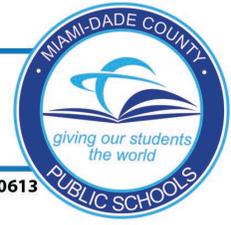




Felix Jimenez
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To: The Honorable Perla Tabares Hantman, Chairwoman
and Members, Miami-Dade County School Board
Jose L. Dotres, Superintendent, Miami-Dade County Public of Schools

From: Felix Jimenez, Inspector General 

Date: June 10, 2022

Subject: Review of K12 Florida, LLC Transfer of Funds to the Foundation for New Education Initiatives, Inc., Ref. IG-20-0008-SI

On June 29, 2021, the Miami-Dade County Public Schools (M-DCPS) Office of the Inspector General (OIG) issued a final report in the above-captioned matter. The report contained five recommendations, one addressed to the School Board and four to the Foundation for New Education Initiatives, Inc. (FNEI). The OIG has continued to monitor the actions taken by M-DCPS and FNEI considering the recommendations. OIG staff have attended multiple meetings, reviewed several M-DCPS and FNEI policy/procedure updates, and maintained open communications with the appropriate M-DCPS and FNEI staff. This memorandum summarizes the post-final report actions taken with regard to the OIG's recommendations.

FNEI's Board of Directors voted on July 12, 2021, contrary to OIG Recommendation No. 1, to accept K12's donation. The donation had been held in an FNEI account until the OIG review was complete. FNEI voted to distribute the donation as \$100 gift cards to M-DCPS teachers. However, the Superintendent (at the time Alberto Carvalho), as the OIG recommended, did not participate in the discussion or vote of this item by the FNEI Board of Directors.

Relating to OIG Recommendation No. 2, the School Board took immediate action on January 13, 2021 (even prior to finalization of the OIG review) to amend School Board Policy 6460–Business Code of Ethics and School Board Policy 9215–Direct Support Organizations. The changes in the School Board policies directly addressed the type of donation that transpired in this case. The OIG suggests that the School Board consider going further in the future as noted in Recommendation No. 2 by following the federal model, which prohibits the solicitation of any gift not just from anyone seeking to do business, but from those doing business with the public official's agency.

As to OIG Recommendation No. 3, FNEI has worked to institute a procedure prior to depositing donations that requires the depositor confirm, in writing, that the donor does not have “a pending bid solicitation, proposal, or contract award” with M-DCPS. On April 20, 2021, the FNEI Board also amended its Gift Acceptance Policy, which now reads:

“...FNEI will not solicit from or accept donations from any contractor, vendor, lobbyist, consultant, or bidder that has a pending bid solicitation, proposal, or contract award for District goods or services.”

On June 24, 2021, the FNEI Board agreed to establish a formal review process for its Executive Director in accordance with the OIG’s Recommendation No. 4. FNEI amended its Executive Director Policy codifying the position—with its reporting structure—in the FNEI By-Laws at its January 18, 2022, Board of Directors meeting. FNEI’s new process will include formalizing annual and long-term goals and ensuring that an annual performance review is completed by FNEI members instead of by M-DCPS administrators.

On January 18, 2022, the FNEI Board implemented OIG Recommendation No. 5 by removing M-DCPS administrators from having signature authority over FNEI financial accounts. FNEI has also obtained its own bank/credit cards and ceased the use of M-DCPS p-cards.

The OIG appreciates the cooperation of M-DCPS and FNEI throughout the review process and the comprehensive actions based upon the OIG’s recommendations.

cc: Walter J. Harvey, School Board Attorney, M-DCPS
Jon Goodman, Chief Auditor, M-DCPS
Jose Bueno, Chief of Staff, Office of the Superintendent, M-DCPS
Vivian M. Santiesteban-Pardo, Chief Communications Officer, M-DCPS
Ann Stith de las Pozas, Exec. Dir., Foundation for New Education Initiatives, Inc.