

THE SCHOOL DISTRICT OF  
PALM BEACH COUNTY, FLORIDA

OFFICE OF INSPECTOR GENERAL  
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LUNG CHIU, CIG, CPA  
INSPECTOR GENERAL

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## MEMORANDUM

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

**FROM:** <sup>KIC</sup> Lung Chiu, Inspector General

**DATE:** July 17, 2017

**SUBJECT:** Transmittal of Final Investigative Report  
*Case 16-498 Palm Beach Gardens Community High School*

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In accordance with School Board Policy 1.092(6)(d), we hereby transmit the above-referenced final report.

The allegation regarding the use of a non-approved vendor was substantiated.

The investigations were unwarranted for allegations regarding back-dated consulting agreement, procedures not followed by sponsors, concession funds, theft of time, and violation of rental car procedures due to lack of sufficient evidence.

The allegation regarding a worker compensation claim was referred to the Risk Management Department for further review. Subsequently, the case was closed.

The report is finalized and posted on the Inspector General's website;

[www.palmbeachschools.org/inspectorgeneral](http://www.palmbeachschools.org/inspectorgeneral).

Office of Inspector General  
The School District of Palm Beach County  
Case No. 16-498  
*Issue: Procedural*  
*Location: Palm Beach Gardens Community High School*  
**INVESTIGATIVE REPORT - FINAL**

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## **AUTHORITY**

*School Board Policy 1.092, Inspector General (4)(a)(iv)* provides for the Inspector General to receive and consider complaints, and conduct, supervise, or coordinate such inquiries, investigations, or reviews as the Inspector General deems appropriate.

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

## **BACKGROUND**

The Office of Inspector General (OIG) received a complaint in March 2016 from former employee, Terri Miller (Complainant) regarding Palm Beach Gardens High School (School). The complainant alleged the following:

1. Purchases made using a non-approved vendor
2. Consulting agreement with Mark Rasis backdated
3. Items ordered and paid for by School for the softball team sent to an employee's (Charles Jackson) home
4. Sponsors not following procedures
5. Teacher, Charles Reppel, responsible for the girls' basketball game concessions, only made one deposit during the basketball season
6. Teacher, Lindsay Testa, takes her students to her mother's classroom and leaves the campus everyday
7. Theft of time by a teacher, [REDACTED] \*
8. Teacher, Robert Freeman, rented a car from a rental company other than the approved vendor, Avis Rent A Car
9. Employee, Elizabeth Gough, filed a questionable workers compensation claim

## **DOCUMENTS REVIEWED**

- Purchasing Manual – Chapters 3,4,12
- Internal Accounts Manual – Chapter 7
- Consultant Agreement Guidelines
- Consulting Agreements & Payments

- Fundraising Applications
- Money Collected Forms
- Florida Department of State Division of Corporations
- Related Internal Account Fund Records
- Girls' Basketball Schedule (FY 14/15 and 15/16)

## **INTERVIEWS CONDUCTED**

- Larry Clawson, Principal
- Kelly Matyjasik, Administrative Assistant

## **PRELIMINARY REVIEW**

The OIG conducted a preliminary review of allegations 1 thru 8, that included a review of: 1) consulting agreements for the months of August thru December for years 2015 and 2016, 2) Check Requisitions and invoices related to the school's softball team, 3) fundraising applications, internal fund accounts, and Game Schedules related to the school's girls basketball concessions and 4) expenses related to car rentals for fiscal years 2013-2015. The OIG also interviewed Principal Larry Clawson.

## **INTERVIEW WITH PRINCIPAL CLAWSON**

On November 2, 2016, the OIG interviewed Principal Clawson about the allegations of case 16-498. Administrative Assistant, Kelly Matyjasik, was present during the interview. Clawson stated the following regarding each allegation:

### ***1. Purchases made using a non-approved vendor***

Clawson stated the consultant agreement is in place to assist with the football program. Clawson stated the consultant performs various duties i.e. paints the field, launders uniforms, field maintenance, etc.

### ***2. Backdating of consultant agreement***

Clawson stated he is not aware of any issues with regard to backdating of consultant agreement.

### ***3. Items ordered and paid for by School for the softball team sent to employee's home***

Clawson stated he is not aware of any issues with items ordered by the employee nor does he have any reason to believe such allegations are true.

Matyjasik stated she receives the mail, and on a regular basis, has received boxes addressed to the employee that appeared to be related to the softball team.

### ***4. Sponsors not following procedures***

Clawson stated that in the past there have been School audit findings related to sponsors not following procedures. Clawson explained it has been a learning process and every year they strive to improve. Clawson further explained that at the beginning

of each year he ensures all employees, that may be sponsors, are required to watch a video of the “do’s and don’ts.”

**6. Teacher takes her students to her mother’s classroom and leaves the campus everyday**

Clawson stated the teacher had attendance issues in the past and the teacher was verbally counseled for attendance issues. Clawson further stated there were instances where the teacher said she was feeling sick or had to leave early; however, they were known instances by him. Clawson explained the teacher currently teaches six periods and has not had any attendance issues since verbal counseling.

**7. Theft of time by a teacher**

Clawson stated the employee used to be a DCT (Diversified Career Technology) teacher which required him to visit off-site locations where students worked to ensure the students were present. Clawson also stated the teacher is no longer a DCT teacher, he is now a Driver’s Education teacher and teaches five periods.

**8. Teacher rented a car from a non-approved vendor**

Clawson stated he is not aware of such situation. Clawson further stated he recalled a few years ago someone submitting for reimbursement for a car rental from a non-approved vendor but he did not believe it to be the same teacher.

Matyjasik stated the employee was not reimbursed since procedures were not followed.

**CONCLUSIONS**

The results of the preliminary review concluded that allegation #1 related to purchases made using a non-approved vendor was substantiated. However an investigation was unwarranted for allegations 2 thru 8 due to the absence of sufficient information for the OIG to pursue any further.

Allegation# 1: Purchases made using a non-approved vendor

The School purchased services and items from Florida Home Field Advantage, LLC. In FY 2014/15, the School paid this company approximately \$700 for sprinkler heads and replacement of game field sprinklers. In FY 2015/16, total amount paid to the company was approximately \$500 for sod repairs to the game fields.

Chapter 3 of the *District’s Purchasing Manual* states purchases less than \$1,000 may be processed through internal accounts using established procedures. However, Chapter 12 of the manual requires Principals to utilize bid awarded vendors when available for all internal fund purchases.

The OIG contacted the Purchasing Department to clarify if the School should have used a District approved vendor instead of Home Field Advantage, LLC., that is not a District approved vendor.

On April 7, 2017 the Director of Purchasing stated “The school should have contacted Facilities Services who in turn would have utilized Odom’s Sod, the bid awarded vendor, in which they were awarded under Bid 12C-46K for Supply and Install Sod, Sprigs and Ground Preparations. See *Exhibit 1*.

The allegation regarding purchases made using a non-approved vendor is substantiated.

*Allegation# 9: Employee filed a questionable workers compensation claim*

The alleged information related to Issue # 9 was referred to the Risk Management Department in October 2016 for review and action. Risk Management provided the review results to the OIG on January 10, 2017 stating the referral information was forwarded to York Risk Services, the District’s third party claims administrator, and the School Board’s workers’ compensation defense attorney. Risk Management further stated they received a full dismissal of all legal issues related to the claim in June 2015 and closed the claim due to lack of activity in January 2016. See *Exhibit 2*.

**FURTHER ACTION**

The results of this review were referred to the Office of Professional Standards for necessary action.

**AFFECTED PARTY RESPONSES**

In accordance with School Board Policy 1.092 (6)(iv), a draft copy of this report was provided to Principal Clawson who was given an opportunity (20 days) to respond. A response was received from Mr. Clawson. See *Exhibit 3*.



THE SCHOOL DISTRICT OF  
PALM BEACH COUNTY, FL

CHIEF FINANCIAL OFFICE  
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DARCI GARBACZ  
PURCHASING DIRECTOR

MICHAEL J. BURKE  
CHIEF FINANCIAL OFFICER

RECEIVED  
APR 11 2017  
INSPECTOR GENERAL

## Memorandum

**TO:** Lung Chiu, Inspector General

**FROM:** Darci Garbacz, Purchasing Director 

**DATE:** April 7, 2017

**SUBJECT:** Clarification for Provisions in Purchasing Manual  
OIG Case 16-498

In response to the question as part of the case review by Veronica Rodriguez from the Inspector General's office regarding Palm Beach Gardens High School use of a non-approved vendor for services the response from Purchasing is as noted below.

1. **Question** – Did the school violate District procedures with the use of a non-approved vendor for transactions less than \$1,000, although the services rendered appear to be available from vendors that have been approved by the District?

**Response** – Palm Beach Gardens High, requested grass, field and sod repairs for their athletic field from Home Field Advantage. Home Field Advantage was not an awarded vendor. The school should have contacted Facilities Services who in turn would have utilized Odom's Sod, the bid awarded vendor, in which they were awarded under Bid 12C-46K for Supply and Install Sod, Sprigs and Ground Preparations.

MJB/DG:sms

Cc: Michael J. Burke, CFO





THE SCHOOL DISTRICT OF  
PALM BEACH COUNTY, FLORIDA

DIANNE L. HOWARD  
DIRECTOR

MICHAEL J. BURKE  
CHIEF FINANCIAL OFFICER

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RECEIVED  
JAN 10 2017

INSPECTOR GENERAL

## MEMORANDUM

**DATE:** January 10, 2017

**TO:** Lung Chiu  
Inspector General

**FROM:** Linda M. King, MPA, ARM, CSRM  
Risk & Safety Manager 

**SUBJECT:** CLAIM #3813548, REFERRAL CASE #16-498

In regards to your referral on Case #16-498, the information obtained was forwarded to York Risk Services and the School Board's workers' compensation defense attorney.

We received a full dismissal of all legal issues related to the claim in June of 2015 and closed our claim in January of 2016. Although the information confirmed our suspicions of the accident, it was not received in sufficient time to address mitigating the claim. No further action was recommended.



# PALM BEACH GARDENS HIGH SCHOOL

4245 Holly Drive  
Palm Beach Gardens, Florida 33410  
561-694-7300



Larry Clawson  
PRINCIPAL

RECEIVED  
JUN 08 2017

INSPECTOR GENERAL

TO: Lung Chiu, Inspector General  
FROM: Larry Clawson, Principal *LC*  
DATE: June 8, 2017  
SUBJECT: Draft Report for OIG Case no. 16-498, PBGHS

This is my written response to the allegation made by former treasure, Terry Miller in March 2016. First let me state that Ms. Veronica Rodriguez was extremely thorough in her investigation and very professional throughout the entire process. The IG is fortunate to have Investigator Rodriguez working in their office.

It is my understanding in reading the Draft Investigative Report that Allegations 2-8 will not require any further action and for Allegation 9, Risk Management received full dismissal of all legal issues and the claim was closed.

The remainder of my written response will be directed towards Allegation 1. I concur with the finding that PBGHS purchased services and items from Florida Home Field Advantage LLC in FY 14/15. However, I would like to address several important points regarding this finding. First, the district's Maintenance and Operation Department had informed me that they would not be doing any sod replacement for the year due to lack of funding. Our field was unsafe for our athletes because of poor playing conditions. There were major holes in the field that would most definitely put our players at risk of serious injury. At that point, I checked the District's Purchasing Manual and in Chapter 3 it states that purchased less \$1000.00 may be processed through internal accounts using established procedures. Once the sod was purchased and install, we realized that the sprinkler system was not working adequately enough to keep the sod a live. At that point we purchased sprinkler heads and had them installed by Florida Home Field Advantage. For both the sod and the sprinkler repairs no labor was charged to the school. This was all done for the safety and welfare of our athletes. I now understand that although Chapter 3 of the District's Purchasing Manual states the schools can spend up to \$1000.00 using internal accounts, Chapter 12 states the Principals must use approved vendors when available for all purchases.

As a result of this investigation, I now have a better understanding of the District's Purchasing process and from this point forward I will continue to make every effort to be in line with all policies and procedures. In regards to this allegation going to the Office of Professional Standards, I truly believe I was doing was in the best for the safety and welfare of our student athletes. I would understand if this would have been an audit finding, but I don't believe it is worthy of a Professional Standards investigation.

