriate actions.
- Cases involving criminal activity are referred to the appropriate law enforcement agency, in accordance with Florida Statutes.

Investigations are conducted in accordance with quality and quantitative standards as set forth in the *Association of Inspectors General Principals and Standards for Offices of Inspector General*.

ADDITIONAL INVESTIGATIVE AUTHORITY

A part of Florida's school choice programs, the McKay Scholarships for Students with Disabilities Program provides Florida students with special needs the opportunity to attend a participating private school. Another program, the Florida Tax Credit Scholarships Program encourages private, voluntary contributions, to expand educational opportunities for children of families that have limited financial resources. OIG Investigations staff assist Florida's school choice program as indicated in the next paragraph.



In accordance with Section 1002.39(6)(c) and 1002.395(9)(f), Florida Statutes established a process by which individuals may notify the department of any violation by a parent, private school, or school district of state laws relation to program participation. The department shall conduct an inquiry of any violation or make a referral to the appropriate agency for an investigation. Rules 6A-6.0960 and 6A-6.0970, Florida Administrative Code, provide that the department may at any point refer an inquiry to the department's Office of Inspector General or another appropriate agency for full investigation.

SEEKING ACCREDITATION

The Investigations Section is working towards receiving accreditation through the Commission for Florida Law Enforcement Accreditation (CFA). An accreditation program has long been recognized as a means of maintaining and verifying the highest standards. Accreditation is the certification by an independent reviewing authority that an entity has met specific requirements and prescribed standards. In 2009, the Commission expanded its program to include Inspectors General offices.



The Inspectors General of Florida have worked diligently with the Commission for Florida Law Enforcement Accreditation (CFA), to develop a set of professional standards for Florida's Inspectors General Investigations function. These standards have been drafted by the Chief Inspector General, the Inspectors General Accreditation Standards Workgroup and CFA for the purpose of awarding Inspectors General Investigation Accreditation status. The standards were developed after comprehensive research was conducted of: Florida Statutes, the Principles and Standards for Offices of Inspector General adopted by the national Association of Inspectors General, CFA operating standards, and Florida Corrections Accreditation Commission operating standards. The standards are divided into eight chapters, which include: Organization and Governing Principles, Personnel Practices, Training, Investigation Process, Whistle-Blower Act, Notification Process, Case Management, and Final Reporting Processes. These are minimum recommended operating standards for an Inspectors General investigations function.

SUMMARY OF ACTIVITIES

INTERNAL AUDIT

ACCOMPLISHMENTS

Internal Audit completed nine engagements during the 2012-13 fiscal year, which can be viewed online at www.fldoe.org/ig/auditreports.asp. The results of those engagements are summarized below:

Supplemental Educational Services – Leon County School District – We reviewed the Supplemental Educational Services program in Leon County School District to determine if the tutoring services provided were effective in improving student academic achievement. The results of our review revealed that significant learning gains were realized, with the majority of students either meeting or exceeding the district's targeted levels of achievement for the 2011-12 school year. Our evaluation showed an overall success rate of 82%, with an average percentage point increase in test scores of 25 points for Leon County students who participated in the program. There were no findings or recommendations cited for this report.

Vision Community Development Corporation - We conducted an audit of the Employment services and on-the-job Training provided through contract by Vision Community Development Corporation (Vision CDC). The audit revealed that Vision CDC placed DVR clients in non-integrated settings and therefore did not comply with contract terms. We recommended DVR management: 1) require Vision CDC to either refund payments for unearned placements of DVR clients or appropriately place affected clients in integrated settings; 2) require DVR counselors to verify placements prior to approving Notices of Authorizations and invoices for payments; 3) revise future contracts to strengthen DVR's ability to enforce valid placements; and 4) identify and monitor all contract providers for potential contract violations stemming from their internal employment of DVR clients.



Third Party Cooperative Arrangement with Columbia County School District - We completed an audit of activities under the Third Party Cooperative Arrangement between the Division of Vocational Rehabilitation and the Columbia County School District. The audit identified weaknesses in controls surrounding the administration of invoices and management of contract provisions. We recommended adoption and implementation of internal controls designed to record the receipt of invoices submitted monthly, and adherence to all provisions of the cooperative agreement.

DVR Dental Service Authorizations – We conducted an audit of authorizations for dental services provided to Division of Vocational Rehabilitation (DVR) clients, including an evaluation of the processes involved with delivery and payment of dental services. The audit disclosed that adequate internal controls were in place to ensure effective delivery of dental services to DVR clients. There were no findings or recommendations cited for this report.

Third Party Cooperative Arrangement with Manatee County School District - We completed an audit of activities under the Third Party Cooperative Arrangement between the Division of Vocational Rehabilitation and the Manatee County School District. The audit identified weaknesses in controls surrounding the administration of invoices and management of contract provisions. We recommended adoption and implementation of internal controls designed to record the receipt of invoices submitted monthly, and adherence to all provisions of the cooperative agreement.

Review of Florida State College Presidents' Compensation – Our office collaborated with the Office of the Chief Inspector General, who initiated a review in response to a request from the Governor. The purpose was to review the compensation packages for the twenty-eight state college presidents within the Florida College System. The review included examination of the college presidents' total compensation, including salary, annuities, perquisites, leave, severance pay, and other compensation and benefits. Recommendations were made to ensure transparency and statutory compliance. The full report may be viewed on the Governor's website at:



<http://www.flgov.com/wp-content/uploads/2013/05/Colleges-IG-Report.pdf>.

Status Report: IT Application Development & Procurement – We completed a review of management actions taken in response to Report #10/11-014, *Information Technology Application Development & Procurement*, issued January 30, 2012. Management indicated that corrective action has been completed for two of the reported issues and initiated for the remaining three. Our office will schedule another review to assess the status of the efforts taken by management to correct all remaining open issues.

Status Report: Coastal Mental Health Partnership – We completed a review of management actions taken in response to Report #11/12-018, *Coastal Mental Health Partnership, Inc.*, issued June 28, 2012. Management indicated that corrective action has been completed for two of the reported issues and initiated for the one remaining issue. Our office will schedule another review to assess the status of the efforts taken by management to correct the remaining open issue.

Status Report: Vision CDC – We completed a review of management actions taken in response to Report #12/13-002, *Vision Community Development Corporation*, issued on October 23, 2012. Management indicated that corrective action has been completed for each of the reported issues. There is no need for further follow-up by our office.

REVIEW OF PERFORMANCE MEASURES

Our review of performance measures is incorporated into our assurance activities. There were no performance measures associated with the areas reviewed in Fiscal Year 2012-2013.

REVIEW OF CORRECTIVE ACTIONS FOR PRIOR YEAR AUDITS

Section 20.055(7)(c), Florida Statutes, requires the identification of each significant recommendation described in previous annual reports on which corrective action has not yet been completed. The following corrective actions were outstanding as of June 30, 2013:



Contract with Hands On Employment Services, Inc. – This audit examined the contract between the Division of Vocational Rehabilitation and Hands On Employment Services, Inc., regarding the provision of employment services and on-the-job training to DVR clients.

Recommendation: Ensure contract files and case records contain appropriate documentation, and evaluate the need to obtain the missing documentation. Also, strengthen controls for file maintenance and storage to meet contract provisions.

Status: Documentation was maintained in the area field office at the time of this audit but was subsequently moved to headquarters. Changes to the invoice process have been implemented. The contract manager will collaborate with the area contract liaison to provide guidance and technical assistance to the provider to ensure future contract compliance.

Centers for Autism and Related Disabilities – We reviewed three of the seven university-managed Centers for Autism and Related Disabilities (CARDs), which are established to provide non-residential resource and training services for persons with autism spectrum disorders and related disabilities. We focused on efforts by the CARDs to implement cost saving measures, increase revenue, and improve program efficiency.

Recommendation: To help offset the budget cuts, the CARD should increase its fundraising efforts to meet the statutory requirement and bolster its presence within the community. Additionally, the CARD should capitalize on existing relationships and continue to augment its fundraising capabilities to prevent further staff layoffs and reassignments.

Status: The CARD held a fundraising event and continues to utilize existing corporate relationships. The CARD has continued fundraising efforts, which included a Fun Run, a movie screening, and several other fundraising events.

Recommendation: Continue to encourage the CARDs to increase the availability of online, distance-learning technology, and computer-based training resources to constituents, their families, and educational professionals.

Status: Department and CARD personnel finalized an autism spectrum disorder online training module and compiled a list of resources for inclusion on the revised CARD main site. Adobe Connect trainings and webinars have been utilized and a new training initiative entitled Virtual Interactive Network Education (VINE) has been developed, which will allow statewide access to online training modules.

Information Technology Application Development and Procurement – This audit focused on general project management practices, most of which were still under development from a governance perspective.

Recommendation: The department should develop formal written policies and procedures for administering the enterprise-wide project management function, as well as IT application development and have them approved by executive management. Approved policies and procedures should be implemented and staff trained on their application.

Status: Policies, procedures, and methodologies have been developed and are being used to guide the ongoing implementation of the project management function. PMOC will formally adopt these written documents, though it will be necessary to make periodic revisions to ensure that these enhancements are communicated effectively. Training of personnel has been ongoing and will continue.

Recommendation: Continue to further develop, strengthen, and formalize the governance structure and activities to include creating governance committee charters and policies, and empowering a strategy or steering committee to ensure adequate control over project decisions, directions, and performance.

Status: Policies, procedures, and methodologies have been developed and are being used to guide the ongoing implementation of the project management function. The Project Management Oversight Committee (PMOC) has continued to evolve.

Recommendation: Develop a formal project management methodology for managing projects, which would likely include templates to guide project teams in obtaining an appropriate level of documentation, while streamlining preparation time and effort involved.

Status: Policies, procedures, and methodologies have been developed and are being used to guide the ongoing implementation of the project management function. PMOC will formally adopt these written documents, though it will be necessary to make periodic revisions to ensure that these enhancements are communicated effectively.

Coastal Mental Health Partnership, Inc. – This audit examined two contracts between the Division of Vocational Rehabilitation (DVR) and Coastal Mental Health Partnership, Inc. (CMHP) regarding the provision of on-the-job training and employment services.

Recommendation: Require CMHP to provide written notification prior to subcontracting parts of the contracts.

Status: DVR management will reiterate to CMHP in writing that they are to provide written notification prior to subcontracting any part of their contracts. Additionally, prior to the next contracting period, DVR will revise its standard terms and conditions to require contractors obtain approval prior to subcontracting any part of the services covered by their contract with DVR.

AUDIT RESPONSE COORDINATION AND FOLLOW-UP



The OIG provides a single point of contact for external agencies auditing the department. This is done to ensure effective coordination and cooperation between the Auditor General, federal auditors, and other governmental bodies, and minimize duplication of effort. We coordinate information requests and responses, and assist in scheduling meetings for these entities. We provide coordination of the required responses to preliminary and tentative findings issued by the Auditor General, Office of Program Policy Analysis and Government Accountability, U.S. Department of Education, and other oversight agencies. We also coordinate the six-month response on the status of corrective actions taken by the department on any audit findings and recommendations issued by the Auditor General or Office of Program Policy Analysis and Government Accountability. During the 2012-13 fiscal year, we coordinated the following external projects:

| | |
|--------------------------------------|--|
| OFFICE OF THE AUDITOR GENERAL | |
| 2013-094 | VIRTUAL INSTRUCTION PROGRAMS |
| 2013-133 | PUBLIC ASSISTANCE ELIGIBILITY DETERMINATION PROCESSES |
| 2013-161 | STATEWIDE FEDERAL AWARDS FOR FY 2011-12 |
| U. S. DEPARTMENT OF EDUCATION | |
| A02M0009 | FLORIDA: FINAL RECOVERY ACT EXPENDITURES SUPPLEMENTAL REPORT |

RISK ASSESSMENT AND AUDIT PLAN

Section 20.055, Florida Statutes, requires the inspector general to develop long-term and annual audit plans based on periodic risk assessments of the department. This helps ensure the OIG is responsive to management concerns and that those activities judged to have the greatest risks are identified and scheduled for review.

The risk assessment included identifying programs and activities administered by the department and evaluating each activity based on indicators of risk exposure, or risk factors. The programs and activities were determined through review of organization charts and the department's strategic plan, and discussions with responsible management personnel. Senior management then rated the vulnerability of the identified programs and activities by assigning scores for each activity on six risk factors: financial impact, public relations impact, control environment, changes in operations/personnel, management interest, and audit coverage.



Using the results from these efforts and our professional judgment, we developed the audit plan for the 2013-14 fiscal year. The audit plan provides the most effective coverage of the department's programs and processes while optimizing the use of internal audit resources. Twenty percent of direct audit hours have been dedicated to enterprise projects at the request of the Chief Inspector General. During the 2013-14 fiscal year, audit resources will be allocated to the following engagements:

| DIVISION | PROGRAM/PROCESS |
|--|--|
| BLIND SERVICES | CENTER FOR THE VISUALLY IMPAIRED |
| OFFICE OF TECHNOLOGY AND INFORMATION SERVICE | SECURITY |
| PUBLIC SCHOOLS | DIFFERENTIATED ACCOUNTABILITY |
| PUBLIC SCHOOLS | FLORIDA EDUCATOR'S CERTIFICATES |
| FINANCE AND OPERATIONS | CONTRACTS AND PROCUREMENT |
| ACCOUNTABILITY, RESEARCH AND MEASUREMENT | CLASS SIZE |
| ACCOUNTABILITY, RESEARCH AND MEASUREMENT | K-12 ASSESSMENT PROGRAM |
| INDEPENDENT EDUCATION AND PARENTAL CHOICE | MCKAY SCHOLARSHIP PROGRAM |
| VOCATIONAL REHABILITATION | FEE-FOR-SERVICE VENDORS |
| VOCATIONAL REHABILITATION | CENTERS FOR INDEPENDENT LIVING - SELF-RELIANCE CIL |
| VOCATIONAL REHABILITATION | CENTERS FOR INDEPENDENT LIVING - CIL GULF COAST |
| VOCATIONAL REHABILITATION | CENTERS FOR INDEPENDENT LIVING - CIL OF BROWARD |
| VOCATIONAL REHABILITATION | RATE CONTRACTS |

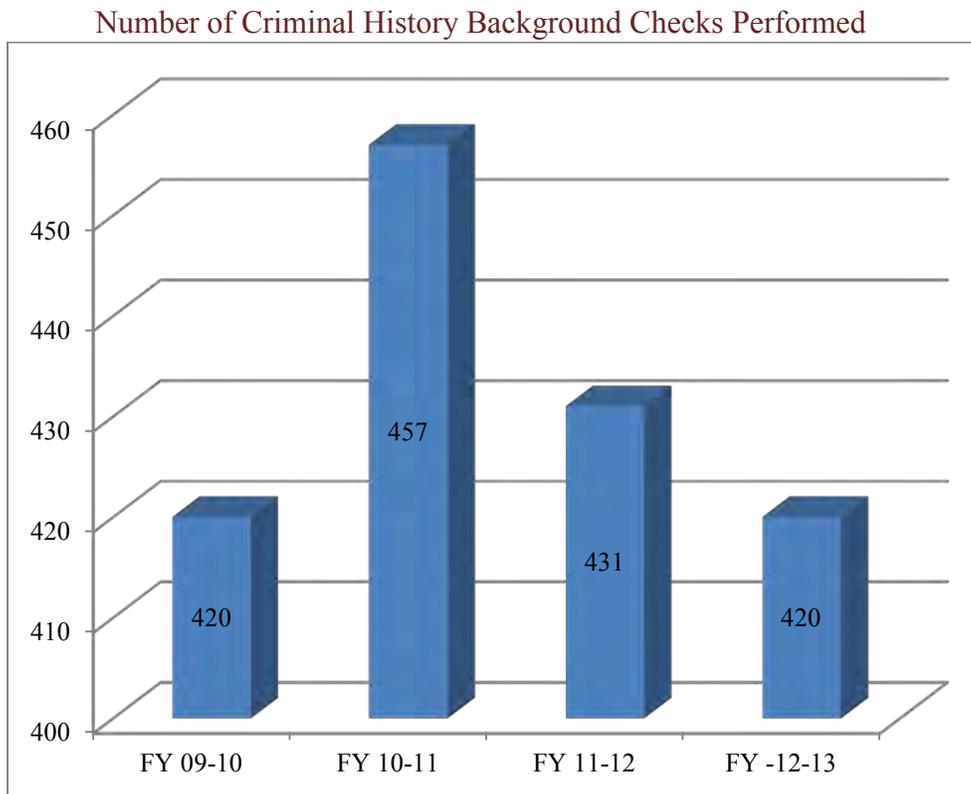
INVESTIGATIONS

During the 2012-13 fiscal year, the OIG received 161 complaints from the public and other entities, referred 50 complaints to management, initiated 13 investigations, completed 9 investigations, and made 2 referrals to criminal agencies. The OIG also processed 420 applicants' background checks and conducted 10 background check reviews.



CRIMINAL HISTORY CHECK PROGRAM ADMINISTERED BY THE OIG ANALYST

In accordance with Section 435, Florida Statutes all employees, volunteers, and applicants must undergo a level 2 screening as a condition of employment. The Office of Inspector General is responsible for processing the results of the level 2 screenings of each applicant. During the fiscal year 2012-2013, the OIG analyst conducted 420 applicants' background checks and conducted 10 background check reviews. The chart below depicts, by fiscal year, the number of background checks performed from 2009-2013.



ACCOMPLISHMENTS

Types of investigations conducted by the OIG included allegations of private school scholarship fraud, misappropriation of funds, misuse of position, and other employee misconduct allegations. A synopsis of those investigations is provided below.

- The OIG investigated an allegation that the Executive Director of the Center for Independent Living of Southwest Florida, a contracted organization with DVR, repeatedly utilized, as if they were his own, several of the organization's bank or investment accounts to pay for personal expenses and personal debts totaling approximately \$923,887.56. Because there were grounds for violation of criminal law, the OIG referred their investigation to the Florida Department of Financial Services (DFS), Office of Fiscal Integrity (OFI) for criminal investigation. Subsequently, the Executive Director was arrested and charged with Aggravated White Collar Crime, Grand Theft, and Communications Fraud.
- An OIG investigation confirmed an extremely high level of wrong-to-right answer erasures on the Spring 2011 Florida Comprehensive Assessment Test (FCAT) in four schools. The OIG was unable to identify the cause of the erasure occurrences in three schools. Regarding the fourth school, the OIG determined that two teachers coached and interfered with student responses during the administration of the FCAT. The OIG recommended that FDOE:
 - Conduct random observations of test administration procedures at test administration sites to ensure that testing procedures are correctly being followed.
 - Strengthen the ongoing chain of custody requirements of test materials for all schools.
 - Strengthen the current requirements in the Test Security Policies and Procedures section of the Test Administration Manual.
 - Continue to enforce these additional security measures, and use this process for identified schools in the future.
 - Review whether the schools involved in the investigation were currently assigned a school grade that accurately represents the performance of the school, which would be done on a case by case basis.
- The OIG received a complaint that the Coalition of Florida Farmworkers Organizations, Inc., (COFFO) falsified reference letters from 14 employers attesting to the employment of COFFO clients. COFFO, a not-for-profit organization, was awarded an Adult Education and Family Literacy grant administered by the U.S. Department of Education (USED). The OIG's investigation revealed that COFFO submitted falsified reference letters on 21 clients in order to receive payment based on academic gains, employment placements, and retention of the clients. The OIG referred this information to the USED, OIG, which initiated an investigation based on the fraudulent documentation that would indicate a possible misuse of federal grant monies. The USED alleged that



COFFO received approximately \$32,390 from FDOE based on the fraudulent letters from employers. COFFO initially submitted requests for over \$129,000, but due to inconsistencies in their deliverables, FDOE did not award the requested amount. COFFO subcontracted to local Community Based Organizations to conduct work for the grant. The facts from the USED investigation were presented to the U.S. Attorneys' Office; however, they declined the case for prosecution, and the USED OIG is currently pursuing a civil case out of the Northern District of Florida. The FDOE OIG closed their portion of the investigation.

- The OIG received information that the Broward County Private Schools Association (BCPSA) may be in violation of the laws governing the McKay and Florida Tax Credit Scholarship Programs. An OIG investigation resulted in BCPSA entering a settlement agreement with FDOE, whereby BCPSA is placed on probationary status through the end of the 2015/2016 school year.
- The OIG received a complaint that the Chief Executive Officer and the Chief Program Officer of the Miami Lighthouse for the Blind (MLB), a contracted organization with the Division of Blind Services (DBS), encouraged MLB staff to falsify client data in order to maintain contract expectations. The allegation was unsubstantiated. The OIG recommended that DBS research and implement a static process for measuring the level of client satisfaction and the amount of client services provided.
- An anonymous complaint to the OIG alleged that two DBS employees deliberately procured a DBS contract with one of the employee's privately owned company while that employee was currently working at DBS. An OIG investigation substantiated the allegations. FDOE management subsequently terminated two FDOE employees, two FDOE employees resigned in lieu of termination, and two FDOE employees were suspended. The OIG recommended that the FDOE Contracts and Procurement Office strictly adhere to the FDOE and DMS approved procurement procedures and ensure that all FDOE employees assigned contract and procurement duties are proficient in their understanding and utilization of the MyFloridaMarketPlace system. The OIG also recommended that the FDOE Division of Finance and Operations consider strengthening the contract approval process in order to verify that DBS, along with other FDOE divisions, are following Florida Statutes, the Florida Administrative Code, and department policy.
- The OIG received three complaints regarding possible "unlawful reprisal" by Miami-Dade County Public School District. The three complainants alleged that the District's Civilian Investigative Unit (CIU) unlawfully reassigned them from their positions at the Neva King Cooper Education Center (NKCEC) to various locations throughout the District. Specifically, each of the complainants was assigned to menial jobs as a direct result of advocating that NKCEC convert from a district school to a charter school. The OIG



interviewed the complainants and district staff and found the three NKCEC employees were reassigned to other positions pending resolution of an investigation by the CIU due to allegations that they influenced other NKCEC employees to vote for charter conversion while utilizing district resources. The facts from the OIG investigation were presented to the FDOE, Office of the General Counsel, which determined that reasonable grounds exist regarding “unlawful reprisal” by the district, and they scheduled a hearing with the Florida Division of Administrative Hearings over this matter.

- DBS forwarded a complaint to the OIG alleging that a DBS Senior Rehabilitation Specialist inappropriately released a DBS client’s confidential background criminal history through an email to 58 unauthorized recipients. The OIG substantiated the allegation and the DBS employee received a formal counseling from DBS management. The OIG recommended that DBS develop annual training to educate staff on adhering to Florida Statutes that cover the importance of safeguarding the confidentiality of applicant and client records. The OIG further recommended that DBS draft, adopt, and implement a policy and procedure that prohibits the distribution of client criminal histories. The OIG suggested that providers, vendors, and DBS staff report criminal history information on a “pass or fail” basis according to a training program’s minimum qualifications.

- The FDOE, OIG provided resources and assistance to the Board of Governors, OIG with the investigation of the Florida A&M University (FAMU) anti-hazing program. The primary focus of the investigation was whether FAMU had implemented a rigorous program to prevent, detect, deter, and effectively discipline students engaged in prohibited hazing activities that included the implementation of effective institutional and internal controls as required by Board of Governors’ regulations, University regulations, and applicable state law. The investigation also focused on whether FAMU failed to adequately address complaints of hazing, including investigating, and when appropriate, imposing appropriate discipline on students who had allegedly engaged in prohibited



activity. The investigation further looked into whether FAMU senior administrative staff failed to respond to allegations of hazing reported to them by the former Director of Bands; and if so, whether their actions demonstrated a reckless indifference or disregard of applicable Board of Governors’ regulations, University regulations, and state law. During the course of the investigation, the OIG reviewed and analyzed all reported cases of hazing received by FAMU from 2007 to 2011; conducted interviews of 35 current or former FAMU employees including the Interim President, the past President, and senior staff; and reviewed approximately 7,000 pages of documents received from FAMU in response to Requests for Information and on-site inspections. The investigation concluded that the FAMU anti-hazing program failed to comply with applicable regulations and state law due to inadequate institutional and internal controls. The allegation that FAMU staff failed to adequately address complaints of hazing by former Director of Bands was unsubstantiated. Numerous recommendations were suggested to FAMU to improve their institutional and internal controls to prevent, detect, and deter hazing.



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