



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

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LUNG CHIU, CIG, CPA
INSPECTOR GENERAL

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MEMORANDUM

TO: Honorable Chair and Members of the School Board
Dr. Robert Avossa, Superintendent
Chair and Members of the Audit Committee

FROM: ^{RLC} Lung Chiu, Inspector General

DATE: December 7, 2017

SUBJECT: Transmittal of Final Investigative Report
Case # 17-682 Grove Park Elementary

In accordance with School Board Policy 1.092, we hereby transmit the above-referenced final report.

The report addresses allegations regarding a school fun day that took place at Grove Park Elementary School. Specifically, it was alleged that the required documentation was not completed, the school inappropriately sold donated items to the students, food items were prepared in an unsafe manner and sold during the school day, and a bounce house was used in violation of District policy.

The results of the investigation concluded the allegations related to documentation, sale of donated items, and violation of policy for use of a bounce house were either unsubstantiated or unfounded. The remaining allegations regarding food items sold during the school day and prepared in an unsafe manner were substantiated.

A response from subject party is included as Attachment 1.

The results of this investigation will be referred to the Office of Professional Standards for necessary action.

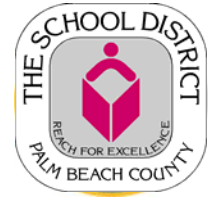
The report is finalized and will be posted on the Inspector General's website;
www.palmbeachschools.org/inspectorgeneral

CC: Dr. Camille Coleman, North Regional Superintendent



Robert M. Avossa
Superintendent

SCHOOL DISTRICT OF PALM BEACH COUNTY OFFICE OF INSPECTOR GENERAL



K. Lung Chiu
Inspector General

INVESTIGATIVE REPORT

Case Number:
17-682

Date of Complaint:
September 28, 2017

Complainant:
Anonymous

Subject:
Grove Park Elementary Principal Jo Anne Rogers
Confidential Secretary Sheryl Chaney

Witnesses:
Lead Custodian Ledone Chavers
Amy Barnett, Parent

Type of Report:
FINAL

AUTHORITY

School Board Policy 1.092 provides for the Inspector General to receive and consider complaints, and conduct, supervise, or coordinate such inquiries, investigations, or reviews, as the Inspector General deems appropriate.

This investigation was conducted by Senior Investigator Veronica Vallecillo, I.D. #200, in compliance with the *Quality Standards for Investigations, Principles and Standards for Offices of Inspector General*, promulgated by the Association of Inspectors General.

INTRODUCTION

On September 28, 2017, the Office of Inspector General (OIG) received an anonymous complaint regarding an event held at Grove Park Elementary School. The complainant reported that on May 24, 2017, a “school fun day” took place. The complainant alleged that the required documentation was not completed, the school inappropriately sold donated items to the students, food items were prepared in an unsafe manner and sold during the school day, and a bounce house was used in violation of District Policy.

BACKGROUND

Grove Park Elementary School is a school in Palm Beach Gardens, Florida. Grove Park Elementary serves 587 students in grades K-5. Jo Anne Rogers is the Principal of Grove Park Elementary.

ALLEGATIONS AND FINDINGS¹

1. The allegation that required documentation to hold a fundraiser at the school was not completed was *Unsubstantiated*.
2. The allegation that the school inappropriately sold donated items to the students was *Unsubstantiated*.
3. The allegation that food items were sold during the school day was *Substantiated*.
4. The allegation that food items were prepared in an unsafe manner was *Substantiated*.
5. The allegation that the school operated a bounce house in violation of District policy was *Unfounded*.

GOVERNING DIRECTIVES

1. **School Board Policy 2.16 Fundraising Activities Relating to Schools.**
2. **School Board Policy 6.185 School Food Service Management Policy.**
3. **District Internal Accounts Manual – Chapter 19 – Fundraising.**
4. **District Bulletin # P17-057CFO FY17 Mandatory Internal Accounts Training for Teachers and Account Sponsors Available in PeopleSoft.**
5. **Risk & Benefits Management Special Event Risk Planning Guide.**

ALLEGATION 1: EVIDENCE & TESTIMONY

Testimony of Principal Jo Anne Rogers

Rogers confirmed that a Field Day/Spring Celebration event took place May 24, 2017, for the entire school. Rogers said the purpose of the event was for students to celebrate their academic achievements and have fun. Rogers explained that any funds raised during the event were to go into the general activities account, which supports K-5 student activities. Rogers stated there was supervision from her entire staff and the teachers supervised their respective classes during the event.

Rogers stated a fundraising application was completed and the sponsor for the event was Confidential Secretary Sheryl Chaney. Rogers further stated that a fundraiser internal account was opened and a recap was done. Rogers stated Ms. Chaney should have done an Inventory Sales Report; however, it was not done at the time because she did not know that donations required an Inventory Sales Report. Rogers stated that consultant agreements were executed for the bounce house and game bus. The vendors were on the District's approved vendor list and were paid accordingly. Rogers explained she reviewed and approved the consulting agreements.

¹ The OIG findings were determined using the standards that appear on the signature page at the end of this report.

The school treasurer, at the time, made sure procedures were followed regarding safety and any applicable liability insurance.

Testimony of Confidential Secretary Sheryl Chaney

Chaney stated that the event was a Spring Celebration also known as a Field Day. Chaney explained it was an all-day event where grades Kindergarten through 2nd grade came out around 10:30 a.m. and 3rd through 5th grade came out around noon. Chaney stated that she was the sponsor for the fundraiser and was the person that completed the fundraising application. Chaney explained she did not complete the Inventory Sales Report because the bookkeeper (Gulhan Kilic) told her that since everything was donated there was no need to do an Inventory Sales Report as long as she listed the donations on the Fundraising Application. Chaney stated the bookkeeper handled the contracts and payments for the bounce house, dunk tank and game truck. Chaney also stated she is not sure how the liability insurance aspect was handled or what the proceeds of the event were used for.

Documentation Reviewed

The OIG obtained the fundraising application related to the Spring Celebration (**Exhibit 1**). The Fundraising Application form was completed and approved on April 21, 2017, which is within the appropriate timeframe. However, the section regarding the specific use for the profits states “Fundraising.” Ms. Rogers explained to the OIG that the funds raised during the event were to support K-5 student activities. A Sales Item Inventory Report was not completed. Ms. Chaney stated that the previous school treasurer told her that since the items were donated there was no need to maintain an inventory. The fundraiser application reflected an estimated net profit of \$3,000. The actual net profit was \$2,387.03. The fundraising documentation did not provide specific details as to how the net profit was reached. Based on a review of the school’s internal account funds, the OIG determined that there were two decimalized accounts opened for the fundraiser, #7-0100.11 Spring Celebration and #7-0100.12 Spring Celebration II. It should be noted the fundraising application only reflected account # 7-0100.11 as the account assigned to the fundraising activity. The review of the two decimalized accounts determined the activity in each account was as follows:

<i>Account # 7-0100.11</i>		
DATE	DESCRIPTION	AMOUNT
5/12/17	Deposit of Donated Funds	200.00
5/18/17	Reimbursement to Principal for candy items purchased	(196.97)
5/25/17	Deposit of Fundraiser Funds	2,384.00
6/06/17	Transfer Funds to General Activities Account & Closure	(2,387.03)
ENDING BALANCE		\$0.00

Account # 7-0100.12		
DATE	DESCRIPTION	AMOUNT
5/25/17	Deposit of Fundraiser Funds (Game Bus/Dunk Tank)	331.00
6/06/17	Transfer Funds to General Activities Account & Closure	(331.00)
ENDING BALANCE		\$0.00

The amount of the funds transferred from the above accounts to the General Activities account totaled \$2,718.03.

The OIG obtained expenditure records related to the event in other school internal account funds. The cost of the bounce house, dunk tank and game bus were expensed from the “Grove Park PTO” internal fund account. The bounce house and dunk tank along with attendant service totaled \$630 (**Exhibit 2**). The game bus totaled \$810 (**Exhibit 3**). Additionally, there was an expenditure totaling \$39.98 from the “General Activities” internal fund account where Ms. Rogers was reimbursed for the purchase of two propane tanks (**Exhibit 4**). These expenditures totaling \$1,479.98 were not reflected on the fundraising application.

Chapter 19 of the District’s Internal Accounts Manual states:

Before a fundraiser begins the sponsor must:

- Complete the top portion of the Fundraising Application/Recap (PBSD 0153) and explain how the proceeds will be used, including the primary account that will benefit from the fundraising proceeds.
- Estimate the sales, costs, and profits by completing Column A, Estimated Sales Application.
- Sign and date the application and turn it in to the treasurer.

During a fundraiser the sponsor must:

- Be responsible for maintaining detailed records of inventories and cash collections.

After the fundraiser is over, the sponsor must:

- Request a general ledger of the account from the treasurer and complete a Sales Item Inventory Report (PBSD 0182). Sales Item Inventory Reports are required for all fundraisers even if there was no inventory.

The OIG determined that most of the required documentation was completed in a timely manner. While errors were made on the Fundraising Application and a Sales Item Inventory Report was not completed as required, the information obtained shows there was no intent to supersede policy.

Based on testimony obtained and documentation reviewed the OIG determined that, the allegation that required documentation to hold a fundraiser at the school was not completed was **Unsubstantiated**.

It is recommended that Ms. Rogers and Ms. Chaney receive additional training on the completion of fundraising activity forms to ensure all fundraising activity forms are properly and completely filled out.

ALLEGATION 2: EVIDENCE & TESTIMONY

Testimony of Principal Jo Anne Rogers

Rogers explained she prefers to raise money for the students with the least overhead possible; and therefore, they try to get as many donations as possible. Rogers stated that she borrowed Ping-Pong tables from friends and received other donations including hamburgers from Outback Steakhouse. Rogers stated that she did not receive any paperwork from the donors. Rogers explained the event raised funds from selling items such as candy, snacks, and food at a concession stand. Additionally, there was a bounce house and a game bus where donations were accepted. Rogers noted that students were able to participate without providing a donation. Rogers stated the event also had musical chairs, Ping-Pong tables, and basketball for the students. Rogers stated a Disc Jockey (DJ) was hired for the event and she paid for the services personally.

Testimony of Confidential Secretary Sheryl Chaney

Chaney confirmed that food and candy were donated for the event. Chaney stated she was in charge of collecting money on the day of the event. Chaney explained she went around to each place (game truck, bounce house, concession stand, and dunk tank) and placed any money that had been collected in a gold envelope. Chaney further explained funds were raised from the sale of hotdogs, hamburgers, and candy. Chaney stated donations were accepted at the game truck, bounce house, and dunk tank. A \$1.00 donation was requested to go in the bounce house; and, a \$1.00 donation was requested for three throws at the dunk tank. Chaney explained that students were not required to provide a donation in order to participate in any activity.

Based on interviews with Ms. Rogers and Ms. Chaney, the OIG determined that items such as hamburgers, buns, and snacks were donated for the event. According to Ms. Rogers and Ms. Chaney, the donated items were sold at a concession stand. Ms. Rogers and Ms. Chaney explained that donations were accepted to participate in the bounce house, but there was no requirement for a student to make a donation in order to participate.

The bounce house was not a donation. There is record of an expenditure on May 23, 2017, for \$630 made payable to Extreme Party Rental, LLC. The invoice related to the expenditure reflects one of the items as a "Module Bounce House." Presently there are no rules or guidelines that prohibit the sale of donated items during a fundraiser. Furthermore, school records indicate the bounce house was paid for and it was not a donation.

Based on testimony obtained and documentation reviewed the OIG determined that, the allegation that the school inappropriately sold donated items to the students was *Unsubstantiated*.

ALLEGATIONS 3: EVIDENCE & TESTIMONY

Testimony of Principal Jo Anne Rogers

Rogers stated the day of the event, students had lunch during their regular schedules at the cafeteria. However, Ms. Rogers confirmed that hamburgers were sold during the school day.

Documentation Reviewed

School Board Policy 6.185 School Food Service Management Policy states the following:

- “Per “USDA Smart Snacks in School Standards, competitive food and beverages shall mean any food or beverage item sold to students that competes with the District’s operation of the National School Lunch and School Breakfast Programs. Items include those sold in vending machines or those sold by students, parents, school administrative staff, or any other person, company, or organization during the school day. The USDA defines the “school day” as “the period from midnight before to 30 minutes after the end of the official school day.”
- “Any food and beverages sold in vending machines, or those that do not meet the nutrition standards, may be sold beginning 30 minutes after the end of the official school day. No food may be sold outside the parameters as listed above.”
- “Per Department of Agriculture and Consumer Services Rule 5P-1.003, Florida Administrative Code, unless being sold by the District School Food Service Program, it is impermissible for any competitive food item sold to students during the school day to consist of ready-to-eat combination foods of meat or meat alternate as defined by 7 CFR 210.10, and grain product, as defined by 7 CFR 210.11.”

The school sold food items to students, including meats and grains, during the school day in violation of District policies.

Based on testimony obtained and documentation reviewed the OIG determined that, the allegation that food items were sold during the school day was *Substantiated*.

It is recommended that the Office of Professional Standards review this allegation and take whatever action is deemed appropriate.

ALLEGATIONS 4 and 5: EVIDENCE & TESTIMONY

Testimony of Principal Jo Anne Rogers

Rogers stated that a concession stand was set up where students were able to buy items. Rogers stated two teachers, (Jamie Vandergas and Nicole Black) and a parent (Amy Barnett) worked the concession stand. Rogers noted that she also assisted at the concession stand when needed. Rogers said she was unsure about how the burgers were cooked.

Testimony of Confidential Secretary Sheryl Chaney

Chaney reported that Lead Custodian Ledone Chavers grilled the hot dogs and burgers during the event. Chaney confirmed that cafeteria staff did not assist with the food.

Testimony of Amy Barnett, Parent

Barnett stated she does not have any documentation from the restaurant, but recalls the restaurant donated approximately 600 hamburgers and buns. Barnett stated that she picked up the items from the restaurant. Barnett explained she helped on the day of the event by serving food. Barnett stated that one of the school maintenance employees grilled the hamburgers.

Testimony of Lead Custodian Ledone Chavers

Chavers stated that Ms. Rogers asked him to grill hotdogs and hamburgers on the day of the event. Chavers explained he brought his charcoal grill from home. Chavers added that a small burner was used to cook French fries. Chavers stated the grill was set up away from the children. Chavers noted he was a chef for 12 years.

Documentation Reviewed

The District's Special Event Risk Planning Guide: For Events, Leasing, School Activities and Field Trips states that when cooking outside:

“Provide a barrier around the cooking equipment to prevent accidental contact and/or tipping over.”

“If, however, the school’s concession stand does serve food that is prepared at the concession stand or purchased from/prepared at a different location and further prepared (heated, plated, repackaged, etc.) at the concession stand, then a Florida Department of Health Sanitation Certificate is required.”

Additional Investigative Activity

The OIG consulted with the Risk Management Department, who stated the person who prepared the items had to be supervised by someone that has proper training and a sanitation certificate.

Mr. Chavers stated the grill was not near any children. However, there was no barrier set up around the equipment. Additionally, Mr. Chavers was not properly supervised as required.

Based on testimony obtained the OIG determined that, the allegation that food items were prepared in an unsafe manner was *Substantiated*.

It is recommended that the Office of Professional Standards review this allegation and take whatever action is deemed appropriate.

In regards to allegation 5, the District does not prohibit the use of bounce houses. *The District's Special Event Risk Planning Guide: For Events, Leasing, School Activities and Field Trips* provides information and instructions regarding the use of bounce houses.

Based on the fact that the District does not prohibit the use of bounce houses, the OIG determined that the allegation that the school operated a bounce house in violation of District policy was *Unfounded*.

ADDITIONAL INFORMATION

During the OIG's review, the following was observed:

DJ

As stated by Ms. Rogers, she hired a DJ for the event and paid for the services with her personal funds. Although internal funds were not used to pay the DJ, a Consultant Agreement should have been executed and the person providing the service should have undergone a background check as the DJ was in the presence of students.

Dunk Tank Waivers

The District's Special Event Risk Planning Guide: For Events, Leasing, School Activities and Field Trips states employees are the only ones allowed to participate in a dunk tank and are required to complete and sign District form PBSB 2449 "Release/Waiver of Liability and Hold Harmless Agreement for an Adult". The OIG did not find record of waivers signed by employees that participated in the dunk tank the day of the event.

Sponsor Training

School Board Policy 2.16 (4)(b) Fundraising Activities Relating to Schools states "Sponsors shall take required sponsor training(s) prior to completing school based application which can be found on the District's forms web..."

District Bulletin #P 17-057CFO FY17 Mandatory Internal Accounts Training for Teachers and Account Sponsors available in PeopleSoft provides that all teachers/sponsors who transact business within school internal accounts will be asked to view the appropriate presentations.

The fundraising application reflects that the sponsor did not take the fundraising training the year of the event. The OIG obtained training records that demonstrate the sponsor completed the fundraising training on June 8, 2015, and again on October 3, 2017.

RECOMMENDATIONS

Based on testimony and evidence received, the OIG recommends that Ms. Rogers and Ms. Chaney receive additional training on the completion of fundraising activity forms to ensure all fundraising activity forms are properly filled out.

It is further recommended that the Office of Professional Standards review Allegations 3 and 4 and take whatever action is deemed appropriate.

The OIG requests that management advise this office in writing of the actions taken in response to the above recommendation(s) within 30 days of receipt of this report.

AFFECTED PARTY NOTICE

In accordance with School Board Policy 1.092 (8)(b)(iv), on November 10, 2017, Jo Anne Rogers and Sheryl Chaney were notified of the investigative findings and provided with an opportunity to submit a written response to these findings. Attached in its entirety, is Ms. Rogers response received on November 29, 2017 (Attachment 1). No response was received from Ms. Chaney.

The OIG reviewed Ms. Rogers' written response. The OIG determined that Ms. Rogers' response did not provide any information that would change the OIG's findings. The OIG's findings remain unchanged and no further investigative activity is required.

DISTRIBUTION

Palm Beach County School Board Members
Robert M. Avossa, Superintendent
Audit Committee Members
OIG file

Investigation Conducted by:

Veronica Vallecillo, CIGI



12/7/17
Date

Investigation Supervised by:

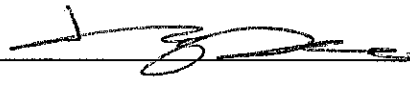
Oscar Restrepo, CIGI, Director of Investigations



12/7/17
Date

Investigation Approved by:

K. Lung Chiu, CIG, Inspector General



12/7/17
Date

The evidentiary standard used by the School District of Palm Beach County OIG in determining whether the facts and claims asserted in the complaint were proven or disproven is based upon the preponderance of the evidence. Preponderance of the evidence is contrasted with "beyond a reasonable doubt," which is the more severe test required to convict a criminal and "clear and convincing evidence," a standard describing proof of a matter established to be substantially more likely than not to be true. OIG investigative findings classified as "substantiated" means there was sufficient evidence to justify a reasonable conclusion that the actions occurred and there was a violation of law, policy, rule, or contract to support the allegation. Investigative findings classified as "unfounded" means sufficient evidence to justify a reasonable conclusion that the actions did not occur and there was no violation of law, policy, rule, or contract to substantiate the allegation. Investigative findings classified as "unsubstantiated" means there was insufficient evidence to justify a reasonable conclusion that the actions did or did not occur and a violation of law, policy, rule, or contract to support the allegation could not be proven or disproven.

ATTACHMENT 1
RESPONSE FROM JO ANNE
ROGERS

November 20, 2017

Veronica Vallecillo, Office of Inspector General
3138 Forest Hill Blvd., Suite C-306
West Palm Beach, FL 33406
Email: veronica.vallecillo@palmbeachschools.org

RECEIVED
NOV 29 2017

INSPECTOR GENERAL

Lung Chiu, Inspector General

Dear Mr. Chiu:

Within one academic year, Grove Park's letter grade increased from an "F" to a "C." Tremendous planning and coordination resulted not only in this two-letter grade increase, but improvement made to morale and school culture, which were depleted. Last year we worked a grueling seven-day week, from July 2016 to at least January 2017. The good news is, students benefited.

Please know, this letter-writing campaign is a distraction from the real work. For it to be FY18 (a new school year) and for nameless individuals to still be writing letters about "last school year, FY17" speaks volume on the intent.

Regarding the field day celebration in question last "May," the purpose of the activity was to provide a celebratory recognition to students for outstanding effort given to FSA and academics overall. The students worked extremely hard and deserved it! But specific to the allegations, I've grilled for students and staff countless times throughout my 29-year tenure with the SDPBC. Who knew it was against policy?! Who knew other staff besides food service could not grill?! But were students in danger? No. Moreover, who knew the principal could not use personal funds as gratuity given to a deejay who "volunteered" services?! Bottom line, there is no intent to circumvent and/or not follow policy. Gp's entire administrative staff were individuals new in positions, learning policy in a high-needs, fast-pace setting. We will continue to follow policy, lead staff to seek resources and training, and act in accordance.

But with all these letters, the continual harassment even into this new academic year, personal attacks, people mailing fliers of my picture across all of Palm Beach County urging Dr. Avossa to investigate based on my listed Facebook friends' ethnicity, and even GP staff seen driving in my neighborhood – down a very private road, I am done responding.

Grove Park was the only school in PBC last year to increase percentage in all eight school accountability cells. I am proud of these achievements made in a short time. A feeling of pride is now felt entering our building. Students are happy and safe. Discipline data is decreased. Conditions for learning are appropriate. Learning is a priority. There is work still to be accomplished at Grove Park. I am happy to serve the students, and remain committed to the work.

Submitted humbly and sincerely,



Jo Anne Rogers, Principal of Grove Park Elementary School

Cc: Dr. Camille Coleman, Regional Superintendent
Dr. Arthur Johnson, SDPBC Administrators' Association
Kathy Burstein, Director, Communications