

OFFICE OF INSPECTOR GENERAL SCHOOL DISTRICT OF PHILADELPHIA INVESTIGATIVE REPORT SYNOPSIS

TO: Board of Education
Dr. William Hite, Superintendent

FROM: Jayme Naberezny, Inspector General

DATE: February 24, 2022

Introduction

The Office of the Inspector General for the School District of Philadelphia (OIG) received an allegation from the Office of Student Enrollment and Placement (OSEP), that two sibling students attending Central High School were not residents of Philadelphia. Each of the students had been enrolled at the Philadelphia public school since September 3, 2019. The students told District administrators that they lived outside of Philadelphia County. The investigation substantiated this allegation and established that the students do not have a valid Philadelphia address.

Living outside the geographical boundaries of Philadelphia and attending school in Philadelphia County without submitting appropriate documentation as to residency is a violation of School District Policy 202 and Sections 1301 and 1316 of the Pennsylvania Public School Code (24 Pa. Stat. Ann. §§ 13-1301, 13-1316). Accordingly, the OIG recommends that the parent or guardian for the students be billed the non-resident tuition for the time that they attended school in the District while living outside of Philadelphia County.

Applicable Policy

Policy 200, Enrollment of Students

Per Board Policy 200, “school age resident students and eligible nonresident students shall be entitled to attend district schools. Enrollment requirements and administrative procedures shall apply to nonresident students approved to attend district schools, in accordance with [Board] policy. The district shall not enroll a student until the parent/guardian has submitted proof of the student's age, residence, and immunizations and a completed Parental Registration Statement, as required by law and regulations.”

Policy 202, Eligibility of Non-Resident Students

While the policy states that “[t]he School Reform Commission shall operate district schools for the benefit of students residing in the City of Philadelphia who are eligible for attendance[,]” non-resident students who meet certain requirements may also attend Philadelphia public schools.

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“Before any eligible nonresident student may be accepted as a student in district schools, the [Board] requires that appropriate documentation verifying the student’s eligibility be submitted. The [Board] reserves the right to verify claims of residency, dependency and guardianship and to remove from school attendance a nonresident student whose claim is invalid. Admitted nonresident students shall receive the same benefits and be subject to the same responsibilities as resident students. The [Board] shall not be responsible for transportation to or from school for any nonresident student residing outside school district boundaries except when the transportation is required per the federal and state mandate (i.e foster care or homeless students).”

The School District of Philadelphia shall deny the admission of a nonresident student to any school or academic program where such enrollment would displace a resident student or require the district to incur additional costs. However, regularly enrolled students whose parents/guardians have moved out of the school district may be permitted to remain in a school in which the student was appropriately enrolled until the last day of the that school year for pupils, upon district approval and payment of tuition by the parent/guardian or the district of residence. Tuition shall not be charged if a student is attending School District of Philadelphia schools and moves out of the city in the student’s senior year.

District policy as well as state statutes state that “[t]uition rates shall be determined annually in accordance with law. Tuition shall be charged monthly, in advance of attendance.”

Policy 202, Misrepresentation of Residency

The School District of Philadelphia reserves the right to unenroll and/or charge tuition fees for any misrepresentation of any information used to enroll in a School District of Philadelphia school. Misrepresentation of information used for this purpose may also constitute perjury, unsworn falsification to authorities, fraud and other offenses under the Pennsylvania Criminal Code. Suspected violations will be referred to Philadelphia District Attorney’s Office.

OIG Investigation

OIG investigators reviewed records in the students’ packets received from the school and found that the Student Registration Forms EH-40, dated 2019, for the students listed their primary address in Philadelphia at their grandparents’ home. However, the grandparents are not listed as members of the household with whom the students reside but rather as emergency contacts. The only other household member on the Forms EH-40 was the students’ mother. Other forms in the packet, including what appears to be a copy of a mailing envelope from an energy company and a Pennsylvania identification card, also indicated the mother’s address was in Philadelphia. Neither student enrollment packet had a residential lease or deed from the Philadelphia address.

A search of Philadelphia property records indicate that the students’ grandfather owns the Philadelphia home they claimed as their primary residence. Other database records show that the students’ mother maintained a residence in Delaware County.

OIG investigators attempted to contact the mother at the Philadelphia address she provided to no avail. Additionally, the mother’s cell phone number provided in the students’ information to the school was

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out of service. Investigators eventually contacted the students' grandmother who stated that the mother and the students, indeed, lived with her in Philadelphia and provided a working cell phone number for the mother. Investigators telephoned the mother who assured them that she could provide the OIG with proof of residency. Later that day, the mother emailed the OIG a copy of her medical disability papers displaying Philadelphia as the place of residence. Then, a few days later, the mother emailed the OIG copies of her bank statement and cellular bill. All of these documents displayed the same Philadelphia address.

OIG investigators telephoned the mother seeking explanation as to why the students told the school administrators that they lived outside of Philadelphia in Delaware County. The mother stated that her brother lives in Delaware County and that he served as a temporary caregiver for her while recovering from an injury. The students stayed with her and her brother at his residence during her recovery. Thus, the students mistakenly gave the administrator the wrong address.

In September 2021, Septa Student Fare Cards were issued to the two students. An analysis of the Fare Card records from September 1, 2021, through December 15, 2021, showed that the students consistently entered the transit system in or around the Delaware County apartment complex where their uncle allegedly lived and made their way to the 69th Street Terminal heading toward school. Not once did the students travel via SEPTA to the area of their grandparents' Philadelphia address. Moreover, almost every trip the students took leaving school terminated at the 69th Street Transportation Center West Terminal heading toward the western Delaware County suburbs.

More recently, OIG investigators contacted the Delaware County apartment complex and confirmed with the property manager that the students' mother is the sole leaseholder of the apartment and her brother is not listed on the lease. The apartment manager would not provide any additional information. Attempts to contact the mother at the Delaware County address were unsuccessful. Furthermore, the mother did not return any telephone messages. In January 2022, OIG investigators left a message with the grandmother requesting that the mother contact this Office. As of writing this report, the students' mother has not contacted the OIG.

Conclusion and Recommendations

The information obtained during the course of this investigation substantiated that the students have not resided in Philadelphia during the time they attended Philadelphia public school from 2019 to present. By their own admission, the students told school administrators in September 2019 that they live in Delaware County, which is located in the Upper Darby School District. While their mother suggested that she and the two students were temporarily living in Delaware County with her brother, the apartment manager had no record of her brother ever being on the lease for the apartment. The mother was unable or unwilling to provide updated and accurate proof of residency for her children to attend Philadelphia public school. Both the students commuted to Philadelphia public school using a District issued SEPTA Fare Card which, by all accounts, showed that the students live in Delaware County and board the transit system at various stations in and around the apartment complex.

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Considering all the facts established in this investigation, OIG recommends that the School District of Philadelphia Office of Child Accounting (OCA) generate a non-resident tuition invoice for the students in the amount of \$12,826.06 for the current 2021-2022 school year. Also, OCA should generate non-resident tuition bills for each student in the amount of \$12,078.34 for the 2020-2021 school year and \$12,260.40 for the 2019-2020 school year in accordance with the District's relevant tuition fees. In total, the tuition bill for the students amounts to \$37,164.80 each.

Furthermore, the OIG recommends that the District not permit the students to enroll in Philadelphia public schools for the coming 2022-2023 school year without definitive proof of residency, consistent with Pennsylvania law.¹ The District should take appropriate actions according to policy to ensure that the process of enrolling a non-resident student in any school be permitted only when no other qualified district residents have applied for enrollment. The students' interest in continuing to attend an elite Philadelphia public school should be considered against the right and interests of bona fide Philadelphia residents to also have the opportunity to attend. In summary, this investigation concludes that the parents or guardians of the students owes the District \$74,329.60 for the Philadelphia public school education afforded to the students while living outside of the city limits.

¹ According to SIS, both the students are already enrolled to attend a Philadelphia public school for the upcoming 2022-2023 school year.

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