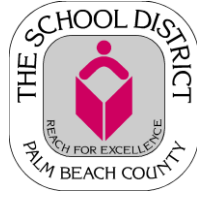


Audit of
Educational Facilities Safety Inspections
October 20, 2017

Report #2017-08



MISSION STATEMENT

The School Board of Palm Beach County is committed to providing a world class education with excellence and equity to empower each student to reach his or her highest potential with the most effective staff to foster the knowledge, skills, and ethics required for responsible citizenship and productive careers.

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Superintendent of Schools

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**Audit of
Educational Facilities Safety Inspections
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Audit of
Educational Facilities Safety Inspections

EXECUTIVE SUMMARY

Pursuant to the *Office of Inspector General's (OIG) 2016-17 Work Plan*, we have audited the Educational Facilities Safety Inspections Program. The primary objectives of the audit were to (1) assess the adequacy of the procedures in ensuring critical violations are corrected in a timely manner, and (2) determine if violations recorded as resolved have been corrected. This audit produced the following major conclusions.

1. 18 Serious Violations Remained Uncorrected for Three to 13 Years

According to the *2017 Final Comprehensive Safety Inspection Report*, 1,233 citations were noted uncorrected as of May 19, 2017. Moreover, 90 of the 1,233 uncorrected citations were considered serious, and 18 of these serious violations had been repeatedly cited for three to 13 years.

Pursuant to FAC 69A-58.005, paragraph 1,

“Serious life safety hazards as set forth in Section 1013.12 F.S., and in paragraph (2)(b), below, require prompt corrective action by the board or withdrawal of the educational or ancillary plants or affected portions thereof from use until corrected.”

Serious citations uncorrected for a long period of time can pose risks to students, employees, and the general public. The Building Code Services Department should ensure all safety violations be corrected timely. Target completion dates for correcting violations should be established and monitored.

Management's Response: *Management agrees that some citations remain uncorrected for an extended time. Building Code Services (BCS) will review all violations that have exceeded the specified corrective action date. In accordance with statute, if immediate life-threatening deficiencies are noted, the BCS Director will recommend to the Board to withdraw the facility or part of the facility from use until the deficiencies are corrected. All serious violations not determined to be immediately life-threatening will be given added review and oversight necessary to correct in the time frame determined by the BCS Director.*

Maintenance & Plant Operations (M&PO) will work closely with the Budget office in finding appropriate funding to correct citations as timely as possible. While, managing and following the existing Referendum Schedule, will also accomplish completion of correction of many of

these citations. Corrective action dates will no longer be extended without Board approval. Principals, facility managers and their supervisors will be held accountable to correct all operational citations before the Board approved corrective action date.

(Please see page 10.)

2. 17 (28%) of 60 Sample Violations Reportedly Resolved, But Problems Remained

OIG auditors and Building Code Services Inspectors conducted on-site joint-observations of 45 facilities (at 18 schools) that contained 60 random sample citations, which were reported as resolved by Building Code Services. However, the observations revealed that 17 (28%) of the problems still existed.

To ensure all District buildings meet the safety codes, Building Code Services should develop and implement quality control procedures to ensure that citations are corrected accordingly in a timely manner.

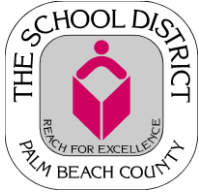
Management's Response: *BCS disagrees with the suggestion that a large percentage of violation corrections were misreported by safety inspectors. The auditor visited schools up to 9 months after the last inspection to test the veracity of the inspector's report. To accurately audit the quality of the inspections, the audit would need to occur immediately after the safety inspector completed his/her inspection.*

The audit findings noted that some safety violations, once corrected, could recur again over time. This is very common with some operational and equipment type violations. To reduce recurring violations, schools will no longer be provided notice of upcoming inspections and re-inspections. This should help promote year-round compliance.

Management agrees with the recommendation to develop quality control procedures to improve the accuracy of its reporting. BCS accepts that individual safety inspectors may differ and even disagree as to whether specific occurrences actually qualify as a hazard. BCS currently reviews inspection data annually to measure variations in the number and types of violations written by individual inspectors. Safety inspectors are counseled by supervisors on how to improve quality and consistency. Going forward, BCS will review the same data on a bi-weekly basis during the inspection period to identify trends and ways to improve the quality of inspections.

M&PO will report all corrections in the District work order system in order to document who corrected the work and when the work was completed. M&PO will identify violations that commonly recur and will evaluate and implement ways to reduce recurring violations.

(Please see page 10.)



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

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INSPECTOR GENERAL

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ROBERT M. AVOSSA, Ed.D., SUPERINTENDENT

MEMORANDUM

TO: Honorable Chair and Members of the School Board
Robert M. Avossa, Ed.D., Superintendent of Schools
Chair and Members of the Audit Committee

FROM: Lung Chiu, CPA, Inspector General

DATE: October 20, 2017

SUBJECT: Audit of Educational Facilities Safety Inspections

PURPOSE AND AUTHORITY

Pursuant to the *Office of Inspector General's (OIG) 2016-17 Work Plan*, we have audited the Educational Facilities Safety Inspections Program. The primary objectives of the audit were to (1) assess the adequacy of the procedures in ensuring critical violations are corrected in a timely manner, and (2) determine if violations recorded as resolved have been corrected.

SCOPE AND METHODOLOGY

The audit was performed in accordance with *Generally Accepted Government Auditing Standards*. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The audit covered Fiscal Years 2014 through 2017, and included interviewing District staff and reviewing:

- *Draft Citations* and *Final Citations* prepared by the District's Building Code Services Department;
- *2016* and *2017 Comprehensive Safety Inspection Reports*;
- The status of sample deficiencies through on-site observations;
- Relevant laws, rules and regulations, and *School Board Policies*, including:

- *Florida Statute 1013.12, Casualty, Safety, Sanitation and Firesafety Standards and Inspection of Property*
- *Florida Department of Education, School Requirements for Educational Facilities (SREF) Chapter 5, Existing Facilities*
- *State Board of Education Rules, 69A-58, Uniform Firesafety Standards for Educational Facilities*
- *School Board Policy 2.031, Comprehensive Safety Inspections*
- *School Board Policy 7.21, Building Code*
- *Building Code Services Policy and Procedure Manual, Safety Inspections of Existing Facilities*
- *Maintenance and Plant Operations Policy and Procedure Manual, Comprehensive Safety Inspection Report (CSIR) Procedures*

The draft report was sent to management for review and comments. Management comments are included in the Appendix. We appreciate the courtesy and cooperation extended to us by District staff during the audit. The final draft report was included in the October 20, 2017, Audit Committee Meeting Agenda.

BACKGROUND

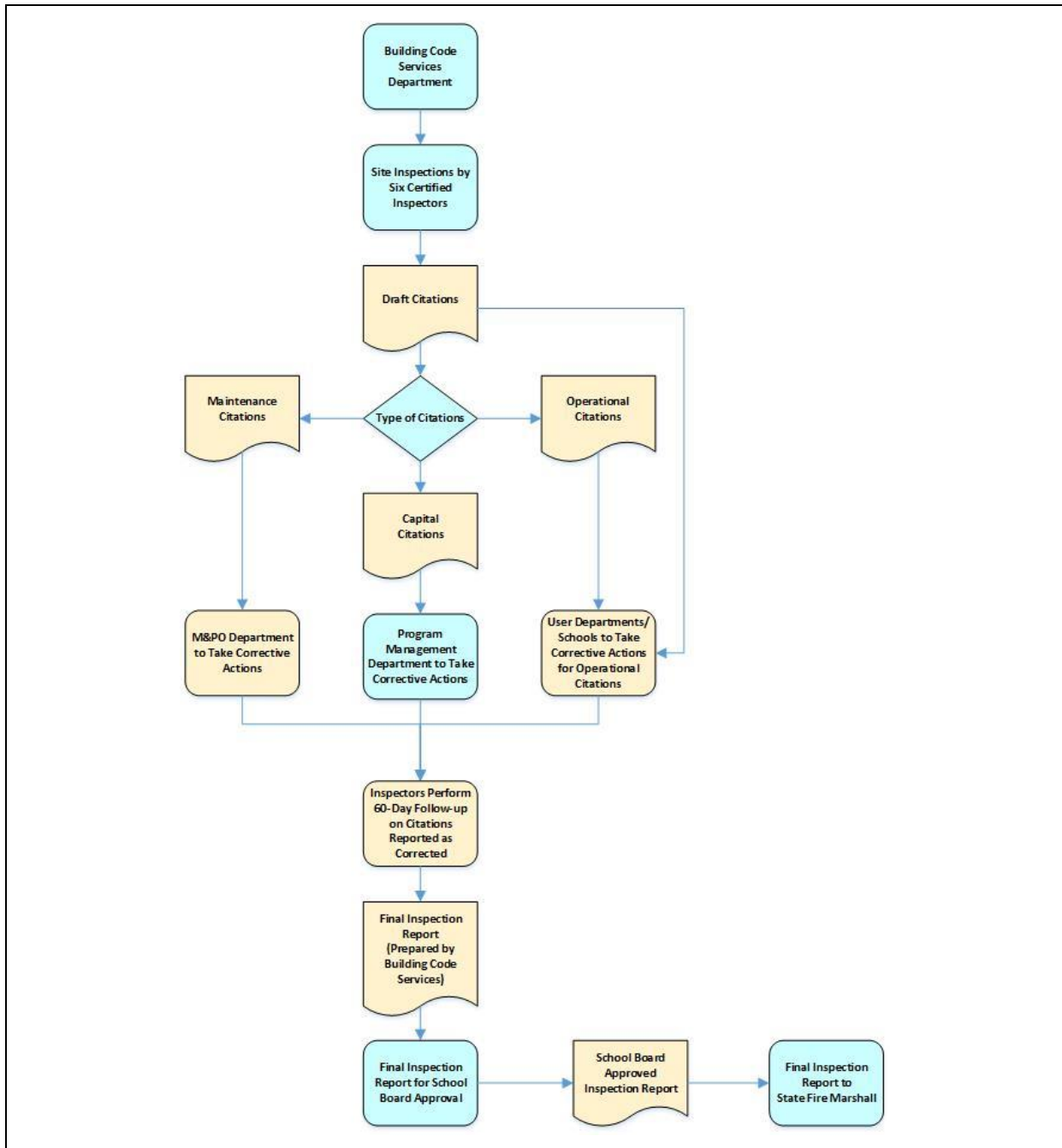
The School District's Building Code Services Department is responsible for conducting the annual inspections for casualty, sanitation, fire, and other safety related compliance with all educational, ancillary and auxiliary facilities. Inspections must be administered in accordance with *Florida Statute 1013.12, Department of Education Rules, School Requirements for Educational Facilities (SREF) Chapter 5, State Board of Education Rule 69A-58, and School Board Policies 2.031 and 7.21*. District schools and departments are responsible for making corrections in response to operational citations. The Maintenance and Plant Operations (M&PO) Department is responsible for resolving maintenance citations. The Program Management Department is responsible for resolving capital citations.

Inspections by District's Certified Inspectors. All safety inspections must be performed by inspectors certified by the Florida Bureau of Fire Standards and Training at the Florida State Fire College. As of March 10, 2017, Building Code Services had six certified inspectors who are responsible for performing safety inspections in accordance with State guidelines. Two of the six inspectors conduct construction related inspections; and four conduct annual inspections of approximately 204 facilities in the School District. Inspections of new construction, remodeling and renovations begin one year after the facilities have been occupied.

Two Inspections Every Year. Building Code Services conducts the required annual safety inspection for approximately 204 facilities in the District during July 1 and April 30. Inspectors visit assigned facilities to inspect buildings for compliance with applicable codes, including *Florida Statute 1013.12, Department of Education Rules, School Requirements for Educational Facilities (SREF) Chapter 5, State Board of Education Rule 69A-58, and School Board Policies 2.031 and 7.21*. When violations are cited, sequential numbers are assigned to citations for ease of tracking. At the conclusion of each inspection, a draft Inspection Report is sent to the school principal or department director and the applicable correcting departments: either M&PO or

Program Management departments. Approximately 60 days after the inspection, a follow-up is conducted to determine if the cited violations are corrected. If the citations are corrected, they are removed from the listing, and do not appear in the final report. Uncorrected citations noted during the second inspection are included in the final report. The final *Comprehensive Safety Inspection Report* is to be presented to the School Board and the State Fire Marshall by June 30. The flowchart below depicts the safety inspection process.

District's Annual Educational Facilities Safety Inspections Procedures



1,233 Uncorrected Violations During Fiscal Year 2017. During Fiscal Years 2014 through 2017, the number of violations cited during the initial inspections ranged from 14,877 to 17,038; and the number of violations cited during the final inspections ranged from 1,233 to 2,898. Table 1 below shows the numbers and types of initial and final citations for Fiscal Years 2014 through 2017.

Table 1
Number of Citations
For Fiscal Years 2014 Through 2017

Citation Type	FY2014		FY2015		FY2016		FY2017	
	Initial	Final	Initial	Final	Initial	Final	Initial	Final
Operational	2,910 (100%)	417 (14%)	2,611 (100%)	177 (7%)	2,743 (100%)	93 (3%)	2,139 (100%)	83 (4%)
Operational Serious	1,324 (100%)	208 (16%)	1,239 (100%)	108 (9%)	1,517 (100%)	51 (3%)	1,223 (100%)	40 (3%)
Maintenance	10,908 (100%)	1,584 (15%)	9,518 (100%)	793 (8%)	10,208 (100%)	911 (9%)	10,171 (100%)	857 (8%)
Maintenance Serious	768 (100%)	51 (7%)	720 (100%)	13 (2%)	1,281 (100%)	14 (1%)	1,549 (100%)	29 (2%)
Fire	12 (100%)	–	–	–	–	–	1 (100%)	–
Fire Serious	14 (100%)	2 (14%)	–	–	2 (100%)	–	–	–
Capital	813 (100%)	459 (56%)	610 (100%)	256 (42%)	388 (100%)	255 (66%)	323 (100%)	203 (63%)
Capital Serious	289 (100%)	177 (61%)	179 (100%)	48 (27%)	65 (100%)	39 (60%)	43 (100%)	21 (49%)
Total	17,038 (100%)	2,898 (17%)	14,877 (100%)	1,395 (9%)	16,204 (100%)	1,363 (8%)	15,449 (100%)	1,233 (8%)

Source: Building Code Services.

CONCLUSIONS

The audit produced the following major conclusions:

1. 18 Serious Violations Remained Uncorrected for Three to 13 Years

Eight Categories of Safety Violations/Citations. Safety violations (citations) noted during inspections are classified into eight categories. Citations are classified as serious if they meet the related criteria set forth in *Florida Administrative Code (FAC) 69A-58.005*. The citations are further identified as Operational, Maintenance, or Capital depending on which department is responsible for correcting the violations. Please see Table 2 for the eight categories of citations and the responsible departments for correcting the violations.

Table 2
Categories of Citations &
Departments/Schools Responsible for Correcting the Violations

Citation Category	Responsible Departments/Schools
1. Operational	User departments/schools that receive the citations
2. Operational Serious	
3. Maintenance	Maintenance & Plant Operations Department (M&PO)
4. Maintenance Serious	
5. Fire	
6. Fire Serious	
7. Capital	Program Management Department
8. Capital Serious	

Source: Building Code Services.

Pursuant to FAC 69A-58.005, paragraph 1,

“Serious life safety hazards as set forth in Section 1013.12 F.S., and in paragraph (2)(b), below, require prompt corrective action by the board or withdrawal of the educational or ancillary plants or affected portions thereof from use until corrected.”

18 Serious Violations Remained Uncorrected for Three to 13 Years. Based on the Building Code Services’ 2017 Final Comprehensive Safety Inspection Report, there were 1,233 uncorrected citations as of May 19, 2017. Some of these cited conditions have been existing for a long period, ranging from one to 22 years. Of the 1,233 uncorrected citations, 90 were considered serious and 18 of these serious violations had been cited repeatedly for three to 13 years. Specifically, the following four serious violations had been on the book for 10+ years:

- Citation #232882 – To provide paved walkway area around north and west side of media center, to allow for safe exiting from Building 4, away from retention area (13 years).

- Citation #231441 – To provide fire-rated or protected doors for portables (13 years).
- Citation #242142 – To eliminate dead end corridor (about 50 feet long) between 1-137F and 1-137A leading into media center (12 years).
- Citation #277075 – To remove lock from the door leading into the serving line in order to eliminate the dead end corridor (10 years).

Table 3 shows the number of violations and the number of years the violations had been cited continuously.

**Table 3
Number of Years Same Violations Were Cited Repeatedly**

# of Years (Times) Same Violations Were Cited	Operational		Maintenance		Capital		Total		
	Non Serious	Serious	Non Serious	Serious	Non Serious	Serious	Non Serious	Serious	Total
22	-	-	-	-	1	-	1	-	1
21	-	-	-	-	1	-	1	-	1
20	-	-	-	-	-	-	-	-	-
19	-	-	1	-	14	-	15	-	15
18	-	-	-	-	11	-	11	-	11
17	-	-	-	-	-	-	-	-	-
16	-	-	-	-	-	-	-	-	-
15	-	-	-	-	2	-	2	-	2
14	-	-	1	-	7	-	8	-	8
13	-	-	1	-	3	2	4	2	6
12	-	-	-	-	1	1	1	1	2
11	-	-	-	-	5	-	5	-	5
10	-	-	-	1	2	-	2	1	3
9	-	-	-	-	3	-	3	-	3
8	-	-	2	-	4	-	6	-	6
7	-	-	1	-	6	1	7	1	8
6	-	-	4	-	10	-	14	-	14
5	4	-	14	-	22	1	40	1	41
4	1	-	27	1	24	8	52	9	61
3	1	1	38	-	19	2	58	3	61
2	13	7	120	3	36	6	169	16	185
1	64	32	648	24	32	-	744	56	800
Total	83	40	857	29	203	21	1,143	90	1,233

Source: Building Code Services' 2017 Final Comprehensive Safety Inspection Report, as of May 19, 2017.

Recommendation

The District should strive to timely eliminate or minimize all hazard conditions identified through facility safety inspections. Serious citations uncorrected for a long period of time can pose risks to students, employees, and the general public. Safety violations should be corrected timely. Target completion dates for correcting violations should be established and monitored.

Management's Response: Management agrees that some citations remain uncorrected for an extended time. Building Code Services (BCS) will review all violations that have exceeded the specified corrective action date. In accordance with statute, if immediate life-threatening deficiencies are noted, the BCS Director will recommend to the Board to withdraw the facility or part of the facility from use until the deficiencies are corrected. All serious violations not determined to be immediately life-threatening will be given added review and oversight necessary to correct in the time frame determined by the BCS Director.

Maintenance & Plant Operations (M&PO) will work closely with the Budget office in finding appropriate funding to correct citations as timely as possible. While, managing and following the existing Referendum Schedule, will also accomplish completion of correction of many of these citations. Corrective action dates will no longer be extended without Board approval. Principals, facility managers and their supervisors will be held accountable to correct all operational citations before the Board approved corrective action date.

(Please see page 10.)

2. 17 (28%) of 60 Sample Violations Reportedly Resolved, But Problems Remained

On-Site Joint-Observations. OIG auditors and Building Code Services Inspectors conducted two on-site joint-observations of 45 facilities (at 18 schools) that contained 60 randomly selected sample corrected citations for our review: 30 samples from the *2016 Inspection Report* during our preliminary review; and 30 samples from the *2017 Inspection Report* during the detailed audit fieldwork. These citations were noted as resolved by Building Code Services. However, the joint-observations revealed that 17 (28%) of the 60 citations were found with the same violations as cited before. The inspectors who did the inspections with the OIG auditors made note to ensure that noncompliances are to be resolved.

Preliminary Review of Fiscal Year 2016 Sample Citations. In June 2016, as part of OIG's continued auditing and risk assessment of the District's operations, an OIG auditor and a Building Code Services Inspector jointly conducted a preliminary review of 30 randomly selected sample citations that were reported resolved at 23 buildings (at 10 schools) from the *2016 Inspection Report*. The joint-observations revealed that violations for eight (27%) of the 30 samples still existed.

On-Site Joint-Observations of Fiscal Year 2017 Sample Citations. During March 2017, an OIG auditor and a Building Code Services Inspector jointly conducted another on-site observation of 22 facilities (at eight schools) which contained 30 sample citations randomly selected from the *2017 Inspection Report*. These citations were considered resolved. The joint-observations, however, found that violations for nine (30%) of the 30 sample citations still existed.

Table 4 below summarizes the results of the joint-observations for sample citations reported as corrected during Fiscal Years 2016 and 2017.

Table 4
Results of Joint-Observations by OIG and Building Code Services
Sample Citations Reported as Corrected

Citation Type	# of Sample Violations Claimed As Corrected	# of Corrected Violations	# of Violations Not Yet Corrected
Operational	9	4	5
Operational <i>Serious</i>	14	11	3
Maintenance	30	21	9
Maintenance <i>Serious</i>	1	1	None
Capital	2	2	None
Capital <i>Serious</i>	4	4	None
Total	60 (100%)	43 (72%)	17 (28%)

Source: OIG and Building Code Services On-Site Joint-Observations.

Table 5 shows the description of the uncorrected violations for 2016 and 2017.

Table 5
Detailed Results of OIG and Building Code Services Joint-Observations of
Citations Reported as Corrected But Were Found Uncorrected

Citation #	Citation Type	Description Corrective Actions Needed	Date of Inspection by Building Code Services & Reported as Corrected	Date of Joint-Observation; Violations Not Yet Corrected
328053	Operational <i>Serious</i>	Remove storage from electrical room	11/19/15	6/20/16
351676	Maintenance	Repair exhaust fan in bathroom	10/30/15	6/20/16
351677	Maintenance	Repair exhaust fan in bathroom	10/30/15	6/20/16
356026	Operational <i>Serious</i>	Remove storage from mechanical room	11/19/15	6/20/16
356050	Operational	Maintain clear access to emergency eyewash/shower	11/19/15	6/20/16
367473	Operational <i>Serious</i>	Prohibit storage of gasoline/gas powered equipment	9/21/15	6/23/16
370318	Maintenance	Repair exhaust fan in bathroom	9/25/15	6/20/16
380024	Operational	Post signs indicating evacuation routes	9/25/15	6/23/16
383903	Maintenance	Repair exhaust fan in bathroom	11/11/16	3/6/17
383904	Maintenance	Repair exhaust fan in bathroom	11/11/16	3/6/17
383940	Maintenance	Secure loose door handle	11/11/16	3/6/17
385753	Maintenance	Repair exhaust fan in bathroom	11/30/16	3/6/17

Citation #	Citation Type	Description Corrective Actions Needed	Date of Inspection by Building Code Services & Reported as Corrected	Date of Joint- Observation; Violations Not Yet Corrected
386252	Maintenance	Replace missing end caps on portable bleachers	12/6/16	3/6/17
386307	Operational	Provide clear access to electrical panel	12/6/16	3/6/17
386404	Operational	Provide clear access to electrical panel	12/6/16	3/6/17
386412	Operational	Repair/replace damage freezer door	12/6/16	3/6/17
390763	Maintenance	Stucco stop/corner bead exterior wall. Remove rust.	2/3/17	3/6/17

Sources: (1) OIG and Building Code Services On-site Joint-Observations, and (2) 2016 and 2017 Inspection Reports

Recommendation

It is possible that safety violations, once corrected, could become deteriorated again over time and fail to meet the safety standards. Building Code Services should consider developing and implementing peer safety inspector review or supervisor review of citations being corrected to ensure violations are properly resolved.

Management's Response: *BCS disagrees with the suggestion that a large percentage of violation corrections were misreported by safety inspectors. The auditor visited schools up to 9 months after the last inspection to test the veracity of the inspector's report. To accurately audit the quality of the inspections, the audit would need to occur immediately after the safety inspector completed his/her inspection.*

The audit findings noted that some safety violations, once corrected, could recur again over time. This is very common with some operational and equipment type violations. To reduce recurring violations, schools will no longer be provided notice of upcoming inspections and re-inspections. This should help promote year-round compliance.

Management agrees with the recommendation to develop quality control procedures to improve the accuracy of its reporting. BCS accepts that individual safety inspectors may differ and even disagree as to whether specific occurrences actually qualify as a hazard. BCS currently reviews inspection data annually to measure variations in the number and types of violations written by individual inspectors. Safety inspectors are counseled by supervisors on how to improve quality and consistency. Going forward, BCS will review the same data on a bi-weekly basis during the inspection period to identify trends and ways to improve the quality of inspections.

M&PO will report all corrections in the District work order system in order to document who corrected the work and when the work was completed. M&PO will identify violations that commonly recur and will evaluate and implement ways to reduce recurring violations.

(Please see page 10.)

– End of Report –

Management's Response



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

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CHIEF OPERATING OFFICER


ROBERT M. AVOSSA, Ed.D.
SUPERINTENDENT

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INSPECTOR GENERAL

MEMORANDUM

TO: Lung Chiu, Inspector General

FROM: Donald E. Fennoy, II, Ed.D., Chief Operating Officer 

DATE: October 10, 2017

SUBJECT: **MANAGEMENT RESPONSE FOR THE AUDIT OF EDUCATIONAL FACILITIES SAFETY INSPECTIONS**

Following is the **Management Response** to the *Audit of Educational Facilities Safety Inspections*, dated September 26, 2017.

1. 18 Serious Some Violations Remained Uncorrected for Three to 13 Years

Management agrees that some citations remain uncorrected for an extended time. Building Code Services (BCS) will review all violations that have exceeded the specified corrective action date. In accordance with statute, if immediate life-threatening deficiencies are noted, the BCS Director will recommend to the Board to withdraw the facility or part of the facility from use until the deficiencies are corrected. All serious violations not determined to be immediately life-threatening will be given added review and oversight necessary to correct in the time frame determined by the BCS Director.

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2. 17 (28%) of 60 Sample Violations Reportedly Resolved, But Problems Remained

BCS disagrees with the suggestion that a large percentage of violation corrections were misreported by safety inspectors. The auditor visited schools up to 9 months after the last inspection to test the veracity of the inspector's report. To accurately audit the quality of the inspections, the audit would need to occur immediately after the safety inspector completed his/her inspection.

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A Top-Rated District by the Florida Department of Education Since 2005
An Equal Education Opportunity Provider and Employer

Management's Response

Page 2 of 2

October 10, 2017

SUBJECT: MANAGEMENT RESPONSE FOR THE AUDIT OF EDUCATIONAL FACILITIES SAFETY INSPECTIONS

The audit findings noted that some safety violations, once corrected, could recur again over time. This is very common with some operational and equipment type violations. To reduce recurring violations, schools will no longer be provided notice of upcoming inspections and re-inspections. This should help promote year-round compliance.

Management agrees with the recommendation to develop quality control procedures to improve the accuracy of its reporting. BCS accepts that individual safety inspectors may differ and even disagree as to whether specific occurrences actually qualify as a hazard. BCS currently reviews inspection data annually to measure variations in the number and types of violations written by individual inspectors. Safety inspectors are counseled by supervisors on how to improve quality and consistency. Going forward, BCS will review the same data on a bi-weekly basis during the inspection period to identify trends and ways to improve the quality of inspections.

M&PO will report all corrections in the District work order system in order to document who corrected the work and when the work was completed. M&PO will identify violations that commonly recur and will evaluate and implement ways to reduce recurring violations.

DEF/WFP/SEB/TH/SK:lm

cc: Mike Burke, Chief Financial Officer
Dianne Howard, Director, Risk & Benefits Management
Nancy Samuels, Director, Accounting Services