Office of the Inspector General  
City Colleges of Chicago

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Office of the Inspector General  
Bi-Annual Report  

Prepared pursuant to Section 2.6.5 of the Board Rules for Management and Government

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Inspector General

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From: John A. Gasiorowski, Inspector General

Date: August 9, 2011


This Bi-Annual Report is being provided to the Chancellor and the Board of Trustees of Community College District No. 508 pursuant to Section 2.6.5 of the Board Rules for Management and Government. Pursuant to Section 2.6.5, the Bi-Annual Report for the period of January 1st through June 30th is required no later than September 1st each year. This is the second Bi-Annual Report submitted pursuant to the amendments to Section 2.6 et seq. of the Board Rules for Management and Government adopted by the Board of Trustees on July 14, 2010.

Section 2.6 et seq. of the Board Rules for Management and Government authorizes the Office of the Inspector General (“OIG”) for the City Colleges of Chicago to conduct investigations regarding waste, fraud and misconduct by any officer, employee, or member of the Board; any contractor, subcontractor, consultant or agent providing or seeking to provide goods or services to the City Colleges of Chicago; and any program administered or funded by the District or Colleges. This Bi-Annual Report is a summary of investigations and audits which resulted in sustained findings of waste, fraud, or misconduct for the period of January 1, 2011 through June 30, 2011.

The OIG would like to thank the Chancellor, the Board of Trustees and the administration of the City Colleges of Chicago for their cooperation and support.
Office of the Inspector General Bi-Annual Report

Mission of the Office of the Inspector General

The Office of the Inspector General ("OIG") of the City Colleges of Chicago ("CCC") will help fuel CCC’s drive towards increased student success by promoting economy, efficiency, effectiveness and integrity in the administration of the programs and operations of CCC by conducting fair, independent, accurate, and thorough investigations into allegations of waste, fraud and misconduct, as well as by reviewing CCC programs and operations and recommending policies and methods for the elimination of inefficiencies and waste and for the prevention of misconduct.

The OIG should be considered a success when students, faculty, staff, administrators and the public:

- perceive the OIG as a place where they can submit their complaints / concerns in a confidential and independent setting;
- trust that a fair, independent, accurate, and thorough investigation will be conducted and that the findings and recommendations made by the OIG are objective and consistent; and
- expect that the OIG’s findings will be carefully considered by CCC administration and that the OIG’s recommendations will be implemented when objectively appropriate.

New Developments

OIG office space

On April 7, 2011, the Board of Trustees approved a lease agreement to provide off-site office space for the OIG at 11 South LaSalle Street, Suite 1740, Chicago, Illinois. On June 1, 2011, the five year lease term for the office space commenced.

The acquisition of off-site office space which creates physical independence from the District Office, in conjunction with the legal independence of the OIG as set forth by Board Rule 2.6, was a significant priority of the Inspector General since his appointment in July 2010. This office space creates a confidential setting for investigators to work, provides a confidential atmosphere for complainants and witnesses to communicate in person with the OIG, and offers privacy to subjects of investigations interviewed by the OIG. The independence of the OIG is significantly enhanced by this commitment of resources by the Board and the Chancellor.
Website

In addition to providing updated contact information for the OIG and providing an on-line complaint form, the Inspector General page of the CCC web site now provides access to copies of OIG Bi-Annual Reports. The first OIG Bi-Annual Report, which covered the July 1, 2010 through December 31, 2010 reporting period, is currently available on the web page and will be joined by this report as well as all future Bi-Annual Reports.

Adoption of CCC Debarment Policy

In July 2010 when the OIG was constituted in its present form pursuant to the amendments to Board Rule 2.6, the OIG observed that CCC, unlike most government entities, lacked a debarment policy which would enable CCC to exclude vendors from participation in CCC’s procurement transactions when the vendor demonstrates a lack of integrity or appears on any suspended, excluded or debarment list issued by any agency of federal, state or local government. The OIG recommended to the General Counsel that a CCC debarment policy be drafted and presented to the Board.

Thanks to the diligent work of a senior staff attorney with the Office of General Counsel, who tirelessly crafted the draft policy, the Board adopted the CCC Debarment Policy on April 7, 2011.

Subsequent to the adoption of the CCC Debarment Policy, as will be discussed later in this Bi-Annual Report, the OIG recommended that several CCC vendors and principals be debarred from participating in CCC procurement transactions based on the fact that they were debarred by other governmental entities, namely the Chicago Board of Education and the City of Chicago.

Annual Certification of Residency Audit

Under the heading Annual Certification of Residency, Section 3.7(a) of the Board Rules for Management & Government, which sets forth the CCC Residency Policy, provides that on February 1st of each year every full-time employee of CCC will be required to certify their compliance with this residency policy. The employee’s certification shall include an oath or affirmation that the employee is not required to be an actual resident because he/she falls within one of the exceptions to the requirement or that the employee is an actual resident of the City of Chicago. Additionally, this portion of Section 3.7(a) provides that “the Inspector General shall conduct an annual audit of the District’s compliance with this Rule and shall submit a report of audit findings to the Board no later than the first regularly scheduled public meeting of the Board following July 1st of each year.”
In past years, the OIG, with the assistance of the Department of Human Resources, conducted the Annual Certification of Residency by sending out Residency Requirement – Annual Statement of Compliance forms to all full-time employees of CCC. The employees were instructed to complete the form and submit the form to the OIG. This process was labor and paper intensive. For the 2011 Annual Certification of Residency, the process was streamlined through the use of technology. The Department of Human Resources, with the assistance of the Office of Information Technology, developed an on-line form utilizing the CCC PeopleSoft system. On January 21, 2011, all full-time employees of CCC were sent an e-mail regarding the requirements of Section 3.7(a) of the Board Rules for Management & Government and the need to complete the on-line Annual Certification of Residency.

On June 28, 2011, the OIG submitted to the Board of Trustees and the Chancellor the results of the 2011 Audit of Compliance with the District’s Residency Requirement. The OIG audit revealed that by April 7, 2011, 99.08% of full-time CCC employees responded to the 2011 Annual Certification of Residency process. The table below documents the responses received:

<table>
<thead>
<tr>
<th>Response</th>
<th>Number</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Response or invalid response</td>
<td>17</td>
<td>0.92%</td>
</tr>
<tr>
<td>Required to be a resident with a correct address (reflected in CCC PeopleSoft records)</td>
<td>1756</td>
<td>94.82%</td>
</tr>
<tr>
<td>Not required to be a resident, with a correct address</td>
<td>51</td>
<td>2.75%</td>
</tr>
<tr>
<td>Required to be a resident, with an incorrect address</td>
<td>13</td>
<td>0.70%</td>
</tr>
<tr>
<td>Not required to be a resident, with an incorrect address</td>
<td>1</td>
<td>0.05%</td>
</tr>
<tr>
<td>Required to be a resident, but does not currently live within the City boundaries</td>
<td>14</td>
<td>0.76%</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>1852</td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>

The OIG audit further revealed the following:

- Of the seventeen employees who did not respond or submitted an invalid response, fourteen were on a leave or on suspension and were not able to complete the on-line certification. The OIG obtained responses from the other three employees resulting in a final response rate of 99.24%

- Of the fourteen employees who responded that they were required to be residents but did not currently reside within the City boundaries, eight had not yet reached the six month date of their employment; two were beyond the six month date of their employment but had properly requested and received extensions; one had a start date before 1977 and thus fell within an exception to the residency requirement; one was denied tenure and was terminated effective May 15, 2011; and two subsequently provided documents to the Department of Human Resources reflecting that they now resided in the City of Chicago. The OIG initiated investigations regarding the two employees who represented that they currently live in the City of Chicago. It should be noted that one of these employees subsequently resigned from his CCC position. The other employee retired from his CCC position shortly after being interviewed by the OIG. The OIG
investigation regarding this employee will be documented in the Bi-Annual Report for the July 1, 2011 to December 31, 2011 reporting period.

- Of the fifty-one employees who responded that they were not required to be a resident of the City of Chicago, forty-eight fell within an exception to the residency requirement. The OIG initiated investigations regarding the other three employees.

**Updates to Investigations Documented in the Previous Bi-Annual Report**

In the Bi-Annual Report submitted for the July 1, 2010 to December 31, 2010 reporting period, the OIG reported on nine investigations which resulted in sustained findings of waste, fraud and misconduct. At the time the Bi-Annual Report was submitted, disciplinary action was pending regarding several of the investigations. The following table updates the status of the disciplinary action recommended by the OIG and the action taken by CCC.

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Recommended Disciplinary Action</th>
<th>Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-0022</td>
<td>Termination</td>
<td>Employee resigned</td>
</tr>
<tr>
<td>10-0028</td>
<td>Termination (two employees)</td>
<td>Termination (two employees)</td>
</tr>
<tr>
<td></td>
<td>Appropriate Disciplinary Action</td>
<td>Oral Reprimand (one employee)</td>
</tr>
<tr>
<td>11-0010</td>
<td>Appropriate Disciplinary Action</td>
<td>Employee resigned</td>
</tr>
<tr>
<td>11-0019</td>
<td>Termination</td>
<td>Termination</td>
</tr>
<tr>
<td>11-0034</td>
<td>Termination</td>
<td>Termination</td>
</tr>
<tr>
<td>11-0037</td>
<td>Designate Do Not Re-Hire (employee had resigned)</td>
<td>Employee designated Do Not Re-Hire</td>
</tr>
<tr>
<td>11-0038</td>
<td>Termination</td>
<td>Termination</td>
</tr>
<tr>
<td>11-0040</td>
<td>Designate Do Not Re-Hire (employee terminated due to reduction in force)</td>
<td>Employee designated Do Not Re-Hire</td>
</tr>
<tr>
<td>11-0050</td>
<td>Termination</td>
<td>Termination</td>
</tr>
</tbody>
</table>

**OIG Case Number 11-0034**

As reported in the Bi-Annual Report submitted for the July 1, 2010 to December 31, 2010, this OIG investigation revealed that a full-time faculty member at a City College fraudulently misrepresented her educational background which caused her to be paid at a lane IV rate as opposed to a lane I rate since the time of her hire in August 1995 resulting in the employee receiving compensation totaling in excess of $307,000.00 to which she was not entitled.

On March 11, 2011, as a result of the OIG investigation, CCC filed a civil lawsuit against the employee seeking to recoup the compensation that she received to which she was not entitled. This lawsuit is currently pending in the Circuit Court of Cook County under case number 2011-L-002775.
Complaints Received

For the period of January 1, 2011 through June 30, 2011, the OIG received eighty-eight complaints. These eighty-eight complaints include complaints forwarded to the OIG from outside sources as well as investigations (or audits / reviews) initiated on the OIG’s own initiative. The following table documents the complaints received by the OIG during the January 1, 2011 through June 30, 2011 reporting period as well as several previous six month periods.

![Complaints Received by OIG](image)

The eighty-eight complaints received represent a variety of subject matters. The table below documents the subject matters of the complaints received.

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1 Under Board Rule 2.6.2, the powers and duties of the OIG include: c) To investigate and audit the conduct and performance of the District’s officers, employees, members of the Board, agents, and contractors, and the District’s functions and programs, either in response to a complaint or on the Inspector General’s own initiative, in order to detect and prevent waste, fraud, and abuse within the programs and operations of the District;....

2 The number of complaints received during each of the six month periods prior to July 1, 2010 is based on the number of investigative files initiated during each of those periods by previous Inspectors General.
The following chart categorizes the reasons that the OIG closed the sixty-one complaints during this reporting period.

<table>
<thead>
<tr>
<th>Type</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violation of Ethics Policy</td>
<td>3</td>
</tr>
<tr>
<td>Use of CCC property for unauthorized purposes</td>
<td>3</td>
</tr>
<tr>
<td>Discrimination / Sexual Harassment / Harassment</td>
<td>5</td>
</tr>
<tr>
<td>Falsification of Attendance Records</td>
<td>5</td>
</tr>
<tr>
<td>Theft</td>
<td>6</td>
</tr>
<tr>
<td>Fraud (Financial Aid / Grant / Other Government)</td>
<td>7</td>
</tr>
<tr>
<td>Inattention to Duty</td>
<td>7</td>
</tr>
<tr>
<td>Investigations / Audits / Reviews Initiated by the OIG</td>
<td>9</td>
</tr>
<tr>
<td>Other District-Wide Employee Manual Violations</td>
<td>19</td>
</tr>
<tr>
<td>Residency</td>
<td>24</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>88</strong></td>
</tr>
</tbody>
</table>

**Status of Complaints**

As reported in the previous Bi-Annual Report, as of December 31, 2010, the OIG had forty-six complaints that were pending, meaning that the OIG was in the process of conducting investigations regarding these complaints. During the period of January 1, 2011 through June 30, 2011, the OIG closed sixty-one complaints. These complaints were closed for a variety of reasons, including the following: the complaint was sustained following an investigation; the complaint was not sustained following an investigation or no policy violation was found; the complaint was referred to the appropriate CCC department; the subject of the complaint was already disciplined for the same conduct; and the subject of the complaint retired or resigned from CCC employment prior to or during the course of the investigation. The following chart categorizes the reasons that the OIG closed the sixty-one complaints during this reporting period.
As of June 30, 2011, the OIG had seventy-three pending complaints.

**Sustained Findings – January 1, 2011 through June 30, 2011**

During the January 1, 2011 through June 30, 2011 reporting period, the OIG submitted sixteen reports documenting sustained findings of waste, fraud and misconduct and recommended disciplinary and / or other actions regarding nineteen complaints.\(^3\) Eleven of these reports concerned fourteen CCC employees. Four of these reports resulted from the adoption of the CCC Debarment Policy and concerned seven CCC vendors and seven of the vendors’ principals. One of these reports documented the OIG’s review of an investigation conducted by another CCC office.

Pursuant to Section 2.6.5 of the Board Rules for Management and Government, the following are summaries of the nineteen OIG investigations for which sixteen reports were submitted documenting sustained findings of waste, fraud or misconduct for the period of January 1, 2011 through June 30, 2011.

**OIG Case Number 11-0035**

The OIG received a complaint that a security officer assigned to a City College falsified his attendance records by representing that he was working hours that he did not in fact work. The OIG investigation revealed that on numerous occasions between January 1, 2010 and October 9, 2010, the employee falsified his attendance records in that CCC Certificates of Attendance reflected that the employee was performing his security duties at the City College and he received pay for those hours, when in fact swipe records of another governmental entity reflected that the employee was at that government entity’s facility where he had outside employment. The OIG investigation revealed that the employee’s actions violated the CCC District-Wide Employee Manual, including Section IV, Paragraphs 2, 7, 11, 12, 17, 37, 38, 42, and 50.

Additionally, the OIG investigation revealed that the employee’s supervisor was inattentive to his duty, in that he failed to ensure that the employee’s time records were accurately maintained. The OIG investigation revealed that the actual time sheets that the employee signed-in and out on were discarded after the information was purportedly accurately transferred to the employee’s Certificates of Attendance. The OIG investigation revealed that the actions of the supervisor violated Section IV(38) of the CCC District-Wide Employee Manual.

Based on the investigation, the OIG recommended that the employee be terminated. Prior to a scheduled pre-disciplinary meeting, the employee resigned.

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\(^3\) Pursuant to Board Rule 2.6.3, the Inspector General submits reports to the Chancellor, the Board Chairman, and the General Counsel at the conclusion of an investigation with recommendations for disciplinary or other action.
from his position with CCC. The OIG additionally recommended that the supervisor be demoted. No disciplinary action was taken against the supervisor.

**OIG Case Number 11-0087**

The OIG received information that an adult educator for a City College, who also worked for the Chicago Board of Education, falsified his attendance records. Working in conjunction with the Office of the Inspector General for the Chicago Board of Education, the OIG investigation revealed that the employee submitted a Certificate of Attendance reflecting that he worked a total of twenty-four hours in four days and received in excess of $750.00 in pay for those days, when in fact he did not work those hours or those days. The employee’s actions violated the CCC District-Wide Employee Manual, Section IV, Paragraphs 11, 17, and 50. Additionally, the investigation revealed, based on a review of CCC Certificates of Attendance submitted by the employee and Chicago Board of Education time and attendance records, twenty-seven instances where the employee’s CCC class hours overlapped with time for which he was paid overtime by the Board of Education for after-school tutoring. During an interview, the employee stated that he did not see a problem with teaching the CCC class and performing Board of Education tutoring at the same time and receiving pay for both jobs for the same hours. The employee’s actions violated the CCC District-Wide Employee Manual, Section IV, Paragraphs 7, 11, 12, 17, 38, 42, and 50.

Based on the investigation, the OIG recommended that the employee be terminated. Following the disciplinary process, the Board of Trustees approved the termination of the adult educator.

**OIG Case Number 11-0077**

The OIG initiated an investigation after becoming aware of a list compiled by the City of Chicago of former employees of the City of Chicago who were deemed ineligible to be re-hired by the City of Chicago. According to the City of Chicago's *Ineligible for Rehire Criteria*, a former employee of the City of Chicago was deemed ineligible for re-hire by the City if the employee’s termination from City employment resulted from: 1. Termination Disciplinary (career service employees); 2. Discharge (non-career service employees); or 3. Resignation in lieu of Discharge (employee resigns after having been served with charges or after having been otherwise informed by the City, in a formal disciplinary setting, that the employee will be terminated). After reviewing the list of employees deemed ineligible to be re-hired by the City, the OIG identified seven names which matched the names of CCC employees. At the OIG’s request, the City’s Department of Human Resources provided identification information regarding the seven individuals so that the OIG could determine whether in fact the seven individuals were the same individuals employed by CCC. This analysis revealed that one of the seven individuals on the list of former City of Chicago employees
deemed ineligible for re-hire was a current, active CCC employee who was employed as a security officer with a City College.

The OIG investigation revealed that in late August 2008, while also employed as a security officer with CCC, the security officer was discharged from his position with a municipal law enforcement agency based on an off-duty altercation at a club. In October 2009, the discharge was reduced to a four year suspension, which at the time of the investigation, the security officer continued to serve. The OIG investigation revealed that the security officer failed to notify his CCC director of security that he had been disciplined by the law enforcement agency as required by Article VII of the Agreement Between the Board of Trustees of Community College District No. 508, County of Cook, State of Illinois and the City Colleges Police Officers Association, a Chapter of the Cook County College Teachers Union Local 1600 AFT, AFL-CIO, Chicago, Illinois. The OIG investigation further revealed that the disciplinary action taken by the law enforcement agency resulted in the security officer’s loss of status as an active sworn officer with a law enforcement agency which is part of the criteria to serve as a security officer with CCC. Since late August 2008, the security officer’s failure to disclose his loss of active sworn officer status caused CCC to continue to compensate him at the rate designated for security officers when in fact he should have been compensated at the rate designated for security assistants. As a result, the OIG investigation revealed that the security officer received at least $14,796.16 in gross salary to which he was not entitled.

Based on the investigation, the OIG recommended that CCC take appropriate disciplinary action against the security officer. The OIG also recommended that CCC immediately reclassify the security officer to the position of security assistant. The OIG further recommended that CCC should use all legal remedies to recoup at least $14,796.16 from the security officer for the period of August 31, 2008 to February 26, 2011, for compensation that he received to which he was not entitled and that CCC should further seek to recoup any additional compensation that the security officer received at the rate designated for security officers, until he is reinstated as a police officer by the municipal law enforcement agency.

Effective March 27, 2011, the employee was reclassified to the position of security assistant and his compensation level was appropriately reduced. The General Counsel’s Office is reviewing the OIG recommendation that CCC seek to recoup at least $14,796.16 from the employee.

OIG Case Number 11-0030

The OIG initiated an investigation after receiving a complaint that a security director at a City College supervised his sister, a security officer at the same City College. Section 6(1) of the CCC Ethics Policy, titled “Employment of Relatives”, states that “(n)o employee or Board member shall employ or advocate for
employment, in any department or any College or program of the District in which said employee or Board member serves or over which he exercises authority, supervision, or control, any person (i) who is a relative of said member or employee, or (ii) in exchange for or in consideration of the employee of any said employee or member’s relatives by any other member or employee.....” Additionally, the definition of relative in the CCC Ethics Policy includes sister.

The OIG investigation revealed that the director advocated for the employment of his sister as a security officer at the City College by approving the request for approval for the security officer position, by asking the then college president if it was “okay” to re-hire his sister, who was previously employed at the college, and by approving the CCC Personnel Action report authorizing the re-hiring of his sister. The OIG investigation further revealed that the director exercised authority, supervision and control over his sister in that during an interview with the OIG, the director stated that he directly supervised his sister. The director’s conduct violated Section 6(1) of the CCC Ethics Policy and Section IV(44) of the CCC District-Wide Employee Manual.

Based on the investigation, the OIG recommended that CCC take appropriate disciplinary action against the director. The OIG further recommended that either the director or his sister be transferred to a different City College.

No disciplinary action was taken against the director. The process to transfer the security officer is on-going.

OIG Case Number 11-0090

The OIG received a complaint that the director of a program at a City College sent an e-mail to all of the students in the second year of the program which contained personal student information. The OIG investigation revealed that the director inadvertently yet inappropriately disclosed via e-mail the social security numbers of three students and exam scores of six students to eighty other students at the City College. The employee’s actions violated the Family Educational Rights and Privacy Act, 20 U.S.C §1232g and 34 C.F.R. Part 99, as well as Section IV, Paragraphs 15 and 42 of the CCC District-Wide Employee Manual.

Based on the investigation, the OIG recommended that CCC take appropriate disciplinary action against the employee. The OIG also recommended that CCC notify the individuals whose social security numbers were disclosed and provide them with services, such as credit report services, in order to help protect them from potential identity theft. The OIG further recommended that CCC document the disclosure of the personally identifiable information of the City College students in accordance with the provisions of the Family Educational Rights and Privacy Act.
Following the disciplinary process, the employee was issued a written reprimand. The students whose social security numbers were disclosed were offered credit check services by CCC for a period of one year.

**OIG Case Number 11-0015**

The OIG received a complaint that a janitor assigned to a City College resided outside the City of Chicago. The OIG investigation revealed that the employee resided outside the City of Chicago in Cicero, Illinois, in violation of Section 3.7(a) of the Board Rules of Management and Government and Section III of the CCC District-Wide Employee Manual. The OIG investigation further revealed that the employee falsified employment records, in that on two CCC residency certification documents, the employee fraudulently affirmed that she resided in Chicago, Illinois, when in fact she resided in Cicero, Illinois, in violation of Section IV(11) of the CCC District-Wide Employee Manual.

Based on the investigation, the OIG recommended that the employee be terminated. Following the disciplinary process, the Board of Trustees approved the termination of the janitor.

**OIG Case Number 11-0043**

The OIG received a complaint that a janitor assigned to a City College resided outside the City of Chicago. The OIG investigation revealed that the employee resided outside the City of Chicago in Lansing, Illinois, in violation of Section 3.7(a) of the Board Rules of Management and Government and Section III of the CCC District-Wide Employee Manual. The OIG investigation further revealed that the employee falsified employment records, in that on two CCC residency certification documents, the employee fraudulently affirmed that he resided in Chicago, Illinois, when in fact he resided in Lansing, Illinois, in violation of Section IV(11) of the CCC District-Wide Employee Manual.

Based on the investigation, the OIG recommended that the employee be terminated. Following the disciplinary process, the Board of Trustees approved the termination of the janitor.

**OIG Case Number 11-0078**

The OIG received information during the course of the Annual Certification of Residency process that a janitor assigned to a City College resided outside the City of Chicago. The employee had submitted a CCC *Personal Data Change / Correction Form* reflecting that the employee wished to change his address as reflected on CCC records from a City of Chicago address to a Blue Island address. The employee also submitted an electric bill and a lease rider reflecting his name and the Blue Island address and that he had been living in Blue Island since October 2009.
The OIG investigation revealed that the employee resided outside the City of Chicago in Blue Island, Illinois, in violation of Section 3.7(a) of the Board Rules of Management and Government and Section III of the CCC District-Wide Employee Manual. The OIG investigation further revealed that the employee provided an incomplete answer to a question on an application provided to the CCC, in that on a CCC Employment Application, the employee disclosed that he had been convicted of violating his probation but failed to disclose that he had been convicted of the felony offense of possession of a controlled substance, in violation of Section IV(6) of the CCC District-Wide Employee Manual.

Based on the investigation, the OIG recommended that the employee be terminated. Following the disciplinary process, the Board of Trustees approved the termination of the janitor.

OIG Case Number 11-0008

During the course of an investigation of a clerical supervisor at a City College, who also was a student at the City College, the OIG reviewed Weekly Attendance/Time Reports submitted by the student/employee to document practicum hours purportedly performed by the student/employee as a student in a credit class in which she was enrolled at the City College. These Weekly Attendance/Time Reports should have been submitted by the student to her instructor during the Fall 2010 semester. The OIG found that these Weekly Attendance/Time Reports were created by the student in February 2011 during the course of the OIG investigation and did not accurately reflect the practicum hours performed by the student/employee. The OIG investigation revealed that in creating these inaccurate records, the student/employee engaged in academic dishonesty in violation of the CCC Student Policy Manual.

The OIG investigation additionally revealed that the instructor was inattentive to her duties as an instructor and was incompetent and inefficient in the performance of her duties. For example, during an interview with the OIG, the instructor stated that when students do not have their required work in their portfolio, she will accept verbal confirmation from the student that the work was completed without reviewing their work and that she would provide the student with a grade based solely on the verbal confirmation that the work was completed. The OIG investigation revealed that the instructor violated Sections IV(38) and IV(39) of the CCC District-Wide Employee Manual.

Additionally, during their respective interviews with the OIG, the student/employee made a false statement and the instructor made two false statements. Thus, they both violated Section IV(8) of the CCC District-Wide Employee Manual.

Based on the investigation, the OIG recommended that CCC take appropriate disciplinary action against the student/employee and the instructor. The OIG also
recommended that CCC take appropriate disciplinary action against the student/employee as a student of the City College.

During the course of the disciplinary process, the instructor retired from her CCC position. The disciplinary process regarding the student/employee is currently pending.

OIG Case Number 11-0113

On April 1, 2011, the OIG received an anonymous complaint that on October 1, 2010, a male engineer assigned to a City College inappropriately touched a female janitor at the work site but nothing was done about the incident. The OIG investigation revealed that on as many as six occasions, the male engineer made unwelcomed physical contact with the female janitor at the worksite. Such conduct violated Sections IV(22) and (41) of the CCC District-Wide Employee Manual. Additionally, during the course of the investigation, the OIG conducted an interview of an administrator at the City College to whom the October 1, 2010 incident was reported. During the interview, the administrator made two false statements, in violation of Section IV(8) of the CCC District-Wide Employee Manual.

Furthermore, during the course of the investigation, the OIG identified concerns with policy provisions regarding the duty of employees to report known incidents of alleged sexual harassment. In this regard, the OIG recommended the following:

1. That the Department of Human Resources, in consultation with the Office of the General Counsel, submit to the Board of Trustees amendments to the CCC Equal Opportunity Complaint Procedures to place a clear affirmative duty on all CCC employees at a supervisory level and above to report to the CCC Equal Employment Opportunity Office any incident of sexual harassment of which they are aware or reasonably should be aware, regardless of whether the employee-victim reports directly to that supervisor.

2. That the Department of Human Resources, in consultation with the Office of the General Counsel, submit to the Board of Trustees amendments to the CCC District-Wide Employee Manual to provide that the failure by a CCC employee at a supervisory level and above to fulfill his or her duty to report to the CCC Equal Employment Opportunity Office any incident of sexual harassment of which they are aware or reasonably should be aware is prohibited conduct which will lead to disciplinary action.

3. That should the Board of Trustees adopt the recommended amendments to CCC policy, the Department of Human Resources review the sexual harassment training program and ensure that these policy amendments
are specifically discussed and highlighted during any training program regarding sexual harassment.

4. That the Department of Human Resources use the CCC e-mail system to notify all employees whenever a CCC employee policy has been added, amended, or rescinded, and ensure that all changes to policies are made available in a timely fashion via the CCC website.

5. That the Department of Human Resources, on an annual basis, utilize the CCC e-mail system to forward a copy of the most current and up-to-date version of the CCC District-Wide Employee Manual to all employees, and require all employees to electronically acknowledge that they received the manual and that they are responsible for reading and adhering to the manual.

The administrator was issued a written reprimand. The CCC disciplinary process is pending regarding the engineer.

OIG Case Number 11-0059

The OIG received a complaint that a full-time faculty member at a City College had high speed internet service for his residence billed to his CCC telephone number. The OIG investigation revealed that for a three month period, the employee’s high speed internet service, which was provided to his home, was in fact billed to his CCC telephone account. Total fees of $94.85 were erroneously charged to CCC. Subsequently, the CCC telephone account was credited for $94.85. During an interview with the OIG, the employee claimed that the changing of the billing from his account to the CCC account was a mistake by the service provider. During OIG interviews, employees of the service provider stated that such a change in billing would not occur simply because the subscriber called from the CCC telephone number but would have only occurred at the specific request of the subscriber.

Based on the investigation, the OIG submitted an Investigative Summary reflecting sustained findings regarding the employee. After reviewing the OIG’s Investigative Summary, the CCC General Counsel requested that the OIG attempt to obtain documentary evidence further supporting the provider’s position that the change to the billing could only take place at the request of the subscriber. Due to the fact that such records could only be obtained pursuant to a subpoena and the OIG currently lacks subpoena power, the OIG was not able to secure such documentation. The OIG agreed with the General Counsel to recommend to the City College to refrain from initiating disciplinary action until and if the OIG could satisfy the General Counsel’s request. As of the date of this report, the OIG has not been able to obtain the requested documentary evidence and no disciplinary action has been taken against the employee.
Debarment Cases

As mentioned previously in this report, on April 7, 2011, the Board of Trustees adopted the CCC Debarment Policy. The CCC Debarment Policy provides, *inter alia*, that improper conduct which may subject a vendor to debarment includes debarment imposed by any governmental entity. Based on research conducted by the OIG, it was determined that several CCC vendors had been permanently debarred or debarred for a specific period of time by other government entities. Based on the fact that these CCC vendors were debarred by other government entities, the OIG recommended that CCC immediately cease doing any business with these vendors and debar these vendors from doing any business with CCC for the period of the vendors’ debarment by the other government entity. The OIG made such recommendations in the following cases:

- **OIG Case Numbers 11-0069, 11-0071, 11-0072, 11-0073**
  - The Chicago Board of Education permanently debarred a vendor and its president and another vendor and its secretary effective May 27, 2009. The Chicago Board of Education also debarred two vendors and their presidents for a period of three years effective May 27, 2009.
  - The debarments were as a result of an investigation by the Office of the Inspector General for the Chicago Board of Education which revealed that the four vendors engaged in a common scheme to avoid competitive bidding requirements.
  - Since Fiscal Year 2004, one of the vendors (vendor id number 12146) that was permanently debarred by the Chicago Board of Education received more than $644,000.00 from CCC. Since Fiscal Year 2002, the other vendor (vendor number 05067) that was permanently debarred by the Chicago Board of Education received more than $19,000.00 from CCC.
  - Since Fiscal Year 2002, one of the vendors (vendor number 00281) that was debarred for a period of three years by the Chicago Board of Education received more than $227,000.00 from CCC. Since Fiscal Year 2003, the other vendor (vendor number 05547) that was debarred for a period of three years by the Chicago Board of Education received more than $34,000.00 from CCC.

The OIG recommended that CCC immediately cease doing any business with all four vendors. The OIG further recommended that CCC debar the vendors and the vendors’ employees in a similar manner as debarred by the Chicago Board of Education.

Vendor number 05067 and its principal accepted voluntary debarment without further proceedings pursuant to the CCC Debarment Policy. The debarment process is on-going regarding the three other vendors and principals.
• **OIG Number 11-0108**
  - The City of Chicago debarred a vendor and its president for a period of three years effective November 23, 2010.
  - The debarment was essentially based on an investigation which revealed that the vendor provided false invoices and overbilled the City of Chicago and engaged in MBE / WBE fraud.
  - Since Fiscal Year 2008, the vendor received more than $15,000.00 from CCC.

The OIG recommended that CCC immediately cease doing any business with the vendor and its president and debar the vendor and its president in a similar manner as debarred by the City of Chicago.

This vendor and its principal accepted voluntary debarment without further proceedings pursuant to the CCC Debarment Policy.

• **OIG Case Number 11-0058**
  - The City of Chicago permanently debarred a vendor effective December 1, 2010 and debarred the president of the vendor for life effective December 15, 2010.
  - The debarment was essentially based on an investigation which revealed that the vendor provided false invoices to the City of Chicago and provided products for personal use by a City employee which were billed to the City of Chicago.
  - Since Fiscal Year 2003, the vendor received more than $24,000.00 from CCC.

The OIG recommended that CCC immediately cease doing any business with the vendor and its president and permanently debar the vendor and its president in a similar manner as debarred by the City of Chicago.

The debarment process is on-going regarding this vendor and principal.

• **OIG Case Number 11-0102**
  - The City of Chicago debarred a vendor for a period of three years effective July 19, 2010 and debarred the vendor’s president for a period of three years effective December 16, 2010.
  - The debarment was essentially based on an investigation which revealed WBE fraud.
  - The vendor received one purchase order totaling $1,155.00 for business conducted with CCC.

The OIG recommended that CCC immediately cease doing any business with the vendor and the vendor’s president, and debar the vendor and the vendor’s president in a similar manner as debarred by the City of Chicago.
The debarment process is on-going regarding this vendor and principal.

OIG Case Number 11-0025

The OIG received a complaint from a faculty member alleging that an investigation by a CCC Office regarding an allegation of racial discrimination was not based on fair, accurate, and complete evidence. As a result of evidence presented in the report documenting the investigation by the CCC Office, a City College hearing officer found that the faculty member created a hostile and offensive learning environment based on race in his 2010 Spring semester class. The hearing officer recommended that the faculty member be suspended without pay for one day and be directed to attend Title VII training. The CCC Office investigation of the faculty member included interviews of the two complainant students and the faculty member, but the CCC Office, without reasonable justification, failed to interview any of the other thirty-four students in the faculty member’s class.

During the course of the OIG investigation, the OIG conducted interviews of a sampling of these thirty-four students. The OIG investigation revealed that due to the CCC Office’s failure to interview any of the other thirty-four students in the class, relevant evidence as to the issue of whether the faculty member created a hostile and offensive learning environment based on race was not presented to the hearing officer. The failure to present this relevant evidence to the hearing officer cast significant doubt as to whether the disciplinary action imposed on the faculty member was based on fair and complete evidence.

Based on the OIG investigation, the OIG recommended that the hearing officer, who presided over the chancellor’s level pre-disciplinary meeting regarding the faculty member, review the OIG investigation and determine whether her findings and recommendations were appropriate in light of the other student perspectives revealed during the OIG interviews of a sampling of the other thirty-four students in the faculty member’s class.

Based on the OIG investigation, the hearing officer recommended that the one day suspension be rescinded, that a written reprimand be issued and that the faculty member attend the Title VII training. This recommendation was subsequently approved by the College President.