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September 11, 2013

The Honorable Chair and Members of The School Board of Miami-Dade County, Florida
Members of the School Board Audit and Budget Advisory Committee (ABAC)
Mr. Alberto M. Carvalho, Superintendent of Schools

**SUBJECT: INVESTIGATION OF ATTENDANCE AND FTE REPORTING PRACTICES
AT THE FLORIDA SCHOOL FOR INTEGRATED ACADEMICS (SIA Tech)**

Ladies and Gentlemen:

This investigation of the subject charter school was prompted by a referral from the District's Office of Charter School Support. We found that approximately 50% of the attendance and FTE records we sampled for FY12-13, contained some form of discrepancy. None of the discrepancies impacted the School's FTE funding for the year. However, the risk of such impact is increased relative to the entire population. The State Auditor General's FTE division is currently conducting its own audit of the School's FY12-13 attendance and FTE records, and we expect the results of that audit in the upcoming months.

We also found that the School was substantially out of compliance concerning screening of teachers, staff and contractors, pursuant to Florida Statute and the Charter Agreement. Specifically, the District was not provided documentation evidencing The Jessica Lunsford Act screening for 20 employees of Job Corps, a federally funded program in partnership with SIA Tech.

In its written response (Attachment A), the School's management agreed with our findings and recommendations, and outlined corrective actions, some of which have already been taken. The School's management, in its response to the investigation, also points out some of the challenges attendant to the School's partnership with Job Corps and its unique arrangement with the School Board. A written response from the District's Office of Charter School Support, can also be found as Attachment B.

Sincerely,

Jose F. Montes de Oca, CPA, Chief Auditor
Office of Management and Compliance Audits

JFM:em
L015
Attachments

cc: Mr. Walter J. Harvey
Ms. Tiffanie A. Pauline
Mr. Julio C. Miranda
Mr. Jon Goodman
Ms. Terri A. Chester

Investigation of Attendance and FTE Reporting Practices at
The Florida School For Integrated Academics (SIA Tech)

This investigation of the Florida School for Integrated Academics (SIA Tech), a charter school, was prompted by communications from the District's Office of Charter School Support citing concerns about inaccurate reporting of attendance at the School. Our findings corroborated their concerns.

The School's purpose is to provide educational services as a partner with the Florida Job Corps Center. It has three campuses in Miami-Dade County. The School had reported enrollment of 364 students in October 2012 and 328 students in February 2013. Its total revenues and expenses and operating surplus were \$2,780,189, \$2,631,514 and \$148,675, respectively, during Fiscal Year 2011-12.

Students enrolled in SIA Tech must also be enrolled in the Job Corps program. Under section 1007.271, Florida Statutes (Career Dual Enrollment), public high school students (including those at SIA Tech) may also be enrolled at the same time in the Miami-Dade Public School's Vocational Education program. Funding for SIA Tech charter school, Job Corps and the District's Vocational Education courses is derived from three distinct sources: the Charter School is funded through the Florida Education Finance Program (FEFP); Job Corps through the U.S. Department of Labor; and the District's Vocational Education program through State Workforce Education allocations.

Attendance and FTE Reporting

The scope of our investigation was SIA Tech's attendance and FTE reporting in accordance with FEFP funding. We sampled 61 student FTE records from the North and South campuses for the October 2012 FTE survey period, and found discrepancies in 30 (49%) of the records sampled as follows:

- a. 11 records indicated the student was marked present at a charter school course and also marked present at a related but separate course at Job Corps or District vocational course during that same time.
- b. 19 records of students enrolled in the charter school indicated various anomalies, such as students marked absent by the teacher (Gradebook), but present on the School District's official record (ISIS).

These discrepancies are contrary to Section 1003.23, Florida Statutes, and State Board of Education Rule 6A-1.044 which reads in part: "Pupil attendance records shall be maintained for any student enrolled in public schools who is earning high school credit as provided in Section 1003.436, who is funded as provided in Chapter 1011, F.S., and the Appropriations Act, or who is required to be in attendance by the compulsory attendance requirements as provided in Chapter 1003, F.S." Section V.B.(3) of this School's Charter Contract reads: "If the School

submits data relevant to FTE funding that is later determined through the audit procedure to be inaccurate, the School shall reimburse the State for any errors, omissions or misrepresentations for which the School is responsible. The Sponsor may also terminate the Contract.

The noted discrepancies appear to be a result of the School's practice of basing classroom attendance on the "Morning Report", which records attendance at Job Corps whether or not the student is present at the charter school. The discrepancies are also attributable to the absence of a control or procedure reconciling daily the classroom attendance in Gradebook to the official attendance in ISIS.

The existence and magnitude of said discrepancies in our sample of the School's attendance records, is of great concern given the reliance that is placed on the attendance records being reported to the District and State. Although our identification of the aforementioned 30 discrepancies found in our sample of 61 student records does not appear to result in the disallowance of funds under the FEFP system¹, there is an increased risk that the School may have received more funding than it was entitled to when looking at the total population of students in FY 2012-13.

Recommendations:

- 1.1 The School's management should review its attendance recording and reporting policies and procedures and ensure they are in compliance with applicable statutes, rules and contractual requirements. Staff of the School should be adequately informed and trained in proper use of attendance policies and procedures.
- 1.2 District administration should consult with the School Board Attorney's office to determine whether additional action is warranted.

¹ A student qualifies for FEFP funding if they are enrolled in the school during the 11 day FTE Survey period and in attendance at least one of the 11 days.

Screening of Teachers, Staff and Contractors

In accordance with Section VIII.A.7. of the Charter Contract between The School Board of Miami-Dade County and Florida School For Integrated Academics and Technologies Miami-Dade, Inc., “Pursuant to F.S. 1012.32(2)(a), 1012.465, and 435.04, and School Board Rule 6Gx13-4C-1.021, as well as 2005 HB 1877, the Jessica Lunsford Act, the School shall fingerprint for level 2 screening of all applicants, for instructional and non-instructional positions, that the School is interested in employing. Additionally, the School agrees that each of its employees, representatives, agents, subcontractors, or suppliers who are permitted access on school grounds when students are present, who have direct contact with students or who have access to or control of school funds must meet level 2 screening requirements....”

Our review of the applicable teacher/staff data for 32 SIA Tech employees and 26 Job Corps employees revealed that documentation evidencing the said level 2 screening had not been provided to M-DCPS for 20 Job Corps employees who are permitted access to school grounds and have direct contact with students. Absent the School providing said screening documentation, the risk to the School’s students is increased.

Recommendation:

2.1 The School must ensure that the School and its applicable contractors timely comply with the cited Statutes and Laws. Depending on the immediate responsiveness of the School’s management to these identified violations, the District School Board should pursue all its available avenues to enforce compliance and protect its charter school students.

ATTACHMENT A



MANAGEMENT AND
COMPLIANCE AUDIT

2013 AUG -9 PM 12:55

School for Integrated Academics and Technologies

New Education for the Workplace, Inc.
"A Public Charter High School"

Linda C. Dawson, Ed. D.
Charter School Superintendent/CEO

Catherine M. Bonnewell
Principal, SIATech Charter High School, Miami Gardens

August 6, 2013

Dear Mr. Montes de Oca,

We have attached our response to the draft investigation report of July 1, 2013. We want to be as clear as possible in our responses. Therefore if there are any items that need clarification, please feel free to contact us at (305) 624-1144 or by email at marilyn.smith@siatech.org or catherine.bonnewell@siatech.org. We appreciate the additional time allowed for the completion of our response.

Sincerely,

Catherine Bonnewell, Principal

Marilyn Smith, Interim Board President

Response to recommendation 1.1

School attendance is critical to student success in school and helps students develop good work habits that will carry over in life. The School for Integrated Academics and Technologies (SIATech) Charter School understands and acknowledges that daily school attendance is required by law and is necessary for good scholarship. A student's success is directly related to his/her attendance in school. In addition, student attendance is a means of improving student performance and is critical to raising student standards.

SIATech acknowledges that unknown to SIATech, during the October 2012 FTE reporting period there were eight students who were enrolled at South Dade Educational Center in the vocational training program, and there were three students who were enrolled at Miami Lakes Educational Center in the vocational training program, while also enrolled at SIATech Charter School. This practice is no longer taking place.

The school is also in agreement with and concurs that the practice of using the Job Corps "Morning Report" as the basis to report attendance in ISIS was in place during the past school year. That practice is not longer taking place. The school also acknowledges discrepancies between ISIS and Pinnacle gradebook and is in agreement that attendance in ISIS must be reconciled daily with the teacher attendance in the Pinnacle gradebook system. The school has developed attendance procedures to address this concern for the upcoming 2013-2014 school year.

Due to SIATech's unique partnership with Job Corps and the location on Job Corps campuses, the school requests the opportunity to work with the Department of Adult Education, the Office of Charter School Support, and the Federal and State Compliance Office to further address some of the concerns relevant to attendance reporting procedures due to this unique partnership. Students enrolled in SIATech also attend a vocational training program with the school's Job Corps partner as indicated in our contractual agreement. Due to this partnership, as detailed and explained in our charter contract, students attend both SIATech academic courses and the vocational training program courses Job Corps offers as dictated by an internal program schedule that supplements the district's ISIS schedule.

The draft investigation report states "...public high school students (including those at SIATech) may also be enrolled at the same time in the Miami-Dade Public School Vocational Education Program." The school is in agreement that students must be physically present in the class they are assigned to in order to be reported present in ISIS on a daily basis. With this practice in place, the students who attend SIATech at Job Corps will be marked absent in ISIS and in Pinnacle gradebook while they are attending their vocational training classes, even if they are physically present at the Job Corps campus, because they are not in a SIATech classroom and therefore cannot be marked present in ISIS or Pinnacle. This will cause excessive absences to appear on a students' final transcript and could impact a student's opportunity to enter a college of his or her choice.

In addition, due to SIATech being a competency based program, students may complete courses they were scheduled into in ISIS at the beginning of a semester prior to the end of the term. In cases where this happens, the school follows the policy of assigning credits for course completion previously establish with input from district personnel. Therefore, it is possible a student could have completed a class on the ISIS schedule and therefore be placed in a different class than indicated in Pinnacle. The school would like the opportunity to work with Adult Education and the Federal State and Compliance Office, in addition to the Office of Charter School Support, to address these concerns and questions to

ensure full compliance with District attendance reporting procedures and policies and provide for the unique needs of our special population.

While the school agrees to make changes to the attendance reporting procedures and understands the need to do so to ensure compliance with applicable laws described herein, it is SIATech's intent to work with the Office of Charter Support to request a location change to allow SIATech to move from the Job Corps campuses once the school is no longer considered "under investigation." At such time, SIATech will have greater control over student scheduling and students' courses, and thus, greater control over attendance reporting.

The outlined procedures and attendance policy that follows will assist SIATech in our continued effort to encourage students to attend school regularly and also to ensure SIATech is in full compliance with compulsory attendance laws as mandated by Florida Statutes.

SIATECH CHARTER SCHOOL

ATTENDANCE PROCEDURES

Recording of Attendance

Attendance is taken on a daily basis during the designated first period homeroom class and recorded in the M-DCPS Individual Student Information System (ISIS). The procedure for reporting attendance is outlined below. Teachers and staff will be trained in the attendance procedures during the opening of school meeting. Once trained, each teacher will sign a document stating they understand the attendance policy and procedures and that they have received training in the reporting of attendance.

Reporting attendance in ISIS:

1. On Friday of each week, the registrar, administrative assistant or designee will review the master Job Corps schedule to determine the class assignment for SIATech students for the upcoming week.
2. The registrar or designee will list the names of the SIATech students scheduled for academic/vocational/technical training classes on the attached "Weekly Attendance" document.
3. At approximately 8:30 am daily, the registrar or designee will report to the assigned classroom for each SIATech student to account for the physical presence or absence of the student during first period class. The teacher assigned to the classroom will review the "Weekly Attendance" document and will sign the document daily verifying whether the student is present or absent.
4. Students will be marked PRESENT if they are physically present in the class for at least half of the class period, have been excused by the teacher on a class-related assignment, or have been requested by a member of the school support staff for an approved school activity.
5. Students who arrive tardy to class must report to the registrar or designee's office and sign the "Late Arrival" form. (See attached.) Once the student has signed in, the absence will be changed to a tardy in ISIS. The registrar will issue a "late pass" to the student who will then give the pass to the teacher of record. If a student is not present when attendance is taken, but is present later in the school day, that student must be considered in attendance, but tardy, and the absence should be changed in both ISIS and PINNACLE.
6. Once student attendance has been finalized, the registrar or designee will report attendance in ISIS by 12:00 PM on a daily basis.
7. The registrar or designee will run a Daily Attendance Bulletin from ISIS and maintain a copy as a part of the audit trail for attendance and FTE reporting. The attendance bulletin will be posted in a central location for teachers to verify student absences on a daily basis.

8. At the end of each day, the teachers must review the attendance bulletin from ISIS for any discrepancies. If there is no discrepancy, the teacher will initial next to the name of each student on the bulletin, indicating he/she has reviewed the attendance bulletin for accuracy. If the teacher sees an error on the attendance bulletin, this must be reconciled daily with the registrar or designee to ensure accurate reporting of attendance.

Recording attendance in Electronic Gradebook (Pinnacle):

1. The Electronic Gradebook is the source document for instructional staff to record student attendance.
2. It is the responsibility of the classroom teacher to record attendance on a daily basis in Pinnacle.
3. Students are to be counted in attendance if they are physically present in class for at least half of the class period, have been excused by the teacher on a class-related assignment, or have been requested by a member of the school support staff for an approved school activity.
4. Any student who is not physically present in the classroom is marked absent with a "U". If a student is late to class, the student is marked tardy. If the student is tardy during first period, the student must bring a tardy slip from the registrar or designee to be admitted to class. This will ensure the student has signed the "Late Arrival" form. Tardy students will be recorded with a "T" in Pinnacle.
5. At the end of each day, the teachers must review the attendance bulletin from ISIS to see if there is any discrepancy between ISIS and Pinnacle. If the teacher sees an error on the attendance bulletin, this must be reconciled daily with the registrar or designee to ensure accurate reporting of attendance in Pinnacle.



MEMORANDUM

TO: _____

FROM: Catherine Bonnewell, Principal
SIATech Charter High School

DATE: _____, 2013

RE: ATTENDANCE POLICY

Please sign below to indicate that you have read and understand the attendance reporting procedures for the 2013-2014 school year, and return this memo it to your site administrator. This memorandum will be maintained in your site file and will be part of your employment record.

Print Name

Signature

Date

Response to Recommendation 2.1

The School for Integrated Academics and Technologies (SIATech) Charter School acknowledges and concurs that level 2 screening is required for all instructional and non-instructional personnel that the school employs in addition to others who are permitted access on school grounds when students are present, or if they will have direct contact with students or have access to or control of school funds. In addition SIATech acknowledges Florida Statutes, The Jessica Lunsford Act and School Board Rules regarding level 2 screening have been designed to protect potential victims and reduce an offender's ability to re-offend.

SIATech is in a unique partnership with the Federal Job Corps program. All employees who work for Job Corps have previously undergone background checks prior to being employed with Job Corps. However, the school does concur that level 2 fingerprinting is still required for the Job Corps personnel who have direct contact with students, and this should have been completed as required by the Jessica Lunsford Act and Florida Statutes.

SIATech has met with the Job Corps Human Resources Department and the Job Corps Center Directors, in addition to receiving input from the Department of Labor who oversees the operation of Job Corps, and has begun to gather relevant personal information from the Job Corps staff at both the Miami Gardens and the Homestead Job Corps campuses in order to identify and fingerprint all Job Corps staff who have direct contact with students. SIATech plans to complete the fingerprinting process of those persons who were identified by Miami-Dade Public Schools as needing level 2 clearance by August 19, 2013.

There are total of 224 employees at the Homestead and Miami Gardens Job Corps campuses who do not work for SIATech Charter Schools but work at the Job Corps campuses and report to the Department of Labor. A meeting with the SIATech administration and support staff was held at the Miami-Dade County Public School's auditor's office on July 31, 2013. At this meeting the school asked for clarification of which of the 224 Job Corps staff members would need to be fingerprinted to ensure compliance. The auditor's office suggested the school work with the Charter School Support Office, Adult Education Office, the Fingerprinting Office and the Federal and State Compliance Office to ensure the appropriate staff members from Job Corps are fingerprinted to achieve full compliance with State Statutes and Jessica Lunsford Act. SIATech will work diligently to achieve full compliance as soon as possible to protect all students.

ATTACHMENT B

THIS IS A RESPONSE TO AN ACTIVE INVESTIGATION; THEREFORE, IT IS EXEMPT FROM PUBLIC INSPECTION UNTIL
THE AUDIT IS FINAL AND CLOSED OUT, PURSUANT TO SECTION 119.0713, FLORIDA STATUTES

MEMORANDUM

July 17, 2013

TO: Mr. Jose F. Montes de Oca, Chief Auditor
Office of Management and Compliance Audits

FROM: Tiffanie A. Pauline, Assistant Superintendent
Charter School Support



**SUBJECT: RESPONSE TO THE DRAFT REPORT ON THE INVESTIGATION OF
ATTENDANCE AND FTE REPORTING PRACTICES AT THE FLORIDA
SCHOOL FOR INTEGRATED ACADEMICS**

As you are aware from the official request to investigate Florida School for Integrated Academics (SIA Tech), the Office of Charter School Support (CSS) has encountered serious concerns regarding FTE reporting inaccuracies and other issues at SIA Tech for approximately two years. The results of this independent investigation validated our concerns. Responses to the recommendations in the draft report dated July 1, 2013, are indicated below:

Recommendation 1.2: District administration should consult with the School Board Attorney's office to determine whether additional action is warranted.

CSS Response: Based on the findings of this investigation, there are violations of law, rules and policies as well as breach of the charter school contract. The office of CSS will consult with the School Board Attorney to determine the District's options.

Recommendation 2.1: The School must ensure that the School and its applicable contractors timely comply with the cited Statutes and Laws. Depending on the immediate responsiveness of the School's management to these identified violations, the District School Board should pursue all its available avenues to enforce compliance and protect its charter school students.

CSS Response: The requirement to ensure proper clearance for employees and subcontractors is clearly articulated in the state law and the charter school contract. Non-

compliance constitutes a blatant violation of law, rules and policies as well as breach of the charter school contract. Violation of the referenced provisions constitutes disregard for the safety and well-being of students and employees. Non-compliance with section 1002.33(12)(g)5., F.S., authorizes the Sponsor to terminate the charter. The office of CSS will consult with the School Board Attorney to determine the District's options.

Should you require additional information, please contact me at 305-995-1443 or [tpauline@dadeschools.net/](mailto:tpauline@dadeschools.net)

TAP:nkr

M002

cc: Mrs. Valtena G. Brown
Mr. Julio Miranda
Mr. Robert G. Gornto
Mr. Jon Goodman
Ms. Terri A. Chester
Ms. Pamela G. Sanders-White
Ms. Glendys Valls