

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) investigated the misuse of a District vehicle by a District employee for personal purposes outside of official District business. The OIG investigation substantiated that the employee abused their assigned District vehicle by using it on numerous occasions to travel to shopping centers, restaurants, and airports, while also transporting non-District employees in the vehicle. The employee misused their vehicle during weekends, holidays, after regular work hours, and while on leave from the District.

Applicable Policies

Vehicle Usage

School Board Policy 711 addresses “Use of School District Vehicles.” That policy and its Attachment, “Non-Bus Vehicle Usage Policies and Procedures,” describes the goal of the policy, in part, as “enhance[ing] accountability for vehicle usage” to “promote the uniform, efficient, safe and ethical use of the District’s fleet.” Transportation, under supervision from the Chief Operating Officer, is responsible for “enforc[ing] adherence to fleet operational procedures[.]” According to the policy, employees who are “found to have violated the policies set forth in this Directive may be subject to disciplinary action up to and including termination.”

Policy 711 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.” It is clear in the Attachment to the policy that take home vehicle privileges can be used only between the employee’s permanent primary residence and work location. 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.”

Furthermore, the Attachment states that “[a] District vehicle can be used to transport non-District employees if the transport is for business purposes. Non-District employees may not be transported in District-owned vehicles for non-business purposes without express written approval from the Department of Transportation Services.”

REPORT FRAUD, WASTE, AND ABUSE

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OIG Investigation

In the normal course of reviewing GPS data of District vehicles, the OIG observed a vehicle parked at Atlantic City International Airport. Further examination of the recent travel of the vehicle indicated that it appeared to have been used on several occasions for non-District purposes, such as running personal errands, visiting shopping centers and restaurants, and traveling to and from airports on multiple occasions.

The OIG subsequently contacted the employee's supervisor who confirmed that the vehicle was part of their departmental fleet and assigned to this particular employee. The supervisor advised investigators that the employee was on vacation while the vehicle was parked at the airport. Upon the employee's return to work the supervisor questioned the employee regarding the vehicle being driven to the airport and reported to investigators that the employee acknowledged they used the vehicle for personal matters "a couple of other times."

Based on this information, the supervisor reprimanded the employee and issued a two-day suspension of their vehicle use. The supervisor did not independently review the GPS history of the employee's vehicle and therefore, when issuing discipline, was not aware of the full extent of their past vehicle abuse. The OIG's subsequent extensive review of the employee's travel in the District vehicle during a five-month period revealed that the vehicle was misused on 71 days, including 31 weekend days, 4 holidays, and 9 days when the employee was on leave from the District. Investigators documented significant use of the District vehicle on weekends, repeated travel that occurred after the employee returned home from work, and patterns that indicated other non-District individuals were being transported in the vehicle.

The employee told investigators that prior to being assigned the vehicle, they received the non-bus vehicle usage policy, a copy of which is in the vehicle, signed a vehicle use authorization form, and were aware that the vehicle was equipped with a GPS device. Also, the employee acknowledged that they had used the vehicle for personal purposes not related to District business, and they were aware that they had violated the vehicle usage policy.

One trip repeatedly observed throughout the course of the five-month period was around a block in West Philadelphia. The employee explained that they occasionally gave one of their relatives a ride home as that person also works for the District. However, in addition to these unauthorized commuting trips to West Philadelphia, many trips to that location also took place on weekends and multiple times in one day. The drive from the District office to the relative's house is approximately 15 minutes in the opposite direction from the employee's home. These trips added significant time and mileage to the employee's commute home from work.

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The employee's relative told investigators that the employee would often drive them home from work, pick up the relative's children, and then go visit the employee's house. While the employee and their relative work for the District, neither of them are permitted to use the vehicle for purposes unrelated to District business. More importantly, the children are not District employees and the employee should never be transporting them in the District vehicle. During these five months, the employee's vehicle traveled to their relative's residence 18 times.

In addition, the employee made various trips to a transit station near their residence to pick up a relative in lieu of driving all the way to their house. This information was later confirmed by the relative. On one Sunday, the employee made two trips between the train station and the employee's house, putting almost 65 miles on the vehicle. On another occasion the employee traveled in the District vehicle to their relative's house after work, then after going home traveled back out to the train station. Later that evening, the employee left their residence and according to their relative, traveled to pick up one of their children from prom at 11:45 pm. OIG investigators verified that the location where the vehicle traveled did host prom on that date.

Many times, the employee drove the District vehicle from their residence to a restaurant oftentimes remaining out for hours despite having already returned home from work and having access to a personal vehicle. The employee explained to investigators that after work, they and their spouse would sometimes go out to dinner using the District vehicle. The employee confirmed that they were aware that this action violated District policy.

Travel also occurred on weekends and holidays when the employee was not permitted to be using the vehicle at all. While their employment duties may sometimes require the employee to visit schools or attend meetings on weekends, there was only one day where the OIG observed the vehicle being used by the employee on a weekend for District business. Nevertheless, even on that day, the vehicle was used for personal travel in addition to coming to the District. During the five-month period, the employee was in possession of the District vehicle for 38 weekend days, and used the vehicle for personal matters not related to District business on 31, or approximately 82%, of those days. The use of the vehicle consisted of taking their spouse to dinner, shopping, and a neighborhood festival. While on funeral leave, the employee used the District vehicle to attend the function.

On a Monday when the District was closed for a holiday, the employee drove the District vehicle to a shopping area where it was parked for approximately two hours. The employee explained that they and their spouse traveled there in the District vehicle because they were experiencing issues with their personal vehicle, and they did not want to miss out on plans they already made for the day. Other times the employee used the vehicle could not be explained except to simply state that they and their spouse "probably had a dinner reservation" that day.

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The employee also used their District vehicle on numerous occasions to travel to the Philadelphia International Airport, as well as the Atlantic City International Airport. One Philadelphia airport stop was made through the departure lanes prior to the start of the employee's work day and travel to the District. The employee explained that they were likely dropping their spouse off at the airport. The employee explained that other trips to and from the airport were a result of the aforementioned death in their family. They made various trips to the airport as family members were traveling in and out of Philadelphia and stated that the repeated travel to the residence in South Philadelphia was also due to the death in the family.

Yet in another instance, the employee traveled through the Departures lane of the Philadelphia airport to travel out of town on a family emergency. The employee told investigators that they began experiencing issues with their personal vehicle and due to the nature of the emergency needed to use the District vehicle to get to the airport. Contrary to this statement, GPS data showed that the vehicle was not parked at the airport long-term. The vehicle traveled through the airport briefly and returned the following week through the Arrivals lane. This travel is consistent with dropping someone off at the airport and then returning to pick them up. Finally, the vehicle traveled to the Atlantic City Airport, where it remained parked for 6 days while the employee was on leave from the District. The employee explained that they used their District vehicle to travel to the airport because their personal vehicle still was not able to be driven.

While the employee was forthcoming regarding the purposes of the majority of the personal trips taken in the District vehicle, a couple of instances remain unexplained. For example, on a Sunday, the vehicle was parked on a street in Atlantic City near the Tropicana, various restaurants, and a beach access point. When asked about this particular trip, the employee stated that they did drive to Atlantic City, but could not recall the purpose of the trip.

Again on a day that the employee was on vacation leave, the vehicle traveled twice round trip from the employee's home to a residential area in New Jersey, each time stopping for several minutes. Despite this approximately two-hour round trip occurring twice in one day, and only occurring approximately one month prior to the employee's OIG interview, they stated that they could not recall the purpose of this trip. The District vehicle traveled over 178 miles on this day with no explanation of why this travel occurred.

Both the employee and their supervisor confirmed that the employee never asked for, nor were they granted, permission to use the vehicle for any purpose not related to District business. Exacerbating the personal use of the vehicle is that there were no District markings or insignias on it, other than a Municipal Government license plate, to indicate to the public or to other individuals transported in it, that it is a District owned vehicle. An absence of markings on vehicles creates a lack of accountability on District drivers, making it less likely that members of the public will report observations of District drivers in seemingly unapproved locations. Additionally, vehicle

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markings would alert non-District individuals that they are getting into a District vehicle, as in this particular case, the relative explained that they often did not know whether they were being driven in a District or personal vehicle.

Conclusions and Recommendations

The OIG recommended discipline consistent with Pennsylvania law and District policy for the employee's continued misuse of a District vehicle. Additionally, the OIG recommended that the District seek reimbursement for the employee's fuel consumption and/or mileage for trips that were not related to District business. The employee ultimately received a suspension without pay, their take-home vehicle privileges were suspended, and they reimbursed the District in mileage costs resulting from personal use of the vehicle.

The District must do more to strengthen controls and ensure compliance with the non-bus vehicle policies and procedures. Failure to adequately enforce the vehicle policy exposes the District to increased liability risks. Transportation should conduct mandatory training for District employees on vehicle usage policies and their explicit prohibitions. Additional requirements must be implemented in order to hold authorized drivers accountable for their vehicle usage. The District should consider mandatory periodic submissions of standardized vehicle logs, which will require drivers to contemporaneously document where and when the vehicle was driven, and for what purpose.

Additionally, the District must clearly define the disciplinary process for employees who are found to have violated these policies. The current disciplinary provisions outlined in Policy 711 state that "[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." (Emphasis added). Leaving such discretionary decisions up to department supervisors is problematic because it continues to allow for subjective and selective disciplinary action, not only across the District, but within individual departments. This language should be updated and replaced with clear language that an employee who violates the District's vehicle policy "shall be subject" to disciplinary action and describe the nature of that action, i.e. progressive, mandatory, number of days suspension, or termination. In addition to disciplinary action up to and including termination, reimbursement for mileage or fuel consumption should also be compulsory.

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