

# OFFICE OF THE INSPECTOR GENERAL

## School District of Philadelphia

### Investigative Report Synopsis

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#### Introduction

The Office of Inspector General (“OIG”) for the School District of Philadelphia (“District”) received information that an employee misused a District vehicle when it was used for a non-business, overnight trip to New York that resulted in several toll violations. The OIG investigated the claim and substantiated that the employee misused several District vehicles by using them for personal travel after work hours and using the vehicles for trips to shopping centers, clubs, the airport, and out of state. Additionally, the investigation revealed that the employee fraudulently submitted documents to the Office of Talent (“Talent”) as part of the hiring process including falsified paystubs, reference letters, and a W-2, improperly recorded their time, and held a second job that conflicted with the employee’s District job.

#### Applicable Policy

##### *Vehicle Usage*

School Board Policy 711 addresses “Use of School District Vehicles.” That policy requires that District vehicles “are to be used only for the performance of job-related duties and responsibilities and for no other reason except for commuting to employment site.” Section 6.1 of the Attachment reiterates that “District vehicles [are] for official use only. District employees are directed to avoid any vehicle use that might result in or create the appearance of impropriety with regard to public perception concerning the misuse of District vehicles. Employees may not use District vehicles while off duty except for work-related activities designated by their department head.” Further, Section 15 states “[e]mployees who are found to have violated the policies set forth in this Directive may be subject to disciplinary action up to and including termination.”

##### *Outside Employment*

The District’s Code of Ethics (“Code”) includes guidance specifically addressing outside employment by current employees. The Code states that employees “must not misuse District time by conducting non-District business during assigned work hours, or allowing other employees to do so.” The Code defines “non-District business” as “attending to personal or family matters, performing or promoting services compensated by any person or entity other than

#### **REPORT FRAUD, WASTE, AND ABUSE**

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the District[.]” Employees are prohibited from accepting “... outside earned income in any situation that could reflect poorly on [their] character or reputation, or could be inconsistent or conflict with performance of [their] duties as employees. Violations of the Code may result in administrative or disciplinary action up to and including dismissal, as well as referral to appropriate authorities for civil action and/or criminal prosecution.”

### ***False Documents and Statements***

Submission of false documents and statements violates basic ethical standards of the District. The Code requires that employees “[avoid] any form of fraud, falsification, misrepresentation, or deception in the statements [they] make and the records [they] keep while doing [their] jobs.” The Code states, “[a]ll School District employees should conduct themselves in a manner that promotes and supports the development of good character by teaching, enforcing, advocating and modeling ethical principles.” The Code of Ethics’ core principles require that all employees are expected to be honest, take responsibility and demonstrate accountability for their actions, obey all laws and regulations, and represent the School District in a manner that engenders public trust in its integrity and competence.

### ***Act 168 Form***

The Act 168 form is a standardized form developed by the Pennsylvania Department of Education used to satisfy the Act’s requirement of providing information related to abuse or sexual misconduct for anyone in a position involving direct contact with children. Applicants are required to complete a form for their current employer and any other employer where they had direct contact with children. The applicant reports their employer and answers a series of questions related to sexual misconduct, abuse, and subsequent discipline. The form is then sent to the employer who verifies the information.

## **Investigation and Findings**

The OIG investigation began as a result of unpaid tolls from an overnight trip the employee took to New York City. When questioned about the trip, the employee presented a curious story and provided documentation that did not support their version of events. This included Fedex tracking information that the employee claimed showed work-related packages were delivered to New York, and they traveled in a District vehicle to retrieve the packages. However, none of the seven tracking numbers showed that packages were delivered to New York. In reality, six packages were delivered to Philadelphia and one package was returned to the sender in California. A further review of the vehicle’s GPS revealed that the employee used District

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vehicles well after work hours to travel to commercial and entertainment districts throughout Philadelphia. Additionally, the employee repeatedly used District vehicles to go to shopping centers, clubs, and the airport despite those trips having no official work-related purpose.

Based on this information and suspicions that the employee was underqualified for the executive-level position they held in the District, the OIG reviewed the employee's job application documents. Several of the reference letters appeared to have been doctored or falsified. One particular letter was dated from 2020 but the letterhead contained information that was only valid in 2018. The OIG contacted a reference, and that individual revealed that they were the employee's cousin, they had not written a reference letter for the employee, and had not supervised the employee as indicated in the letter. The employee's previous employer was contacted and stated that the employee, who indicated they worked with the previous employer through 2020, was terminated in 2017. The previous employer also stated that a paystub and W-2 the employee had provided to the District that supposedly were issued by the previous employer were fabrications.

Further review revealed that the employee never provided transcripts to verify their educational background as required by the District for the position the employee held. After contacting the employee's college, the Registrar's Office stated that the employee never attended the college and had not graduated from the school, despite indicating on their application they had received a degree. As the investigation progressed, it was determined based on Act 168 forms that the employee held a full-time position in Georgia that overlapped with the employee's full-time job with the District. The dual employment overlapped for approximately two months and the employee was able to travel back and forth between the jobs as they worked a hybrid schedule with the District.

The OIG investigation concluded there were five main problematic areas involving misuse, fraud, dual employment, and lack of supervision. First, the investigation substantiated that the employee misused at least three unmarked District vehicles. The employee used these vehicles for personal purposes on numerous occasions to take an overnight trip to New York, to travel to and from the airport during work and non-work hours as well as on the weekends, to travel frequently to locations throughout the city during non-work hours, to go to clubs, and for a shopping trip to a mall in New Jersey. This misuse continued even after the OIG spoke with the employee and was told that their use of the vehicle was in violation of District policy. From February 2021 through July 2021, the employee misused a District vehicle on 64 occasions.

Second, the investigation revealed that the District did not satisfactorily conduct a thorough review of the documents and information that the employee submitted as part of the hiring process resulting in no red flags being raised despite obvious conflicting information. The OIG

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concluded that the employee lied on their job application with the District with respect to their criminal history, falsified two Act 168 forms, failed to submit required educational transcripts, and falsified their employment history and at least two references. As a result, the District hired the employee despite never receiving the employee's college transcripts, not speaking to two of the employee's three references, never contacting the employee's prior employer, and inadequately reviewing and responding to the employee's Act 168 forms. Even after the employee was hired and additional documents were requested, the employee continued their charade and provided a fabricated pay stub and W-2. Aside from the employee's own dishonest conduct, more broadly, the investigation uncovered that the District's decentralized approach to reviewing a potential hire's application allowed for inconsistencies and falsehoods to go unnoticed.

Third, this investigation substantiated that the employee held an executive-level position with the District while simultaneously being employed at another school district located outside of Pennsylvania.

Fourth, this investigation substantiated that the employee disregarded using the Kronos system for daily timekeeping, and the employee's supervisor unsatisfactorily monitored the employee's work hours. In fact, the employee only used Kronos three times during their entire District employment, and it did not appear that the employee's supervisor required the employee to track their work hours.

Finally, this investigation concluded that the employee's supervisor never disciplined the employee for their continued misuse of a District vehicle, even after it was repeatedly brought to the supervisor's attention. The supervisor's behavior was particularly troublesome because, when the employee was confronted with the trip to New York, the employee advised their supervisor that the trip had not been for District business. Despite this admission, the supervisor failed to reprimand the employee.

### **Conclusions and Recommendations**

1. After the OIG completed its investigation, Employee Relations in conjunction with the employee's supervision suspended the employee without pay pending termination. In January 2022, the employee was terminated.
2. The District should enhance its background and reference check requirement for senior level District staff. The existing background and reference check process leaves the District vulnerable to repeating the same process that allowed this employee to falsify reference letters, a paycheck, and a W-2, fabricate employment information, and hold two

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jobs simultaneously, particularly in the remote work environment. The District's current hiring systems and processes only provide partial safety nets. Some of the protective devices already in place are underutilized or not utilized thereby allowing applicants like this employee to fall through the cracks.

3. The District must continue to improve the response rate on Act 168 forms for applicants and generally improve the system. Understanding that an overly onerous process on either the applicant or the District results in potential hiring delays and scaring off qualified candidates, or lowering the response rate, improvements are necessary not only to comply with state law, but to avoid fabrications like the ones that occurred here.
4. The District must ensure compliance with the non-bus vehicle policies and procedures, that required forms are completed and kept on file, and employees are made aware of the usage limitations for their assigned District vehicle. Such limitations should emphatically include that District vehicles cannot be used for personal travel.

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