

OFFICE OF INSPECTOR GENERAL

School District of Philadelphia

Investigative Report Synopsis

Introduction

The Office of Inspector General (OIG) for the School District of Philadelphia (District) received a complaint from the Office of Management and Budget (OMB) alleging that there were an excessive number of claims for Prep Payback by teachers at a District school during the 2020-21 school year. The complaint stated that the claims were suspiciously high considering schools were operating in a virtual environment at that time, particularly when compared to the number of claims submitted by other schools. Additionally, OMB did not receive any requested documentation to support these claims. Based on this information, the OIG reviewed the Prep Payback claims of the teachers at the school from the 2020-21 school year. The investigation did not uncover any fraudulent activity by the teachers, but did reveal that the District does not require schools to maintain sufficient records as dictated by the Collective Bargaining Agreement (CBA) between the Philadelphia Federation of Teachers (PFT) and the District.

District Procedures and Collective Bargaining Agreement

According to the OMB website, Prep Payback is “the process to pay [District] teachers for lost prep coverages that were not made up during the school year. Principals are sent instructions and forms in the fall and again in May of each school year. The Principal must verify lost preps and record the information on the form with the requested payment option for the lost preps. The payment can be made in cash, personal leave time, or a combination of the two. The forms are submitted to the Office of Management and Budget for verification. Prep Payback payments are usually processed in late August.” Employees are paid \$29.90 per missed prep period.

Article XVIII, Section B(1)(c) of the CBA states, “[e]ach elementary teacher shall receive not less than two hundred twenty-five (225) minutes of preparation time each week in addition to recess and lunch periods. When possible, a preparation period shall be at least forty-five (45) minutes long and in no case shall it be less than 30 minutes.” Article XVIII, Section (B)(1)(d) states that “[i]f a teacher in an elementary school loses a preparation period during any school year, then he/she shall have the time restored, except that for only the first four (4) preparation periods lost during any school year he/she shall have the option to have restored such preparation period, or to receive pay at the prevailing extra-curricular rate of compensation for the lost preparation period.” Article XVIII, Section (B)(1)(k) of the CBA requires that “[w]henever a teacher is required to cover an assignment during a preparation period, he/she shall receive in writing the reason therefore before the request or not later than the next school day.”

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OIG Investigation and Findings

In July 2021, the OIG received a complaint from OMB that the Prep Payback claims submitted by a District school during the 2020-21 school year were suspiciously high when compared to other schools during the same year, and that there were no corresponding records to support these claims. Teachers submitted a total of 831 claims for lost preparation time from that school year which, if paid out, would cost the District \$24,846.90. When OMB requested supporting documentation from the assistant principal (AP), they responded with a lengthy explanation of all of the responsibilities that the teachers had that year. However, they did not include any records or other documentation to support the claims.

OIG investigators spoke with the AP, who explained that they did not receive any training on how to manage Prep Payback, but used SEH-90 Absence Forms to track the lost preparation periods. The AP noted that while they kept all of the teachers' SEH-90 forms in a binder in the main office, the released teachers managed their own forms and turned them in at the end of the year. There were three fully released teachers that year, and they each had added responsibilities that caused them to miss a significant number of preparation periods. The AP also explained that other schools in the District had adopted asynchronous learning to allow students to work independently in a "study hall" environment if there were not enough teachers to cover all of the classes. The administration at this school did not implement asynchronous learning for their students, so teachers had their preparation periods taken away to cover virtual classes. The AP recalled writing a lengthy email explaining why the school had so many lost prep periods, but did not recall ever being specifically asked for supporting documentation.

Investigators obtained the Prep Payback binder from the 2020-21 school year. The binder contained the SEH-90 forms for 46 of the 52 teachers that submitted Prep Payback claims that year. The three released teachers from that year claimed more lost preparation periods than any other teacher, and two of the six missing forms belonged to released teachers. Of the 831 claims that were submitted, these three teachers submitted a combined total of 261 claims, while the average number claimed by the remaining 49 teachers was only 12.

The three teachers with the highest number of missed prep periods all painted a very similar picture of the 2020-21 school year. Each of them told investigators that they took on a multitude of additional responsibilities that were not part of their regular duties or job descriptions. Although they should have been released from traditional classroom duties, they began to assist teachers with virtual learning, spent time in classes every day, and took on additional administrative responsibilities. Due to this, they consistently worked through their lunches and their preparation times just to be able to keep up with the work.

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The virtual environment required the released teachers to provide more assistance to both the classroom teachers and the students than usual. For example, they sat in on each class throughout the day to work with students in individual breakout rooms, managed Common Planning Time (CPT), worked with Teachers' College, managed STAR and AIMSweb testing, and were the PSSA testing coordinators. During PSSAs in particular, they had such strict deadlines that they would not have met if they had not worked straight through the day. Two of the teachers noted they were regularly given additional tasks and asked specifically to complete them on their preparation periods. However, none of the teachers were given formal written requests to miss their preparation periods as required by the CBA. They stated that they kept track of their missed prep periods on the SEH-90 forms and gave those forms to the AP at the end of the school year. It is unclear why two of those forms were missing from the binder, but there is no question as to the amount of work that these teachers engaged in that year. In fact, multiple teachers attempted to address their concerns about simply not having enough time to complete all of their responsibilities and meet required deadlines, but those concerns were dismissed by the administration at the school. Despite that, the teachers consistently told investigators that if the work was going to be beneficial to the students, they just did it.

While the OIG investigation found the prep hours lost by the teachers to be legitimate, the documentation for those lost hours was significantly lacking. Teachers used the SEH-90 forms to keep track of the lost prep periods, but the CBA requires that "[w]henver a teacher is required to cover an assignment during a preparation period, he/she shall receive in writing the reason therefore before the request or not later than the next school day." The released teachers were never given written requests to miss prep periods, but had to meet expectations by completing assignments during their preparation periods. The AP explained that the released teachers had an ongoing understanding of what they needed to accomplish, and the classroom teachers were informed via phone call, not in writing, that they needed to miss preparation periods.

The CBA further states that "[i]f a teacher in an elementary school loses a preparation period during any school year, then he/she shall have the time restored, except that for only the first four (4) preparation periods lost during any school year he/she shall have the option to have restored such preparation period, or to receive pay at the prevailing extra-curricular rate of compensation for the lost preparation period." The OMB website explains that Prep Payback is "the process to pay [District] teachers for lost prep coverages that were not made up during the school year." One teacher noted that there was no attempt during the school year to give them their time back – they were just told that they would be paid by the end of the year. All of this demonstrates a failure to comply with the requirements of the CBA.

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Conclusions and Recommendations

The OIG recommended that the District clarify and formalize policies and procedures pertaining to Prep Payback for District employees to ensure accuracy, completeness, and to protect District assets. The released teachers at this school were in a unique position that led to a large number of missed preparation periods despite the virtual environment, while the number of claims submitted on average by the classroom teachers was minimal. The school still failed to follow the proper procedures or maintain complete documentation as outlined by the District and the CBA. However, this issue was not unique to this school, and without formal training, awareness of what the CBA actually requires, or uniformity in documentation, there is an increased risk of fraudulent claims being submitted, which puts District assets at risk.

Therefore, the OIG further recommended the District require all schools to use a uniform Prep Payback log – which should list the permitted reasons for claiming missed prep periods and a breakdown of the minutes eligible to be claimed – to engage in contemporaneous documentation and periodic reporting throughout the school year. Documenting lost prep periods as they occur ensures that teachers are reimbursed for legitimate lost preparation time and mitigates errors in recordkeeping. The Collective Bargaining Agreement has built-in safeguards to ensure compliance with the Prep Payback program, such as requiring that teachers are provided written requests to miss prep periods and restoring teachers' lost preparation time during the school year. Despite these requirements, teachers did not receive formal, written requests to miss their preparation periods, and there was no attempt to make up any of the missed prep periods before the end of the school year. Making these requests for teachers to miss preparation periods in writing would ensure that there is documentation of not only the lost preparation period, but also the reason why the request was made. The documentation of these requests must be preserved and produced upon request by OMB to eliminate any question as to the legitimacy of the claims submitted.

Contemporaneously maintained records of lost preparation time provide school administrators ample opportunity to schedule teachers and staff in order to make up lost time before the end of the school year, as well as preventing teachers from requesting Prep Payback on days they were absent from the building or the school was closed due to the inclement weather. The OIG recommended that this documentation be submitted to OMB in a timely manner to ensure compliance with the Prep Payback program, and promote integrity and veracity in the number of claims submitted and the ultimate costs to the District. Compliance with the requirements laid out in the Collective Bargaining Agreement will deter abuse of the program and reduce the number of erroneous claims.

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