

SCHOOL DISTRICT OF PITTSBURGH  
ALLEGHENY COUNTY, PENNSYLVANIA  
PERFORMANCE AUDIT REPORT

JANUARY 2013





**Commonwealth of Pennsylvania  
Department of the Auditor General  
Harrisburg, Pennsylvania 17120-0018**

**JACK WAGNER  
AUDITOR GENERAL**

The Honorable Tom Corbett  
Governor  
Commonwealth of Pennsylvania  
Harrisburg, Pennsylvania 17120

Ms. Sharene Shealey, Board President  
School District of Pittsburgh  
341 South Bellefield Avenue  
Pittsburgh, Pennsylvania 15213

Dear Governor Corbett and Ms. Shealey:

We conducted a performance audit of the School District of Pittsburgh (SDP) to determine its compliance with applicable state laws, contracts, grant requirements, and administrative procedures. Our audit covered the period November 9, 2006 through February 23, 2012, except as otherwise indicated in the report. Additionally, compliance specific to state subsidy and reimbursements was determined for the school years ended June 30, 2008, 2007, 2006 and 2005. Our audit was conducted pursuant to 72 P.S. § 403 and in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States.

Our audit found that the SDP complied, in all significant respects, with applicable state laws, contracts, grant requirements, and administrative procedures, except as detailed in four findings noted in this report. In addition, we identified two matters unrelated to compliance that are reported as observations. A summary of these results is presented in the Executive Summary section of the audit report.

Furthermore, our audit included an expanded examination of the SDP's school safety practices. This review resulted in two observations noted in this report. However, because our concern that revealing them publicly could endanger the security of students and staff, we share some specific safety concerns related to the District's buildings exclusively with the administration. A summary of these results is presented in the Executive Summary section of the audit report.

Our audit findings, observations and recommendations have been discussed with the SDP's management and their responses are included in the audit report. We believe the implementation of our recommendations will improve the SDP's operations and facilitate compliance with legal and administrative requirements.

Though not an objective of this audit, the School District of Pittsburgh is in the process of deciding the fate of Schenley High School. Listed on the National Register of Historic Places and one of the first high schools in America, the closure of Schenley High School has been the subject of much debate over the past four years. According to reports, Schenley was closed in 2008 due to significant asbestos contamination. It was estimated at the time that the cost to remove the asbestos and make other necessary improvements was between \$55 and \$80 million. The Pittsburgh School Board decided that instead of incurring these costs, the school would be closed. Students attending Schenley were transferred to other locations including Reizenstein, which is now in the process of being closed and sold.

More recently there has been debate regarding whether the decision to close the school was a wise one, and whether the asbestos contamination is as significant as once projected to be. In September 2012, the Pittsburgh School Board voted, 5-4, to sell Schenley High School for less than \$4 million. The divided school board is a clear indication that some members believe that Schenley is still a valuable asset to the school district. Community leaders have made a strong case for the school to be re-opened, and for the original decision to be reconsidered.

Schenley served a vital role in the education of children from multiple city neighborhoods. Its location in the heart of Oakland between the University of Pittsburgh and Carnegie Mellon University provides an excellent opportunity for collaboration and a close working relationship with higher education. The historical significance of Schenley, along with its great location and a history of being a high performing school, demonstrates the need to review its potential future role as part of the School District of Pittsburgh.

In a report released in 2009, I made ten recommendations to the State Department of General Services that came about because the Commonwealth was in the process of selling the Pittsburgh State Office Building for only \$4.6 million, roughly half of its appraised value. The sale of the building was not conducted in a transparent manner in that the asbestos issue was overstated as a reason why the building should be sold. It is my hope that the Pittsburgh School District will not make these same mistakes.

I urge the board and the management of the Pittsburgh School District to ensure that any decision to either re-open Schenley or to sell the school, be done in a transparent process supported with accurate data and that it benefits the students and taxpayers of the City of Pittsburgh.

Sincerely,

/s/

JACK WAGNER  
Auditor General

January 2, 2013

cc: **SCHOOL DISTRICT OF PITTSBURGH** Board Members

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## **Executive Summary**

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### **Audit Work**

The Pennsylvania Department of the Auditor General conducted a performance audit of the School District of Pittsburgh (THE SDP). Our audit sought to answer certain questions regarding the District's compliance with applicable state laws, contracts, grant requirements, and administrative procedures, and to determine the status of corrective action taken by the SDP in response to our prior audit recommendations.

Our audit scope covered the period November 9, 2006 through February 23, 2012, except as otherwise indicated in the audit scope, objectives, and methodology section of the report. Compliance specific to state subsidy and reimbursements was determined for school years 2007-08, 2006-07, 2005-06 and 2004-05.

### **District Background**

The SDP encompasses approximately 55 square miles. According to 2000 federal census data, it serves a resident population of 334,563. According to District officials, in school year 2007-08 the SDP provided basic educational services to 29,902 pupils through the employment of 3,124 teachers, 758 full-time and part-time support personnel, and 903 administrators. Lastly, the SDP received more than \$225.9 million in state funding in school year 2007-08.

### **Audit Conclusion and Results**

Our audit found that the SDP complied, in all significant respects, with applicable state laws, contracts, grant requirements, and administrative procedures, except for four compliance-related matters reported as findings. In addition, we identified two matters unrelated to compliance that are reported as observations. This report also contains two observations related to school safety.

#### **Finding No. 1: Certification Deficiencies.**

Our current audit of certificates and assignments of professional personnel for the period July 1, 2006 through June 30, 2011, found that professional personnel were assigned to positions without proper certification, resulting in subsidy forfeitures totaling \$390,337 (see page 6).

#### **Finding No. 2: Improper Activities Noted for Student Activity Funds.**

Our audit of the 2008-09 student activity and athletic funds at various schools within the SDP found improper activities and deficiencies in the internal controls over these funds (see page 8).

#### **Finding No. 3: Lack of Memorandum of Understanding Between the District and Local Law Enforcement Agency.**

Our audit of SDP records found the SDP had no signed Memorandum of Understanding between the SDP and the local law enforcement agency (see page 12).

**Finding No. 4: District Paid a Settlement Amount of \$140,000 to the Chief Financial Officer/Chief Operations Officer.**

An agreement between the SDP and the SDP's Chief Financial Officer/Chief Operations Officer provided for a payment of \$140,000 at his resignation (see page 14).

**Observation No. 1: Insufficiently Defined Terms for Consultancy Agreement Costing \$213,333.**

Our audit found that a consultancy agreement with the SDP's former Deputy Superintendent for Instruction, Assessment and Accountability provided for payments totaling \$213,333. The agreement had no clearly defined work requirements and our audit found little evidence of work performed for the payments received (see page 18).

**Observation No. 2: Continuing Concerns Regarding Termination Provisions in Administrative Contracts.**

Our current audit found continuing concerns regarding the SDP's contracts with administrative employees (see page 23).

**Status of Prior Audit Findings and Observations.**

With regard to the status of our prior audit recommendations to the SDP from an audit we conducted of the 2005-06, 2004-05, 2003-04 and 2002-03 school years, we found the SDP had taken appropriate corrective action in implementing our recommendations pertaining to transportation operations, inventory controls, inadequate computer controls, school bus driver qualifications, and internal control weaknesses in administrative policies regarding bus drivers' qualifications. However, the SDP did not take appropriate corrective action regarding the buy-out of a prior superintendent, certification deficiencies, and improper student activities fund procedures (see pages 27 through 35).

**Safe Schools Review**

**Observation No. 1: The District Should Improve Its Incident Reporting Procedures.**

Our review of the SDP's incident data as reported to the Pennsylvania Department of Education for the 2008-09 through 2010-11 school years, found several reporting anomalies. We suspect that these anomalies are the result of misclassified incidents or data reporting errors. We recommend that the SDP take necessary action to improve this mandatory reporting function (see page 39).

**Observation No. 2: Building Safety Reviews Indicate Areas of Needed Improvement.**

The SDP has 64 schools located throughout Allegheny County, and which serve approximately 26,000 students. It is the SDP's responsibility to maintain, repair, and secure each school building. We reviewed nine schools using our own building checklist and found areas of needed improvement (see page 47).



## Audit Scope, Objectives, and Methodology

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### Scope

*What is a school performance audit?*

School performance audits allow the Department of the Auditor General to determine whether state funds, including school subsidies, are being used according to the purposes and guidelines that govern the use of those funds. Additionally, our audits examine the appropriateness of certain administrative and operational practices at each Local Education Agency (LEA). The results of these audits are shared with LEA management, the Governor, the Pennsylvania Department of Education, and other concerned entities.

Our audit, conducted under authority of 72 P.S. § 403, is not a substitute for the local annual audit required by the Public School Code of 1949, as amended. We conducted our audit in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States.

Our audit covered the period November 9, 2006 through February 23, 2012, except for the verification of professional employee certification which was performed for the period July 1, 2006 through June 30, 2011.

Regarding state subsidy and reimbursements, our audit covered school years 2007-08, 2006-07, 2005-06, and 2004-05.

While all districts have the same school years, some have different fiscal years. Therefore, for the purposes of our audit work and to be consistent with Pennsylvania Department of Education (PDE) reporting guidelines, we use the term school year rather than fiscal year throughout this report. A school year covers the period July 1 to June 30.

### Objectives

*What is the difference between a finding and an observation?*

Our performance audits may contain findings and/or observations related to our audit objectives. Findings describe noncompliance with a statute, regulation, policy, contract, grant requirement, or administrative procedure. Observations are reported when we believe corrective action should be taken to remedy a potential problem not rising to the level of noncompliance with specific criteria.

Performance audits draw conclusions based on an evaluation of sufficient, appropriate evidence. Evidence is measured against criteria, such as laws and defined business practices. Our audit focused on assessing the SDP's compliance with applicable state laws, contracts, grant requirements, and administrative procedures. However, as we conducted our audit procedures, we sought to determine answers to the following questions, which serve as our audit objectives:

- ✓ Were professional employees certified for the positions they held?
- ✓ Is the District's pupil transportation department, including any contracted vendors in compliance with applicable state laws and procedures?
- ✓ Are there any declining fund balances which may impose risk to the fiscal viability of the District?

- ✓ Did the District pursue a contract buy-out with an administrator and if so, what was the total cost of the buy-out, reasons for the termination/settlement, and do the current employment contract(s) contain adequate termination provisions?
- ✓ Were there any other areas of concern reported by local auditors, citizens, or other interested parties which warrant further attention during our audit?
- ✓ Did the District take appropriate steps to ensure school safety?
- ✓ Did the District use an outside vendor to maintain its membership data and if so, are there internal controls in place related to vendor access?
- ✓ Did the District take appropriate corrective action to address recommendations made in our prior audits?

## Methodology

*What are internal controls?*

Internal controls are processes designed by management to provide reasonable assurance of achieving objectives in areas such as:

- Effectiveness and efficiency of operations;
- Relevance and reliability of operational and financial information;
- Compliance with applicable laws, contracts, grant requirements and administrative procedures.

*Government Auditing Standards* require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings, observations and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings, observations and conclusions based on our audit objectives.

SDP management is responsible for establishing and maintaining effective internal controls to provide reasonable assurance that the District is in compliance with applicable laws, contracts, grant requirements, and administrative procedures. Within the context of our audit objectives, we obtained an understanding of internal controls and assessed whether those controls were properly designed and implemented.

Any significant deficiencies found during the audit are included in this report.

In order to properly plan our audit and to guide us in possible audit areas, we performed analytical procedures in the areas of state subsidies/reimbursement, pupil membership, pupil transportation, and comparative financial information.

Our audit examined the following:

- Records pertaining to pupil transportation, bus driver qualifications, professional employee certification, and financial stability.
- Items such as Board meeting minutes and pupil membership records.

Additionally, we interviewed selected administrators and support personnel associated with SDP operations.

Lastly, to determine the status of our audit recommendations made in a prior audit report released on February 14, 2007, we reviewed the SDP's response to PDE dated March 21, 2007. We then performed additional audit procedures targeting the previously reported matters.

## Findings and Observations

### Finding No. 1

*Criteria relevant to the finding:*

Section 1202 of the Public School Code provides, in part:

“No teacher shall teach, in any public school, any branch which he has not been properly certificated to teach.”

Section 2518 of the Public School Code provides, in part:

“[A]ny school district, intermediate unit, area vocational-technical school or other public school in this Commonwealth that has in its employ any person in a position that is subject to the certification requirements of the Department of Education but who has not been certificated for his position by the Department of Education . . . shall forfeit an amount equal to six thousand dollars (\$6,000) less the product of six thousand dollars (\$6,000) and the district’s market value/income aid ratio.”

### Certification Deficiencies

During our current audit of professional personnel certificates and assignments for the period July 1, 2006 through June 30, 2011, we found that professional personnel whose provisional certificates had expired were assigned to positions, resulting in subsidy forfeitures totaling \$390,337, as follows:

School <u>Year</u>	<u>Principals</u>	<u>Teachers</u>	<u>Subsidy Forfeitures</u>
2010-11	0	18	\$ 55,903
2009-10	2	13	39,240
2008-09	2	32	112,806
2007-08	2	29	97,108
2006-07	<u>4</u>	<u>25</u>	<u>85,280</u>
Totals	<u>10</u>	<u>117</u>	<u>\$390,337</u>

This finding is a continuation of the certification deficiencies we noted in the prior year’s audit report (see page 31). Of the individuals cited above, four principals and seven teachers were also identified in our prior audit report as having expired certificates.

These deficiencies are the result of the administration’s failure to maintain an adequate process that ensures teachers and principals are permanently certified before their provisional certificates expire.

Information pertaining to the questionable certificates was submitted to the Pennsylvania Department of Education’s (PDE) Bureau of School Leadership and Teacher Quality (BSLTQ) for its review. BSLTQ subsequently confirmed the deficiencies. Therefore, the District is subject to the subsidy forfeitures detailed in the chart above.

**Recommendations**

The *School District of Pittsburgh* should:

Establish procedures to ensure that teachers and principals are permanently certified before their provisional certificates expire.

The *Pennsylvania Department of Education* should:

Adjust the District's allocations to assess the subsidy forfeitures of \$390,337.

**Management Response**

The District provided a detailed response addressing each individual certification citation, agreeing with some of our citations, disagreeing with some, and partially agreeing with others. This response was provided to us after BSLTQ had already issued its determinations, which were based on the information provided to us at the time of our fieldwork.

**Auditor Conclusion**

As noted above, the certification deficiencies addressed in our finding were submitted to BSLTQ based on the information we found during fieldwork, and BSLTQ upheld the citations. The District must now address any disagreements with specific citations to PDE.

**Finding No. 2** →

*Criteria relevant to the finding:*

Section 511(a) of the Public School Code provides, in part:

“The board of school directors in every school district shall prescribe, adopt, and enforce such reasonable rules and regulations as it may deem proper, regarding (1) the management, supervision, control, or prohibition of exercises, athletics, or games of any kind, school publications, debating, forensic, dramatic, musical, and other activities related to the school program, including raising and disbursing funds for any or all such purposes and for scholarships, and (2) the organization, management, supervision, control, financing, or prohibition of organizations, clubs, societies and groups of the members of any class or school . . . .”

Section 511(d) of the Public School Code provides, in part:

“Notwithstanding the use of school property or personnel, it shall be lawful for any school or any class or any organization, club, society, or group thereof, to raise, expend, or hold funds, including balances carried over from year to year, in its own name and under its own management, under the supervision of the principal or other professional employee of the school district designated by the board. Such funds shall not be the funds of the school district but shall remain the property of the respective school, class, organization, club, society or group.”

**Improper Activities Noted For Student Activity Funds**

Our audit of the District’s student activity funds was for the purpose of determining compliance with the Public School Code and the District’s written policies and procedures for the management of these funds. Our audit was limited to ten high schools and five middle schools for the 2008-09 school year.

Our testing of these activities found the following deficiencies, many of which we have reported in prior years:

- Year-end deficits were noted for various accounts;
- Inactive accounts were maintained within the funds;
- Some accounts had high year-end balances; and
- Some student activity fund accounts had no documentation of student authorization to pay bills.

Year-End Deficits Were Noted for Various Accounts

Our audit found eight high schools and four middle schools had accounts with deficits. We found a total of 33 accounts with negative balances that totaled \$186,548. Within those negative accounts we found six petty cash accounts that had a negative balance that totaled \$22,261. This is a violation of the District’s own policy, which states that when the petty cash account is 50 percent expended a form must be submitted to the administration asking that the fund be reimbursed.

The operation of student activity accounts with deficits teaches students poor business practices.

Inactive Accounts Were Maintained Within the Funds

All ten high schools and five middle schools we reviewed included certain accounts which showed no activity. We noted 224 accounts in the high schools that did not have activity during the year. Likewise, the middle schools had 22 accounts with no activity during the year.

When inactive accounts remain on the books, bookkeeping costs increase and accounts become susceptible to misuse.

#### Some Accounts Had High Year-End Balances

We considered any accounts with a balance of \$5,000 or more at year's end to have a high balance. Our audit found all of the high schools and all of the middle schools in our review had accounts with high balances at year's end. We identified a total of 55 accounts with high balances, which had combined funds of \$987,730.

District personnel responsible for maintaining student activity funds should determine the amount of funds necessary for the purpose of the club or account, and limit revenues with those goals in mind.

Limiting the accumulation of funds encourages the utilization of money by the students who raised the funds or participated in the activity, rather than by students who may join the club in the future.

#### Some Student Activity Fund Accounts Had No Documentation of Student Authorization to Pay Bills

Our audit of student activity fund invoices found that in four high schools, and in one middle school, the schools are not having a student representative sign the "request for funds" forms.

Per the Pennsylvania Association of School Business Officials' Student Activity Funds Guide, decisions on disbursement of money from student activity accounts should not be made unilaterally by the principal. Evidence of shared decision-making should be made available (club minutes, memos, vouchers, etc.)

### **Recommendations**

The *School District of Pittsburgh* should:

1. Prohibit the practice of using other account monies to offset shortfalls in accounts with deficits.
2. Abolish all inactive accounts.
3. Take steps to reduce accounts with high year-end balances.

4. Ensure documentation of student authorization to pay bills.

### **Management Response**

Management stated the following:

We agree in part with the finding and believe the District has improved significantly from past audits.

Many of the findings are subjects of regular District training as it relates to student activity fund accounting. Training and assistance are provided on an ongoing basis. The District has implemented a new software package at all schools which has provided standardization across the District.

### **Negative Balances**

The District does acknowledge the negative balances and agrees with this finding. We will use [the software] to be proactive in identifying any negative balances and taking immediate corrective actions.

### **Inactive Accounts & Accounts with High Balances**

As a general rule, inactive accounts should be closed out. The District agrees with the philosophy that monies earned by current students should be spent by current students. We believe that the Auditor General's citation "167 out of 542 or 31% of the accounts were inactive" is improperly valuing form over substance. Some of the accounts with balances will have future activities and should not be closed. A limitation of the software used by the District is the deletion of zero balance accounts would eliminate any historical record of transactions which is not a PASBO recommendation.

### **No Evidence of Student Signatures**

The vast majority of the schools do properly have the student officers sign to authorize disbursements. The District's student activity policy does include direction on the student sign off of expenditures. A memo will be sent to Principals regarding the student officer sign off requirement. In addition, the District will continue to



provide the student activity account manual to Principals as part of the “Opening Day” packet.

### **DISTRICT’S ACTION PLAN**

The District will monitor implementation of a corrective action plan applicable to each finding or observation. The Finance department will review the action plan and provide a status report to the Board’s Business/Finance Committee.

Take advantage of [the software] by using it as reporting and tracking tool for petty cash and student activities funds:

- Update and revise [the software] for all demographics, dates, lines, categories, account # to allow use of its full potential.
- A control sheet will be kept on status of schools with negative or high cash balances.
- Cooperation of schools for entering information in a timely manner will be emphasized.
- Director of Finance provided a monthly and quarterly checklist and control sheets.
- E-Mails will be sent on a monthly basis to school Principals who have violations and copied to the Assistant Superintendents.

**Finding No. 3**

**Lack of Memorandum of Understanding Between the District and Local Law Enforcement Agency**

*Criteria relevant to the finding:*

Section 1303-A(c) of the Public School Code provides, in part:

“All school entities shall develop a memorandum of understanding with local law enforcement which sets forth procedures to be followed when an incident involving an act of violence or possession of a weapon by any person occurs on school property. Law enforcement protocols shall be developed in cooperation with local law enforcement and the Pennsylvania State Police.”

Additionally, the Basic Education Circular issued by the Pennsylvania Department of Education entitled Safe Schools and Possession of Weapons contains a sample MOU to be used by school entities. Section VI, General Provisions item B of this sample states:

“This Memorandum may be amended, expanded or modified at any time upon the written consent of the parties, but in any event must be reviewed and re-executed within two years of the date of its original execution and every two years thereafter.”

Our audit of District records found the District had no signed Memorandum of Understanding (MOU) with its local law enforcement agency.

The failure to execute a MOU with the local law enforcement agency could result in a lack of cooperation, direction, and guidance between District employees and the law enforcement agency if an incident occurs on school property, at any school-sponsored activity, or on any public conveyance providing transportation to or from a school or school-sponsored activity. This internal control weakness could have an impact on law enforcement notification and response, and ultimately the resolution of a problem situation.

The District made numerous attempts to obtain an MOU but the local law enforcement agency failed to provide one.

**Recommendations**

The *School District of Pittsburgh* should:

1. Continue to try to obtain the cooperation of the local law enforcement agency in the development of a MOU that sets forth procedures to be followed when acts of violence or possession of weapons occurs on District property.
2. Adopt a policy requiring the administration to review and re-execute the MOU every two years.

**Management Response**

Management stated the following:

The School District agrees that there is not a signed Memorandum of Understanding between the District and the City of Pittsburgh. The School District has been unable to obtain the signature of the City on a Memorandum of Understanding which has been presented to the City for signature on numerous occasions. The School District maintains its own School Safety Department consisting of uniformed officers and school security personnel. The Department of School safety has a working relationship with the City of Pittsburgh Police. The School District will continue in its attempts to obtain the signature of the City on the Memorandum of Understanding. The School District will continue to attempt to obtain the approval of the Mayor and City Council of the City of Pittsburgh on the Memorandum of Understanding.

**Finding No. 4**

**District Paid a Settlement Amount of \$140,000 to the Chief Financial Officer/Chief Operations Officer**

The School District of Pittsburgh entered into an Agreement and General Release (Agreement) with its Chief Financial Officer/Chief Operations Officer (CFO) on December 21, 2010, even though the CFO did not have a separate employment contract. The Agreement indicated that the the CFO's last day of District employment ("Resignation Date") would be December 31, 2010.

In addition, the Agreement stated:

"In consideration for signing this Agreement and General Release ("Agreement") and in consideration of the Employee's adherence to the promises made herein, Employer agrees that if Employee executes this Agreement, and does not timely revoke his acceptance of it:

"(a) Employer will pay Employee a gross total settlement amount of One Hundred Forty Thousand Dollars (\$140,000), payable as follows:

"i) Reimbursement of a portion of Employee's accrued, unused sick/personal/vacation days, less lawful deductions, in one payment on January 3, 2011 (provided this Agreement has been executed and not revoked) in the gross amount of Ninety Five Thousand (\$95,000).

"ii) One check made payable to Employee in the amount of twenty-seven Thousand five hundred Dollars (\$27,500) as payment for all othe non-wage damage claims, and

"iii) One check made payable to [the] attorney for Employee in the amount of seventeen thousand five hundred dollars (\$17,500) as payment for attorney's fees."

The Agreement indicated that if the former CFO elected to continue his medical benefits in accordance with COBRA requirements, the District would pay for the coverage, including heath, dental and vision, for a period of nine months.

The Agreement also included a series of confidentiality requirements limiting the District's and the former CFO's comments about their employment relationship. Specifically, it stated that the District would respond to future inquiries regarding the former CFO's resignation by providing only dates of service and title information, along with a copy of the CFO's resignation letter and the District's acceptance letter.

The Agreement barred members of the board and several specific individuals from making negative or derogatory comments about the CFO and his family. However, the Agreement further stated that "[t]his provision shall have no application to any statement by any of them in response to any inquiry by any government or regulatory agency or official, or in relation to an investigation or review by any such agency, or in any circumstances in which they are required by law to respond to any inquiry from any third-party." The CFO also agreed not to make negative or derogatory comments about the District, the board, or the specific individuals listed in the agreement, with the same provisions regarding official investigations or reviews as noted above. Moreover, the Agreement itself would not be construed as an admission by the District, or the CFO, of any wrongdoing.

We requested information from the administration regarding why the CFO resigned, and why the District entered into such a costly Agreement with him. However, no one at the District provided us with any additional information. When we inquired about the specifics of how the District calculated the \$140,000 settlement, we were informed by the District's solicitor that this was simply the amount agreed to by the parties. Consequently, we were unable to determine on what basis the \$95,000 described in the agreement as "a portion of the Employee's accrued, unused sick/personal/vaction days" was calculated. We were also unable to determine what was meant in the Agreement by "non-wage damage claims" and why attorney's fees were provided.

The District's separation agreement with its former CFO was not in the best interest of its taxpayers. Specifically, the District expended \$140,000 on an endeavor unrelated to the education of its students. Moreover, the District's

taxpayers will not see any return on this investment because it was not expended for the purpose of obtaining a service or an asset.

In these very difficult economic times, both nationally and throughout Pennsylvania, it is incumbent upon school boards to be good stewards of the taxpayer money entrusted to them. The District's board disregarded this responsibility when it spent limited taxpayer resources on this matter.

The board also should have been more detailed in its public explanation to taxpayers regarding why it spent such a large amount of money to end the former CFO's employment.

### **Recommendations**

The *School District of Pittsburgh* should:

1. Provide as much information as possible to the taxpayers of the District explaining the reasons for the resignation of the CFO and justifying the District's expenditure of public funds.
2. Ensure that future release agreements do not contain confidentiality agreements that prevent the District from informing taxpayers and others of the reasons for a termination.

### **Management Response**

Management stated the following:

The details surrounding the Settlement Agreement are confidential personnel matters. The District is precluded from the releasing any information beyond that contained in the Agreement. The District was represented by special counsel and the actions of the District were based upon recommendations from counsel and were deemed to be in the best interest of the School District. The judgment of the District was based upon advice of special counsel and it is inappropriate to draw conclusion from the amount of the settlement or any other public matter.

### **Auditor Conclusion**

We recognize that the details of the Settlement Agreement were made confidential. Given these confidentiality provisions, we and the public have no choice but to draw conclusions about the settlement based on the limited information that was made available, including the fact that

the CFO was not under separate contract, making one wonder why a settlement agreement was necessary in the first place. Our argument is that such agreements should not be kept confidential to the point that the public, which ultimately funded this payout, is not privy to the reasoning behind it. Regardless of whether such decisions and negotiations were made in good faith, the taxpayer is left to wonder why this matter involved the expenditure of \$140,000 of public money that could have been used for the purchase of an asset or a service towards the education of the city's students.

**Observation No. 1** →

**Insufficiently Defined Terms for Consultancy Agreement Costing \$213,333**

*Criteria relevant to the finding:*

“Using performance metrics [mechanisms to measure progress] on service contracts is generally accepted as the best way to determine if the contractor is providing the requested service under the contract.”

“Developing performance-based contracts . . . includes the statement of work (SOW), which describes the work that the government needs to have performed. The SOW needs to include details of the end objective desired by the government . . . To be truly performance-based, the SOW must include specific outcomes that clearly identify what needs to be done.”

Olson, Suzette M. “The Best Ways to Define and Implement Performance Metrics,” *Contract Management*. (October 2008), pg 54. *Contract Management* is published by the National Contract Management Association (NCMA). Founded in 1959, NCMA is the world’s leading professional agency in the world of contract management.

Our audit found that the District entered into a consultancy agreement with its former Deputy Superintendent for Instruction, Assessment and Accountability (Deputy Superintendent), and in doing so agreed to pay her \$213,333 for undefined activities and deliverables. In fact, this agreement had no clearly defined work requirements. Moreover, our audit found little evidence that the former Deputy Superintendent performed enough work to justify the payment she received.

On November 22, 2005, the board of school directors (Board) of the School District of Pittsburgh entered into an employment contract (Contract) with an individual to serve as the District’s Deputy Superintendent. The Contract had a term of three years, from December 28, 2005 through December 27, 2008, and provided the Deputy Superintendent with an annual compensation of \$160,000 for the first year of employment, with the possibility of earning performance bonuses for the second and third years based on an evaluation by the District’s Superintendent.

Paragraph 5 of the Contract provided, in part:

“TERMINATION – Upon termination of this Agreement and employment hereunder, the Deputy Superintendent shall retain her rights to accrued paid time off and vacation leave and to retirement benefits in accordance with Board Policy and State and Federal Law. . . .

“(c) Termination Benefits: In the event of a termination of this Agreement, the Deputy Superintendent shall, in addition to any benefits referenced in the [Contract], be entitled to receive accrued pay and benefits in accordance with Board policy and State and Federal law.”

The Contract also included provisions for termination with cause, stating that in such a case all obligations of the Board would cease as of the date of termination.



On November 15, 2006, after the Deputy Superintendent had served only one year of her three-year contract, the Board approved an Agreement and General Release (Release Agreement) terminating her employment. Simultaneously with approving the Release Agreement, the Board approved a Consulting Agreement with the individual, effective November 16, 2006 through April 15, 2008.

The Release Agreement provided that if the Deputy Superintendent elected to continue health, vision and dental coverage, the District would waive her COBRA payment at a cost of \$1,026.91 per month for eighteen months, a total cost of \$18,484. The Release Agreement also stated that she would “be paid for any accumulated unused paid sick days and/or vacation days in accordance with her contract of employment and the Act 93 Plan [Administrators Compensation Plan] adopted by the District.” The Deputy Superintendent received a payment of \$11,868 for her unused vacation days (19 days times a daily rate of \$624.62) and \$160 for unused sick days (2.67 days times a daily rate of \$60).

The Consulting Agreement stated that the former Deputy Superintendent “will perform certain reasonable consulting services related to curricular matters as requested by the District” and provided for three payments to her totaling \$213,333.

Exhibit B attached to the Release Agreement stated:

“. . . [The] Superintendent of Pittsburgh Public Schools today [November 15, 2006] notified the District’s Board of Directors of his recommendation to change the status of [the] Deputy Superintendent. . . . He advised that it is in the District’s best interest to have her serve as an outside consultant on much-needed academic initiatives she helped to launch this year.

“The Superintendent and [the Deputy Superintendent] have determined that she has completed her role in the planning and initiation of a managed instruction program to improve student achievement in the District and that she is relinquishing her full-time role as the Deputy Superintendent as a result of a mutual agreement.

“While the consulting arrangement relieves [her] of day-to-day management responsibilities, the District retains her availability to consult, specifically on academic improvement programs.

“[The Deputy Superintendent], who joined the District on December 28, 2005, has been on a paid leave of absence since October 16, 2006, while a new arrangement for maintaining her availability to assist with academic initiatives was being completed.”

The Release Agreement did not provide any more explanation for the placement of the Deputy Superintendent on administrative leave. In the course of our audit, we requested documents and the reason for the administrative leave through the District’s Director of Finance. The only response we received was a copy of a letter from the District’s solicitor to the Director of Finance dated January 20, 2010. The District’s solicitor stated only the following:

“There has been an inquiry made as to the meaning of administrative leave. Administrative leave is employment status under which the employee is placed on paid leave generally pending further action by the board. [The Deputy Superintendent]’s employment ceased on November 15, 2006.”

The Release Agreement also included a provision that any public statement regarding the change in the Deputy Superintendent’s employment status would come only from the Superintendent or his designees. In addition, it stated that that the Deputy Superintendent would not publicly disparage the District or its administrators and staff. Finally, the Agreement also contained a confidentiality clause stating that the Deputy Superintendent agreed “not to disclose any information regarding the existence, negotiation or substance of this Agreement . . . .”

The Consulting Agreement established no requirements on the amount of work that the former Deputy Superintendent would be required to perform. The only tangible evidence we could obtain that demonstrated her activities when she was working as a District consultant was a 32-page paper on career and technical education entitled, “Career and

Technical Education Recommendations in the Pittsburgh Public Schools.” As stated in this report’s “Introduction,” the purpose of the report was simply to “review, compare and summarize” two previous proposals for the future of vocational education in Pittsburgh schools. The report also included a two-and-a-half page summary of the history of vocational education reform efforts throughout the twentieth century.

The District’s Consulting Agreement with its former Deputy Superintendent should have outlined specific services and deliverables she would provide. Without that information, it is impossible for the taxpayers, and the District, to evaluate whether the Deputy Superintendent adequately performed her duties. Moreover, without clearly defined goals and objectives in that same agreement, the taxpayers cannot evaluate whether the District spent an appropriate sum of money for the services provided. The only reliable evidence we found during our audit that substantiated the former Deputy Superintendent’s activities as a District consultant was the 32 page report. Based on this evidence, it appears that the District did not receive much in exchange for its \$213,333.

## **Recommendations**

The *School District of Pittsburgh* should:

1. Ensure that any future consultancy agreements include clear descriptions of the required work. The authorization of payments should be contingent on the receipt of adequate evidence that such requirements were met.
2. Provide as much information as possible to the taxpayers of the District explaining the reasons for the termination of the Deputy Superintendent and justifying the District’s expenditure of public funds to hire her as a consultant.

## **Management Response**

Management stated the following:

The School District believes that the Consultancy Agreement was clear and the interests of the taxpayers were served in the disposition of this matter.

## **Auditor Conclusion**

We reiterate our recommendation that, when entering into a consultancy agreement, the District should include a clear

description of the work to be performed by the consultant. Likewise, such agreements should include goals and objectives that the consultant under contract is expected to meet. Without such performance measures, the District cannot hold its consultants accountable for the job they do, and cannot demonstrate to the taxpayers that this public money was appropriately spent.

**Observation No. 2**

**Continuing Concerns Regarding Termination Provisions in Administrative Contracts**

Our prior audit included a finding regarding the costs related to a buy-out of a superintendent's contract (see page 27). Our finding made recommendations to the District as follows:

1. Continue to enter into employment contracts with prospective superintendents at the three year minimum term permitted by state law, in order to limit potential financial liability by the District and its taxpayers.
2. Ensure that future employment contracts contain adequate termination provisions sufficient to protect the interest of the District and its taxpayers in the event that the employment ends prematurely for any reason.
3. Work with the current superintendent to include in his current contract, and any future contracts, a provision that addresses the compensation and benefits payable to, or on behalf of, the current superintendent in the event of premature termination of his contract.

Finding No. 4 and Observation No. 1 of this report address specific concerns regarding the early terminations of administrative contracts. In addition, we reviewed the terms of four other administrative contracts that were entered into after the fieldwork completion date of our prior audit in order to determine if the District implemented our recommendations.

Deputy Superintendent for Instruction

A contract was entered into in December of 2006 for an individual to serve as Deputy Superintendent for Instruction. The contract had a term of three years and included detailed provisions for termination both with and without cause. No early termination occurred.

### Superintendent in Place at the Time of Our Previous Fieldwork

An amendment to the contract for the superintendent serving at the time of our prior audit was made in March of 2007. The previous contract was to expire in August of 2008; the amendment extended the contract for another three years, through August of 2011. The District did not take that opportunity to add detailed provisions regarding termination to the amended contract, which stated only that the superintendent was subject to discharge “as provided for in Public School Code Section 1080,” i.e. “for neglect of duty, incompetency intemperance, or immorality.”

Furthermore, this amendment to the contract was itself replaced by a new contract in August of 2009. This contract was for a five-year period, through August of 2014. This contract also did not include any detailed provisions regarding early termination of the contract, stating only that the superintendent was subject to discharge “*only* as provided by Section 1080 of the Public School Code” (emphasis added). The superintendent covered by this contract left the District’s employ in December 2010, over three and a half years before the expiration of the contract. Although the contract failed to address the obligations of the District in the event of early termination, our audit did not find that a costly buy-out of the contract occurred.

### Current Superintendent

Finally, we reviewed the contract for the individual currently serving as the District’s Superintendent. The contract was for a three year period, from January 2011 through January of 2014. However, this contract again failed to include detailed provisions regarding early termination, again stating only that the superintendent was subject to discharge “*only* as provided by Section 1080 of the Public School Code” (emphasis added).

### Conclusion

Although the contract we reviewed for the Deputy Superintendent for Instruction incorporated our recommendations, the other three did not. The three-year

term we recommended was followed in two cases. However, our recommendations regarding the inclusion of provisions sufficient to protect the interests of the District and its taxpayers in the event that the employment ends prematurely for any reason were not. The two latest contracts state that the Superintendent can be discharged “only as provided by” Section 1080 of the Public School Code” (emphasis added), but it is not unreasonable to assume that other reasons for early termination could arise. The time to negotiate the financial terms of such an occurrence is at the time of the negotiation of the contract, not when matters could potentially turn hostile between the parties.

We therefore reiterate our recommendations from the prior audit below.

## **Recommendations**

The *School District of Pittsburgh* should:

1. Enter into employment contracts with prospective superintendents at the three-year minimum term permitted by state law, in all instances, as a means of limiting the potential financial liability for the District and its taxpayers.
2. Ensure that future employment contracts contain adequate termination provisions sufficient to protect the interest of the District and its taxpayers in the event that the employment ends prematurely for any reason.
3. Work with the current Superintendent to include in her current contract, and any future contracts, a provision that addresses the compensation and benefits payable to, or on behalf of, the current superintendent in the event of premature termination of the contract.

## **Management Response**

Management stated the following:

The contract of the current Superintendent contains no “buy out” provisions and the payment to be made upon termination of employment is clear and unambiguous. The School District will conduct a review of the administrative contracts to ensure that the interests of the taxpayers are fully protected.

**Auditor Conclusion**

As stated previously, we believe that the time to establish the financial terms of the early ending of a contract is when it is being negotiated, not when matters turn potentially hostile between the parties. The failure to include terms is not, in our view, clear and unambiguous; rather it leaves the negotiations for the terms of ending a contract open and subject to discussion at the time of the termination.



## **Status of Prior Audit Findings and Observations**

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Our prior audit of the School District of Pittsburgh (SDP) for the school years 2003-04, 2002-03, 2001-02 and 2000-01 resulted in seven findings and one observation, as shown below. As part of our current audit, we determined the status of corrective action taken by the District to implement our prior recommendations. We analyzed the SDP Board's written response provided to the Pennsylvania Department of Education (PDE), performed audit procedures, and questioned District personnel regarding the prior findings. As described in detail below, we found that the SDP implemented some of our recommendation, but failed to implement others.

### **School Years 2003-04, 2002-03, 2001-02 and 2000-01 Auditor General Performance Audit Report**

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**Finding No. 1:           The District's Buy-Out of the Prior Superintendent's Employment Contract Cost the District an Additional \$66,738, and the Current Superintendent's Employment Contract Does Not Contain Adequate Provisions Regarding the Effect of a Premature Termination of that Contract**

Finding Summary:   Our prior audit found that the previous superintendent's contract was the subject of a buy-out resulting in additional costs to the District, and that the subsequent superintendent's contract had inadequate provisions regarding the effect of a premature termination of that contract.

Recommendations:   Our audit finding recommended that the SDP:

1. Continue to enter into employment contracts with prospective superintendents at the three year minimum term permitted by state law, in order to limit potential financial liability by the District and its taxpayers.
2. Ensure that future employment contracts contain adequate termination provisions sufficient to protect the interest of the District and its taxpayers in the event that the employment ends prematurely for any reason.
3. Work with the current superintendent to include in his current contract, and any future contracts, a provision that addresses the compensation and benefits payable to, or on behalf of, the current superintendent in the event of premature termination of his contract.

Current Status: During our current audit procedures, we reviewed the terms of four contracts with the District's administrators. Our continuing concerns regarding the District's contracts with administrative employees are addressed in Observation No. 2 of this report (see page 23).

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**Finding No. 2: Review of Transportation Operations Found Underpayments of \$220,220 in Reimbursements for Transportation of Nonpublic Students and Internal Control Deficiencies in Reporting Other Transportation of Nonpublic Students and Internal Control Deficiencies in Reporting Other Transportation Reimbursement Factors**

Finding Summary: Our prior audit of the District's transportation data submitted to PDE for the 2003-04 school year found errors in reporting the number of nonpublic pupils transported, which resulted in underpayments of \$220,220 in reimbursement for nonpublic pupil transportation. Our prior audit also found internal control deficiencies in reporting other reimbursable factors as follows: nonpublic pupil computer program deficiencies; activity runs; days of operation; and contractor costs.

Recommendations: Our audit finding recommended that the SDP:

1. Require District personnel to develop procedures for backing up and retrieving electronic data so that data can be restored if and when the District's computer system malfunctions.
2. Require District personnel to establish and adopt policies and procedures that will ensure maintenance of proper documentation and correct and accurate reporting of all nonpublic students transported.
3. Require District personnel to accurately report reimbursable data related to activity runs as required by PDE guidelines.
4. Require District personnel to discontinue the practice of reporting the number of days that school is in session and instead report the number of days that each vehicle actually provided transportation to and from the school, as required by PDE guidelines.
5. Require District personnel to conduct an internal review to ensure that the amounts paid to contractors are accurately reported.
6. Require pupil transportation personnel to attend workshops sponsored by PDE on pupil transportation operations and data reporting to improve their understanding of PDE's regulatory requirements.

7. Require District personnel to review subsequent school years' pupil transportation reports, revise them if necessary, and resubmit corrected reports to PDE.

Current Status: During our current audit, we found that the District did comply with our recommendations. In addition, PDE adjusted the District's allocations to correct the underpayment of nonpublic pupil transportation on February 25, 2010.

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**Finding No. 3: Lack of Internal Controls Over Excess Inventory**

Finding Summary: During our prior audit we conducted an on-site review of the District's inventory control procedures over excess inventory stored at the closed Gladstone School Building.

We found the following conditions, which were inconsistent with sound management and business principles:

1. Inventory records were not properly maintained;
2. Usable school equipment was located on-site;
3. Storage area was in disarray; and
4. An unknown number of keys to the school building were distributed.

Recommendations: Our audit finding recommended that the SDP:

1. Provide an accounting of all equipment on hand with perpetual updating of equipment inventory.
2. Provide for proper disposition of useable equipment.
3. Require organized storage of equipment in facilities free of debris and clutter.
4. Provide an effective system of accounting for all personnel who have access to the storage area.

Current Status: During our current audit, we found that the District did implement our recommendations.

**Finding No. 4: Inadequate Computer Controls, Including the Inability to Provide Data Supporting Membership Reports Submitted to the Pennsylvania Department of Education**

Finding Summary: During our prior audit, we requested the District's membership and attendance data used to create the PDE-4062 report that was submitted to PDE for the 2003-04 school year. We also followed-up on the status of recommendations we made in previous audit reports to address inadequate general computer controls. Although our prior audit noted improvements in the general computer controls over previous audits, we still found inadequate backup procedures, the lack of a disaster recovery plan, inadequate off-site storage procedures, and no evidence of a security policy that enforces strong password authentication requirements.

Recommendations: Our audit finding recommended that the SDP:

1. Ensure that the database used to create the reports submitted to PDE is backed up at the time of preparation of the PDE-4062 report. That snapshot of the database should be stored to substantiate the membership for the school year and be available for audit. If, for any reason, revisions are required to the PDE reports, the District should be prepared to explain and/or provide audit evidence of those revisions.
2. Develop and test a disaster recovery plan, which reflects current operations, to ensure business continuity in the event of a disaster or emergency. The District should also use an environmentally controlled off-site storage facility that is at least 50 miles away from the data center/computer room when backing up its data.
3. Require that all users to follow a formal password policy. District personnel did not provide evidence that the District's password policy was in place and being enforced. We requested, but did not receive, system parameter settings to prove that the system requires all users to change their passwords on a regular basis (i.e., every 30 days), use passwords that are a minimum length of eight characters, and include alpha, numeric, and special characters.

We also recommended that PDE:

4. Require the District to provide sufficient, competent, and reliable data to support the approximately \$151,777,718 in subsidies and reimbursements paid to the District based on the data from the years we audited, and determine whether it is appropriate to assess a monetary penalty against the District if the supporting documentation is not provided.

5. Ensure that the District's child accounting membership reporting can be supported and verified prior to issuing future payments.

Current Status: During our current audit, we found that the District's database and documentation could be reconciled to the membership reports submitted to PDE with minimal differences.

We again recommend that the District develop and test a disaster recovery plan, and require all users to follow a formal password policy in line with our prior recommendation.

In a letter to PDE's Division of Budget dated December 27, 2010, PDE's Division of Subsidy Data and Administration stated they had reviewed our audit report for the District. The letter made reference to resolving adjustments related to the prior audit report's transportation and certification findings, but did not address the recommendations we made to PDE in this finding.

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**Finding No. 5: Certification Deficiencies**

Finding Summary: Our prior audit of professional employees' certification and assignments for the period July 1, 2002 through June 30, 2006, found 9 principals and 17 teachers who were assigned to positions without holding proper certification. In addition, we cited the position of adjunct teachers in each of the four school years audited, ranging from 50 to 58 positions per year. As a result, the District was subject to subsidy forfeitures of \$719,134.

The adjunct teachers had been the subject of findings in six previous audit reports as well. While PDE's Bureau of School Leadership and Teacher Quality upheld our citations in all cases, PDE has never enforced the penalties associated with these certification deficiencies, as provided for in the Public School Code (PSC).

Recommendations: Our audit finding recommended that the SDP:

1. Review the assignments of all employees and reassign positions, if necessary, to comply with certification requirements established by PDE.
2. Only hire individuals holding valid certificates for the subjects or positions to which they are assigned.

We also recommended that PDE:

3. Adjust the District's allocation to recover the subsidy forfeitures of \$719,134.

Current Status: During our current audit, we found additional certification deficiencies, and therefore conclude that the SDP did not implement our recommendations (see Finding No. 1, page 6).

We have suspended review of adjunct teachers until PDE enforces the provisions of the PSC for subsidy forfeiture or determines that such teachers are exempt from certification requirements.

After extensive negotiations between the District and PDE, the prior years' certification penalty was reduced from \$713,345 to \$144,651. This proposed settlement agreement of \$144,651 was endorsed by the District and signed in December 2009.

Our current audit found that on June 1, 2010, PDE deducted \$144,651 from the District's basic education funding payment to assess the subsidy forfeitures.

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**Finding No. 6: School Bus Driver Qualifications Irregularities**

Finding Summary: Our prior audit found that the District had not implemented all of our previous recommendations regarding school bus driver qualifications irregularities.

Recommendations: Our audit finding recommended that the SDP:

1. Develop, adopt, and implement policy clearly defining District driver qualifications requirements regarding serious crimes.
2. Enlist the District's Office of Human Resources and Office of School Police for the driver qualification evaluation process.
3. Update child abuse clearances after the initial clearance is obtained at the time of hire.

Current Status: During our current audit, we found that the District has implemented the recommendations.

**Finding No. 7: Improper Student Activity Fund Procedures**

Finding Summary: Our prior audit of the 2005-06 student activity funds found the following deficiencies in three of the high schools and in the middle school selected: inactive accounts were maintained within the funds of all four high schools and the middle school; one high school did not have its checking account in an interest bearing account; one high school's gate receipts were split between the activity fund and athletic fund; the middle school did not have the student officers of its clubs sign disbursement slips; questionable expenditures were noted in the middle school activity fund.

Recommendations: Our audit finding recommended that the SDP:

1. Abolish all inactive accounts.
2. Require all student activity fund monies to be deposited into interest-bearing accounts.
3. Ensure student officers of all clubs sign disbursement slips.
4. Require the fund custodian to continually monitor the various activities and organizations to ensure compliance with the PSC and board policy.
5. Implement a district-wide computer application accounting program for all activity funds at the schools to better ensure adequate control over student activity funds.
6. Discontinue the practice of splitting gate receipts between the activity fund and athletic fund.
7. Discontinue the practice of using student activity funds to make general fund purchases.

Current Status: Our current audit found the District has revised its Student Activities Fund Manual to require schools to pursue depositing activity fund monies in interest bearing accounts unless the amount of interest earned would be less than fees associated with interest bearing account. The District is in compliance with its Student Activities Fund Manual in regards to interest bearing accounts. We found no general fund purchases made through the activity funds. The District has also discontinued the practice of splitting gate receipts between the activity fund and athletic fund.

However, our current audit of student activity fund accounts found that other improper activities and deficiencies in the internal controls over these funds continued (see Finding No. 2, page 8).

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**Observation: Internal Control Weaknesses in Administrative Policies Regarding Bus Drivers' Qualifications**

Finding Summary: Our prior audit found convictions for serious crimes that called into question certain bus drivers' suitability to have direct contact with children. Specifically, we found that 21 of the 164 sampled drivers had been convicted of 44 crimes that, while they were not listed as disqualifying crimes in Section 111 of the Public School Code, or were committed beyond the five-year look-back period, were nonetheless serious.

Furthermore, our prior audit found that the District did not have adequate written policies or procedures in place to ensure that it is notified if current employees have been charged with or convicted of serious criminal offenses that should be considered for the purpose of determining an individual's continued suitability to be in direct contact with children.

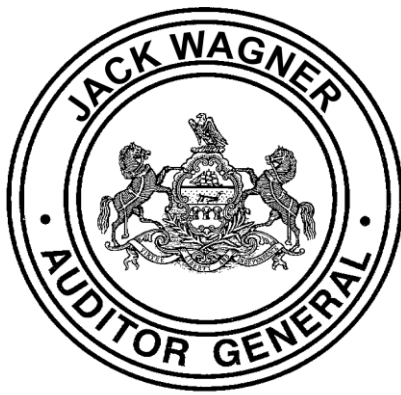
Recommendations: Our audit finding recommended that the SDP:

1. Develop a process to determine, on a case-by-case basis, whether prospective employees of the District's transportation contractors have been convicted of crimes that, even though not disqualifying under state law, affect their suitability to have direct contact with children.
2. Implement written policies and procedures to ensure that the District is notified when current employees of the District's transportation contractors are charged with or convicted of crimes that call into question their suitability to continue to have direct contact with children and to ensure that the District considers on a case-by-case basis whether any conviction of a current employee should lead to an employment action.
3. Implement written policies and procedures to ensure that bus drivers' criminal history records and child abuse clearances are reviewed and updated on an annual basis.
4. Review whether the District properly complied with PSC Section 527(a), which requires termination of "any employee, professional or otherwise of a school district" who is convicted of delivery of a controlled substance with intent to deliver, as prohibited by the Drug Act, with respect to one bus driver, who may have been employed at the time of his conviction.



Current Status: During our current audit procedures, we found that there is a documented process for case-by-case determination of the suitability of bus drivers, both at time of hire and after hiring. The District is in the initial phase of putting additional procedures in place to review and update all drivers' clearances. No written policy describing this process has yet been adopted, and we again recommend that the District adopt such written policy when the procedures are finalized.

We confirmed that the individual referred to in our recommendation No. 4 is no longer used as a driver for District transportation.



**School District of Pittsburgh Safe Schools Review**

## **INTRODUCTION**

In May 2007, the Department of the Auditor General began a new safe schools initiative to assist local education agencies (LEA) in their efforts to provide students with a safe and secure learning environment. We conduct these reviews in concert with our standard cyclical performance audits, which typically include an assessment of the LEA's compliance with applicable state laws, as well as operational best practices. Our safe schools assessment procedures typically focus on each LEA's emergency planning and prevention activities and school safety policies and procedures, and include an on-site review of the safety measures at selected school buildings within the LEA.

## **SAFE SCHOOL OBJECTIVES**

Our safe schools audit focused on the District's incident reporting to the Pennsylvania Department of Education (PDE). In addition, we conducted onsite reviews of 9 of the District's 64 school buildings using our standard building security checklist to examine the overall safety climate at these schools.

## **SCOPE**

Our review of the District's incident reporting covered the 2008-09, 2009-10, and 2010-11 school years. Our building reviews were conducted at various times from December 2009 through January 2010.

## **METHODOLOGY**

We addressed our objectives by:

- Conducting interviews with District administration, including officials from the District's school police force, and those responsible for reporting incident data to the PDE.
- Reviewing applicable state laws which mandate incident reporting to the PDE.
- Reviewing three years of PDE *Safe School Reports* for the District. Specifically, school years 2008-09, 2009-10, 2010-11.
- Reviewing District policies and procedures pertaining to incident reporting, including the District's *Student Code of Conduct*.
- Identifying a targeted selection of nine District schools, including three elementary schools, three middle schools, and three high schools.
- Conducting building reviews at each of the selected schools with appropriate school building staff (e.g., principal, assistant principal, etc).

**Observation No. 1** →

**The District Should Improve Its Incident Reporting Procedures**

**Summary**

The School District of Pittsburgh (District) should improve its incident reporting policies and procedures to ensure that it reports reliable and valid incident data to the Pennsylvania Department of Education (PDE). Specifically, in reviewing the District’s incident data for a three year period (2008-09, 2009-10, and 2010-11), we found that it consistently exceeded state-wide averages for disorderly conduct. Other unusual reporting variances were also noted in the District’s data. We suspect that these reporting anomalies are a result of misclassified incidents or data reporting errors. This error is potentially significant as PDE uses the data to comply with the Unsafe Schools Choice Option provisions, under the federal No Child Left Behind Act. Moreover, because of these reporting errors, parents, policy makers and the public may be getting an incomplete picture of the level and type of crime occurring in the District’s schools.

**Pennsylvania Department of Education Reporting Requirements**

State law requires local education agencies (LEA) to report incident data to PDE.<sup>1</sup> PDE guidelines define incidents as:

“a specific act or offense involving one or more victims and one or more offenders. A reportable incident includes one or more acts of misconduct, involving one or more offenders violating criteria defined under Pennsylvania’s Act 26 of 1995. These include but are not limited to any behavior that violates a school’s educational mission or climate of respect or jeopardizes the intent of the school to be free of aggression against persons or property, drugs, weapons, disruptions, and disorder. Examples are incidents involving acts of violence, possession of a weapon, or the possession, use or sale of a controlled substance, alcohol, or tobacco by any person on school property; at school-sponsored events; and on school transportation to and from school.”<sup>2</sup>

PDE uses this data to compile its annual *School Safety Reports*, as well as to comply with the federal “No Child Left Behind Act.” All *School Safety Reports* are available to the public through PDE’s web site.<sup>3</sup>

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<sup>1</sup> See 24 P.S. §13-1303-A (b).

<sup>2</sup> PDE, PA Information Management System User Manual, Volume 2, P.113. Note: Although this manual applies to 2009-10 school year, the reporting guidelines and definitions are identical. Additionally, for 2008-09 data, PDE required school districts to submit data using a system known as “safe schools online.” The PA Information Management System (PIMS) replaced the safe schools online system in the 2009-10 school year.

<sup>3</sup> This information can be found at <https://www.safeschools.state.pa.us/>.

## The District’s Reported “Disorderly Conduct” Incidents Exceed State-wide Averages

As part of our safe schools audit procedures, we analyzed District reported incident data for a three-year period covering the 2008-09, 2009-10, and 2010-11 school years. We obtained the data from PDE’s safe school web site. Our audit procedures included a limited analytical review to verify that the data was reasonable in relation to the overall incidents reported and the number of students enrolled.<sup>4</sup> Specifically, we looked to see whether incident-reporting categories exceeded statewide averages. As we reviewed the District’s year-end tabulations, we noticed unusual reporting variances in the reporting category “disorderly conduct.” Exhibit 1 highlights these trends:

### Exhibit 1: Reported Disorderly Conduct (DC) Incidents for the School District of Pittsburgh and Statewide

	<b>2008-09</b>	
	<b>School District of Pittsburgh</b>	<b>Statewide</b>
<i>Number of Actual DC Incidents</i>	3,949	11,127
<i>DC Incidents Per 100 Students</i>	14.13	.62
<i>Percent of Total Reported Incidents</i>	22.3%	13.5%
	<b>2009-10</b>	
<i>Number of Actual DC Incidents</i>	3,873	11,473
<i>DC Incidents Per 100 Students</i>	13.86	.63
<i>Percent of Total Reported Incidents</i>	60.7%	18.3%
	<b>2010-11</b>	
<i>Number of Actual DC Incidents</i>	3,496	11,932
<i>DC Incidents Per 100 Students</i>	12.49	.65
<i>Percent of Total Reported Incidents</i>	56.7%	19.0%

Source: Developed from PDE *Annual Safety Reports* for 2008-09, 2009-10, and 2010-11 for both the School District of Pittsburgh and the Pennsylvania State Summary.

As shown in Exhibit 1, for the past three years the number of disorderly conduct incidents at the District has consistently comprised a larger percentage of the total number of incidents reported than statewide comparisons. In particular, we note that in each of the last two reporting years, 2009-10 and 2010-11, disorderly conduct incidents comprised more than half of the total of all District reported incidents (60.7 percent and 56.7 percent, respectively). When comparing these same figures to state-wide data, the District’s ratios of disorderly conduct incidents as a percent

<sup>4</sup> According to PDE, the District’s total enrollment was 27,982 in the 2010-11 school year.

of total reported incidents for 2009-10 and 2010-11 are three times higher than the state-wide average. This is a statistically high occurrence of disorderly conduct incidents for a school district. By comparison to other urban districts, the School District of Philadelphia, a district that is nearly six times larger than the School District of Pittsburgh, had only 11 percent of its incidents classified as disorderly conduct in 2010-11. The Reading Area School District, a district that is slightly more than half the size of the School District of Pittsburgh, reported just three percent of its incidents as disorderly conduct in 2010-11.

***Disorderly Conduct Definition.*** PDE defines disorderly conduct in accordance with the Pennsylvania crimes code definition:

“A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he: (1) engages in fighting or threatening, or in violent or tumultuous behavior; (2) makes unreasonable noise; (3) uses obscene language, or makes an obscene gesture; or (4) creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor. The offense is typically a summary offense, but a person can be charged as a misdemeanor of the third degree if the intent is to cause substantial harm.”<sup>5</sup>

The District’s *Student Code of Conduct* also contains a definition for disorderly conduct:

“Any act or behavior which substantially disrupts the orderly conduct of the school function or learning environment; poses a threat to the health, safety and/or welfare of students, staff or others. The intent may be to cause annoyance, alarm or inconvenience. This includes violent or tumultuous behavior, unreasonable noise and the use of obscene language or gesture or creation of hazardous or physically offensive conditions that serve no legitimate purpose. Fighting may result in disorderly conduct charges being filed with the local magistrate.”<sup>6</sup>

There is one difference between these two definitions: PDE’s definition is the actual criminal offense definition, whereas the District’s definition is more of a behavioral description. According to the District guideline, only if the perpetrator engages in fighting can he/she then be charged under the criminal offense of disorderly conduct. According to District staff, the statistical anomalies shown in Exhibit 1 exist because District staff/administrators erroneously coded some incidents as “disorderly conduct,” because they were confused over the actual definition of the conduct. Consequently, at year’s end when the data is compiled and reported to PDE, these miscoded disorderly conduct offenses, which were intended to fall under the District’s behavioral definition of disorderly conduct, are actually reported to PDE under the criminal offense definition.

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<sup>5</sup> See 18 Pa.C.S.A. § 5503.

<sup>6</sup> School District of Pittsburgh, “Student Code of Conduct”, p. 7.

## Other Potential Reporting Errors Noted

Our review of District submitted incident data to PDE found other reporting inaccuracies. For example:

***Incidents as Defined in the Student Code of Conduct.*** In the 2008-09 school year, the District reported 12,120 or 43 percent of all its incidents in a category classified as “Other Incidents as Defined in Local Student Code of Conduct.” We could find no meaningful definition for this reporting category from PDE. We speculate this category was to serve as a “catch-all” category for incidents that do not fall under PDE defined classifications, but warranted reporting. Beginning in the 2009-10 school year, PDE eliminated this reporting category. Because this incident category lacks any meaningful definition, and further because the District reported such a disproportionately high number of incidents in the category (43 percent) we question whether all of these incidents were coded accurately in 2008-09.

***Weapons Detected vs. Weapons Expulsions.*** Under the Public School Code (PSC), any student who brings a weapon onto school property is subject to expulsion for not less than one year.<sup>7</sup> A weapon includes not just a firearm, but also a knife, cutting instrument, or other implement capable of inflicting serious bodily injury. PDE requires data to be reported on weapons detected and resulting expulsions. Consequently, we would expect to see that the number of weapons related expulsions is close to the number of weapons detected. In 2008-09, the District reported 98 weapon detections and 86 reported weapon expulsions, a reasonable correlation. However, in 2009-10, the District reported 114 weapons detected, but only three weapons related expulsions. Similarly, in 2010-11, the District reported 118 weapons detected, but only one weapons related expulsion was reported to PDE.

***Sanctions.*** PDE also requires school districts to report the number of administered school sanctions for reported incidents. Sanctions are reported by categories, for example: expulsions, out of school suspensions, in-school suspensions, and detention. In reviewing these categories, we found similar disparities as with the weapons related expulsions. For example, for the category “out of school suspensions” in the 2008-09 school year, the District reported 20,574 suspensions. In the 2009-10 school year, out of school suspensions had dropped to 9,412—and in 2010-11 that same number dropped to zero. Similarly, in looking at the category “detention”—we found that for the same three year review period, the District reported a grand total of one detention. If this reporting were accurate, it would mean that out of 30,230 incidents, only one resulted in a detention. Given that detention is a common sanction, we question how this figure is accurate. For example, statewide, the rate of detentions to incidents was .08. By comparison, the District’s rate is .00003. These numbers are not reasonable in relation to the total number of incidents reported.

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<sup>7</sup> See 24 P.S. § 13-1317.2(a)



## Failure to Accurately Report Incidents to PDE May Have Significant Consequences

***Unsafe School Choice Option.*** Under the “Unsafe School Choice Option” provision of the No Child Left Behind Act of 2001, a student who attends a “persistently dangerous school” is entitled to transfer to another safe school.<sup>8</sup> Each year PDE determines which schools are persistently dangerous by reviewing each school’s reported incidents.<sup>9</sup> In Pennsylvania, a persistently dangerous school is any public elementary, secondary, or charter school that meets any of the following criteria in the most recent school year and in one additional year of the two years prior to the most recent school year:

- (1) for a school whose enrollment is 250 or less, at least 5 dangerous incidents;
- (2) for a school whose enrollment is 251 to 1000, a number of dangerous incidents that represents at least 2 percent of the school’s enrollment; and
- (3) for a school whose enrollment is over 1000, 20 or more dangerous incidents.

It is important to note that PDE only considers “dangerous incidents” when classifying schools as persistently dangerous. PDE defines a dangerous incident as, “a weapons possession incident resulting in arrest (guns, knives, or other weapons) or a violent incident resulting in arrest (homicide, kidnapping, robbery, sexual offenses, and assaults) as reported on the PDE Violence and Weapons Possession Report.”<sup>10</sup> Consequently, if a school makes errors in its incident reporting that decrease the number of “dangerous incidents,” and increase the number of more minor incidents, a school could avoid being categorized as persistently dangerous. Doing so would prevent students at that school from having access to the option of transferring schools.

## Recommendations

The *District* should:

1. Revise its current misconduct offenses and associated definitions within the *Student Code of Conduct* to be consistent with recent amendments to the Public School Code, especially for Level 2 infractions.
2. Provide better training to school administrators on the significance of accurately reporting incidents.

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<sup>8</sup> According to PDE approved standards, a safe school is one that is not designated persistently dangerous. A student who attends a persistently dangerous school may apply to transfer to a safe school or charter school within the District at any time while the school maintains a persistently dangerous designation. To the extent possible, the District should allow the student to transfer to a school that is making adequate yearly progress, and one that is not identified as in school improvement, corrective action, or restructuring. If there is no other school within the LEA to transfer, Districts are encouraged, but not required to establish an agreement with a neighboring District to accept transfers. A charter school only has to accept a student who meets its admission criteria, if space is available.

<sup>9</sup> It is important to note that only individual schools are defined as “persistently dangerous” and not school districts. For the past five years, between 9 and 25 schools have been labeled persistently dangerous. These schools have all been within the School District of Philadelphia.

<sup>10</sup> Pennsylvania Department of Education, “PIMS Manual”, Version 3.0, August 20, 2009, pg 125.

3. Perform periodic validation tests on incident data to ensure school administrators are accurately reporting incidents in accordance with the Public School Code.

## **Management Response**

### *The District's Reported "Disorderly Conduct" Incidents Exceed State-wide Averages*

The District agrees that the behavioral definition of disorderly conduct included in Code of Student Conduct confused administrators and resulted in the misreporting of disorderly conduct. The current definition overlaps "disruption of school" with the criminal charge of "disorderly conduct". As a result, many minor infractions were misclassified and reported as disorderly conduct. The District reviews the Code of Student Conduct on an annual basis and makes revisions as necessary. The District will work with its solicitor to redefine its current misconduct offenses.

### *Incidents as defined in the Code of Student Conduct*

The District agrees that classifying 43% of all incidents as "Other" may indicate inaccurate coding. The District believes that the revisions to the Code of Student Conduct will assist administrators in properly coding incidents in all future reports. The District will revise its Code of Student Conduct and review its data collection process to ensure proper coding.

### *Weapons Detected vs. Weapons Expulsions*

The District agrees with this identified reporting error. The auditors indicate that the following reports were made to PDE:

2009-2010 – 114 weapons detected, 3 weapons expulsions

2010-2011 – 118 weapons detected, 1 weapons expulsion

The reporting filed with PDE for 2009-2010 and 2010-2011 are inaccurate. The District Discipline Office recorded the following weapons related data:

2009-2010 – 129 weapons related removals (including 29 special education 45-day unilateral removals)

2010-2011 – 121 weapons related removals (including 28 special education 45-day unilateral removals)

Weapons removals include expulsions for a year or more (up to and including permanent expulsion), expulsions for less than a year (locally referred to as Accelerated Return), 45 day placements, and clemency. Clemency is often granted by a hearing officer after a formal expulsion hearing for weapons that are detected, but are work or school related (i.e. box cutters) or mace being carried by students traveling in the dark in dangerous

neighborhoods. Clemency results in a student being returned to his or her regular placement following the formal expulsion hearing. Clemency is granted on a basis on recommendations of the Superintendent and Board Hearing Officer and results in the student serving at least a 10 day suspension.

The Discipline Office recorded the following weapon expulsion hearings and types of removals:

2009-10 -	4 expulsions for a year or more, 35 expulsions up to a year, 29 45-day removals, <u>61 clemency</u>
Total Hearings	129
2010-11 -	16 expulsions for a year or more, 11 expulsions up to a year, 28 45-day removals, <u>66 clemency</u>
Total Hearings	121

The District believes that the erroneous reporting of expulsion data was caused by a miscommunication between the District’s Discipline Office and Child Accounting Office and possible miscoding of expulsions in the District’s student data system. The Child Accounting Office compiles the PIMS Safe Schools Report. The Child Accounting Office annually requests “expulsion” data from the Discipline Office and extracts data request and only provided permanent expulsions for weapons. Additionally, the PIMS reports include expulsions for less than one year for violence and drugs and alcohol (88 expulsions in the 2009-2010 and 91 in 2010 – 2011). Many of the expulsions reported were likely weapons related expulsions for less than one year that were miscoded. Although the final report was reviewed by the former Chief of School Police and Child Accounting Office, the discrepancy was not flagged. The District acknowledges that this miscommunication must be remedied.

Additionally, the weapons related expulsions hearings/removals appear to exceed the actual number of weapons detected. This discrepancy is likely due to the existence of multiple student offenders related to detection of one weapon. The District is working to develop a way of tracking data that would include an indicator for a single weapons offense that is attributed to multiple offenders.

The District will implement a new review and certification process for all discipline reporting. The review and certification process will include two additional levels of review and certification. The compiled reports will be reviewed by the Chief of Student Services and all Assistant Superintendents to ensure accuracy. The reports must be approved by the Chief of Student Services and the Assistant Superintendents before it is certified by the Superintendent.

### *Sanctions*

The District has evidence that this finding is partially inaccurate. The auditor indicates that the District reported “out of school suspensions” as declining from 20,574 in 2008-09 to 9,412 in 2009-10 and 0 in 2010-11. The report filed with PDE is not consistent with the observation of the auditor. On page 9 of the report, it includes 12,574 out of school suspensions in 2010-11.

The District agrees that the report filed with PDE does not accurately reflect the number of detentions imposed in each of the three audited years. The District does not centrally track detention data and therefore, the inclusion of one reported detention was an error. The District is in the process of implementing a new central data system that will enable schools to accurately enter and report detention data. The District will accurately report detention data in the future reporting years.

In addition to revising its Code of Student Conduct and implementing a more rigorous data review and certification process, the District will provide professional development for its administrators with an emphasis on the revisions to the Code of Student Conduct and the importance of accurately reporting incidents. The District will perform periodic validation tests on incident data to ensure accurate reporting in accordance with the School Code.

### **Auditor Conclusion**

We are pleased that the District has embraced our recommendations related to the accuracy of its incident reporting. As noted in the finding, it is critically important that this district-level data be accurate because it can directly impact students’ educational options.

With regard to the management’s comments on the conclusions the auditors drew based on the data provided in the “Sanctions” section of the District’s summary incident report for the 2010-11 school year, we concur that the number of suspensions reported in the “Out-of-School Suspensions” section on page nine appears to be more accurate. However, that fact does not explain why the same number of suspensions (12,574) is not reflected on page seven, which lists the number of “Out-of-School Suspensions” resulting from the discipline process as zero. Therefore, we again recommend that management examine its incident reporting system to determine what caused this inconsistency and perform periodic validations to ensure that such a discrepancy does not occur in the future.

**Observation No. 2** →

**Building Safety Reviews Indicate Areas of Needed Improvement**

**Summary**

The School District of Pittsburgh (District) has 64 schools located throughout Allegheny County, and which serve approximately 26,000 students. It is the District's responsibility to maintain, repair, and secure each school building.

In May 2007, the Department of the Auditor General began a new safe schools initiative to assist local education agencies across the Commonwealth in their efforts to provide students with a safe and secure learning environment. As part of this assessment, we conduct tours of a selection of schools in each district using a Department checklist that identifies safety and security weaknesses. We based our checklist on information from several organizations that promote the most respected best practices in school safety, including the Pennsylvania State Police, the U.S. Secret Service, the U.S. Department of Education, and the Pennsylvania Emergency Management Agency.<sup>11</sup>

Our checklist is divided into the following 15 categories:

<b>Checklist Topic Area</b>
Building Entrance and Exit
Buses and Parking
Keys and Identification
Deliveries
Monitoring and Surveillance
Building and Grounds Security
Doors and Windows
Communication Systems
Visitor Procedures
Building Interior (During School Hours)
Building Interior (After School Hours)
Internet Security
Bullying Prevention
Practice Drills
Risk and Vulnerability Assessments

These reviews are important because school safety is a component of school climate. School climate is a term that describes a school's physical and psychological aspects, which are the prerequisites for teaching and for optimal learning, and the conditions most susceptible to change. As such, school safety is an important factor influencing student learning and

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<sup>11</sup>Other notable organizations include: the U.S. Government Accountability Office, the Pennsylvania Department of Education, the Virginia Department of Education, the Texas School Safety Center, the National Clearinghouse for Educational Facilities, and the National School Safety Center.

achievement because of its connection to the physical and social aspects of school climate. For example, school buildings that appear safe, secure, and orderly promote a physical environment conducive to learning. Moreover, schools with clearly defined behavioral standards and with policies that encourage communication between students and staff create a supportive learning environment. Collectively, these various facets of a school climate, including school safety, can support or impede learning.

### **Review Procedures**

We selected a targeted sample of three elementary, three middle, and three high schools, for a total of nine schools. We conducted building reviews between December 2009 and January 2010. All of the noted weaknesses identified in our reviews are accurate as of that period.

In conducting our building security reviews, each audit team met with the selected school's principal (or other designee) and briefly discussed matters pertaining to school safety. Auditors then performed the actual review using the checklist and determined if any weaknesses existed in each topic area.

### **Review Results**

We cannot make information about a specific school building's safety weaknesses public because such information could make the facility a target for individuals wishing to commit a crime or may otherwise compromise the building's overall school climate. However, we can provide general summary information on the results of certain topic areas that we believe do not put the District's students and staff at risk. These results are presented in two categories:

- (1) Weaknesses that originate from lack of compliance with a legal mandate; and
- (2) Weaknesses based on best practices in school safety.

### **Legal Compliance Weaknesses**

#### ***Failure to post anti-bullying policy:***

Section 1303.1-A(b) of the Public School Code (PSC) requires school districts to have an anti-bullying policy and to have the policy available in all classrooms and publicly posted in a prominent location where such notices are usually posted.<sup>12</sup> While the School District of Pittsburgh does have an anti-bullying policy, which also includes provisions for cyber-bullying<sup>13</sup>, during our reviews at nine schools, we did not find evidence that this policy was available in the classroom, nor was it displayed in a prominent location, as required by the PSC. However, since our reviews, and to the District's credit, in 2010 the District undertook a campaign to highlight its anti-bullying message. The campaign, known as "Stand Together", is a poster campaign in partnership with a former District student who now plays professional basketball in the National

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<sup>12</sup>24 P.S. § 13-1303.1-A(b).

<sup>13</sup> The District's anti-bullying and cyber bullying policy are contained in Board Policy 248.1, revised November 25, 2008.

Basketball Association (NBA). The campaign is reportedly supported through specially designed professional development, updates to District policies and procedures, prevention education programming, and intervention services through the District's Student Assistance Program and the District's Positive Behavioral Intervention Strategies. Nonetheless, we encourage the District to ensure that its anti-bullying policy is clearly displayed in every classroom and in all prominent locations throughout its schools.

### **Best Practices Weaknesses**

#### ***Schools Need to Conduct More Varied Drills:***

The state Emergency Management Services Code requires that schools annually conduct at least one disaster response or emergency preparedness plan drill.<sup>14</sup> In addition, the U.S. Government Accountability Office (GAO) indicates that it is important for school districts to conduct careful assessments of what went well and what did not go well following a drill. GAO states that such analyses can contribute to improving emergency management. Consequently, as part of our building reviews, we also check to see if school officials have conducted after-action reviews, in which building administrators identify areas for corrective action.

Our District building reviews found that the schools were practicing some type of emergency preparedness plan drill. However, in eight of the nine schools we reviewed, the schools were not conducting lock-down drills. Lock-down drills are used as a means to practice procedures to be followed if an intruder enters the school building and the school needs to "lock down" its building to ensure student and staff safety. Also, in eight of the nine schools we reviewed there were no after action reviews held with emergency responders to discuss issues needing corrective action.

#### ***Visitor Procedures Should Be Standardized:***

Our building reviews found inconsistencies in the procedures schools used for visitors. For example, in six of the nine schools we visited, visitors who were unfamiliar to the office staff did not need to show identification. In other schools, we found visitor parking was not clearly indicated, nor were there adequate signs indicating that visitors should sign in at the school's main office. Ensuring proper signage at all District schools, as well as standard sign-in and sign out procedures for visitors will help eliminate confusion, as well as ensure that only properly authorized individuals are permitted in the District's schools.

### **Recommendations**

#### ***The District should:***

1. Ensure that each of its schools have an anti-bullying policy available in each classroom and publicly posted in a prominent location in each building.

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<sup>14</sup>35 Pa C.S. §7701(f).

2. Ensure that schools conduct lock-down drills, as well as other varied drills such as evacuation, shelter-in-place, reverse-evacuation, as well as conduct after-action reviews to ensure each school's emergency preparedness plans are current.
3. Improve communication systems at each of its buildings so that all staff members, not just those within the school's walls, are able to quickly communicate with school's central office.
4. Establish standardized visitor policy procedures at each of its school buildings, and improve directional signage indicating where visitors should report.

## **Management Response**

### **Legal Compliance Weaknesses**

#### **Failure to post anti-bullying policy**

The District recently revised its anti-bullying policy, which continues to require posting in all schools and classrooms. The District will provide professional development for all building administrators and issue a directive for ensuring appropriate posting in accordance with State law and Board Policy. The District will ensure that all Assistant Superintendents review compliance with posting requirements when visiting schools under their supervision. Head Custodians will be required to post the anti-bullying policy as part of the "Back to School" checklist.

### **Best Practices Weaknesses**

#### **Schools Need to Conduct More Varied Drills**

We will retrain all principals on the requirement regarding drills including after action review and drill variation. We will improve reporting and monitoring systems so that the Assistant Superintendents are aware of deficiencies in a timely manner to better afford corrective action.

#### **Visitor Procedures Should Be Standardized**

We will retrain all principals on Visitor Policies including signage and sign-in procedures. Compliance will be monitored by Assistant Superintendents during Teaching and Learning visits. As a School District in an urban setting, providing adequate parking at our facilities is a challenge. At many of our facilities there is insufficient parking for the building staff let alone visitors. The District will work with our School Administrators and Facilities staff to designate visitor parking spots wherever available.



## **Distribution List**

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