

SUMMARY REPORT

OIG 18-00134

June 29, 2018

NIS

SUBJECTS

1. Michael Beyer
Principal
Ogden Elementary School
Employee ID 000131517

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CASE INITIATION

The OIG initiated this investigation after it received a complaint alleging that a parent at William B. Ogden Elementary School was told she would have to unenroll her son after informing the school that he needed to miss three days of school for a family trip. She was told that this was the policy for extended absences.

FINDINGS

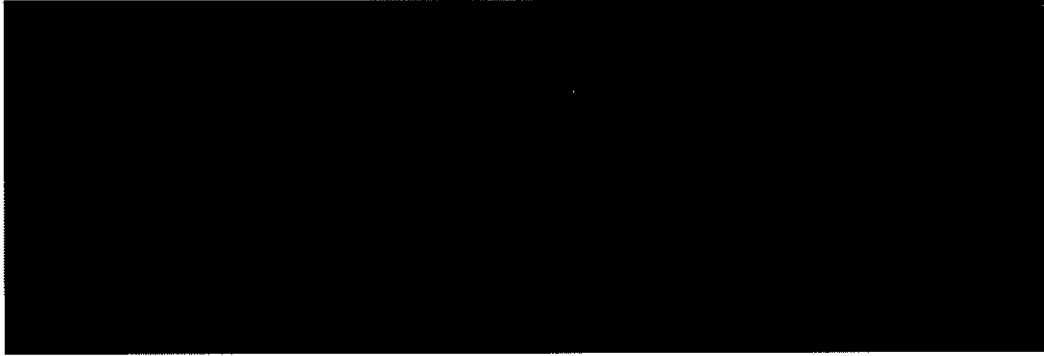
1. Under Principal Michael Beyer's administration, William B. Ogden Elementary School falsified attendance primarily through the improper use of out of district (Code 33) and homeschool (Code 40) transfer codes. Students with extended absences for various reasons, including for family vacations or because of visa issues, would be unenrolled and coded as transferring out of district or to

homeschool, and then re-enrolled at Ogden when they returned. Had they not been unenrolled, they would have been marked as absent unexcused.

2. Specifically, during the 2015-16, 2016-17 and 2017-18 school years, Ogden falsified numerous student attendance records by unenrolling students to avoid unexcused absences. The unenrollment periods were as short as one week and as long as four months. During this period, the OIG found 75 instances where students were temporarily unenrolled and re-enrolled within the same school year and marked as a Code 33 or Code 40. The OIG found that in 17 of these instances (involving 14 students), students were marked as Code 33 or Code 40 "transfers" even though Ogden's administration and staff clearly knew the students were not actually transferring to another school, but rather, taking an extended absence for other reasons.
3. Within the 75 total instances, the OIG also identified at least 27 other instances of suspect "transfers," given that these transfers were relatively short in nature (typically four to six weeks) and coincided with Ogden's winter or summer vacations. The OIG did not find any transfer files or homeschool forms associated with these transfers.
4. Beyond the Ogden administration and staff's improper reliance on Code 33 and Code 40, the school regularly failed to obtain the proper documentation for such "transfers" or otherwise kept incomplete transfer files. Of the 75 instances identified, the OIG was able to find student transfer forms and cards for seven transfers in the 2016-17 school year. Of the seven transfers with documentation, three were not actual transfers but rather, were extended absences for other reasons – two due to an annual family trip to [REDACTED] and one due to a visa renewal in [REDACTED]. Additionally, none of the seven files contained sufficient documentation showing that the transfers were subsequently verified. Thus, at most, the OIG was able to find evidence of four semi-documented valid transfers to out of district schools.
5. Because of incomplete record keeping, the OIG was unable to determine what effect the misuse of transfer codes had on Ogden's overall attendance rates.
6. Principal Michael Beyer admitted that he knew it was impermissible to unenroll students for attendance purposes and that he believed he first learned this when he was previously a principal at Morrill Elementary School. Beyer also acknowledged that students at Ogden are temporarily unenrolling to avoid unexcused absences, but that the Ogden administration is not recommending or encouraging the practice. However, when confronted with emails showing that he condoned or encouraged the practice, Beyer admitted "Clearly, I did break the

policy” and that he “messed up.” Beyer also acknowledged that he dropped the ball and did not make it clear to his staff that the practice of unenrolling students for attendance purposes is not permitted.

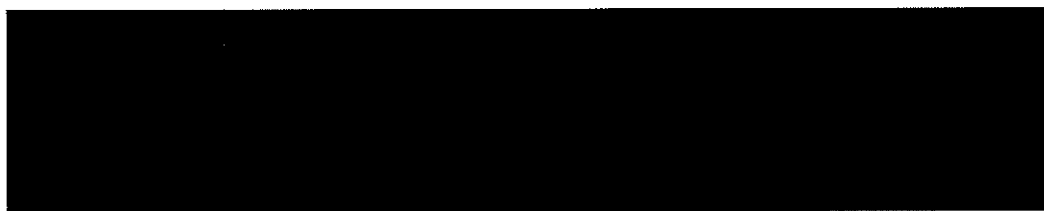
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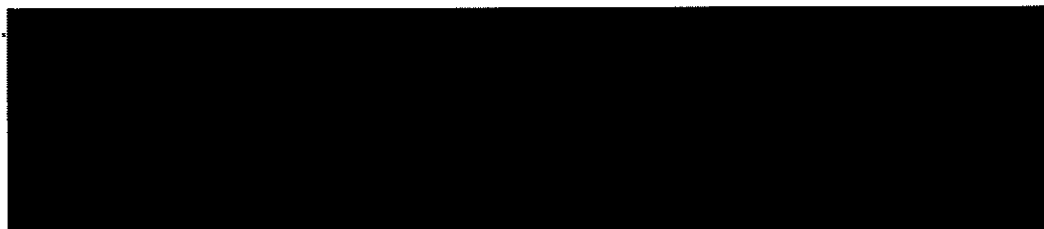
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RECOMMENDATIONS

Based on its investigation, which is detailed below, the OIG recommends termination for Michael Beyer, appropriate discipline for [REDACTED], up to and including termination and appropriate discipline for [REDACTED] and [REDACTED]. The OIG also recommends further training for all clerks and administrators at Ogden, including any of the subjects of this investigation should they remain employed at Ogden.

The OIG recommends termination for Beyer because the OIG found that in the case of at least four students, Beyer clearly condoned or encouraged parents to unenroll students to avoid unexcused absences, including after he received express direction from Howard and Mohammed in September 2016 not to engage in this practice. For example, in April 2017, Beyer orchestrated the homeschool transfer of two students taking an extended absence while [REDACTED]. Beyer encouraged the students' mother to "transfer" the students to homeschool so that absences would not "count against them" and directed one of the student's teachers to send home for the next two weeks. When Beyer was presented with emails showing he condoned these practices, he admitted "Clearly, I did break the policy." At the same time, Beyer believed it was unfair that Ogden was being investigated for attendance issues when other schools were doing the same thing and had far worse attendance issues.

The OIG also recommends weighty discipline, up to and including termination, for [REDACTED] because the OIG found that in the case of at least two students, [REDACTED] advised their parent to unenroll them because of an extended absence due to a family trip to [REDACTED]. This occurred even after [REDACTED] received direction from Howard and Mohammed in September 2016 that such absences were to be marked as unexcused. The OIG is stopping short of recommending termination for [REDACTED] primarily because the OIG found fewer documented instances of attendance fraud involving [REDACTED] than [REDACTED].



The OIG recommends appropriate discipline for [REDACTED] and [REDACTED] because they failed to verify out of district transfers and input Code 33 and Code 40 transfers despite knowing that students were not actually transferring to another school.

During the course of this investigation, Ogden's administration and staff demonstrated a lack of familiarity with the district's policies regarding extended absences, use of transfer codes, proper record keeping for transfers, and homeschooling. As such, the OIG also recommends that all clerks and administrators at Ogden, including any of the subjects of this investigation should they remain employed at Ogden, undergo training on all of these topics.

INVESTIGATION

A. BACKGROUND

Nearly all of the Ogden staff and administration interviewed for this investigation acknowledged that, in the past, it was a common or regular practice to unenroll students during periods of extended absence to avoid a large number of unexcused absences. They even acknowledged that the practice continues to occur at Ogden, although they claim that this is not condoned or encouraged by Ogden's administration or staff. Ogden's administration was on notice at least as early as September 2016 that this practice was prohibited.

Specifically, in September 2016, Ogden Principal Michael Beyer and Ogden [REDACTED] [REDACTED] sought guidance from Executive Director of Education Policies and Procedures, Tony Howard, and Senior Manager of Attendance and Truancy, Zakieh Mohammed. [REDACTED] asked for guidance on what to do with parents who take their students out of school for more than two weeks at a time. Howard said short of marking the student with unexcused absences, there is very little they can do and that the student remains on the school's roster even if the student leaves for more than a month, if the parents tells the school where the student is going. Mohammed noted that in cases where a student leaves the country for several months, the parent may want to enroll in the other country and re-enroll upon returning. However, she said that this is not something that CPS would do, but rather something the parents may consider doing.

Separately to Beyer, [REDACTED] later noted: "I pushed for guidance on the students who are absent for extended period of time. I was wrong, they can't unenroll and reenroll -they are just absent." Beyer responded: "I agree. What you wanted to do is what MANY schools do, but I've never heard of one getting busted for it. This being Ogden, I'd like to play by the rules. Once things calm down we can work on this."

As discussed in more detail below, despite receiving specific guidance that the practice was not allowed and Beyer claiming he wanted "to play by the rules," Ogden administration and staff continued to unenroll students with extended absences to avoid a large number of unexcused absences.

B. BACKGROUND INFORMATION REGARDING WITHDRAWAL CODES

The Board's policy on absenteeism and truancy provides that "students are to be removed from enrollment when they transfer to a different school (including home school) or graduate" but that students "may not be removed from enrollment solely because of excessive unexcused absences, i.e., truancy, (for example, 20 consecutive unexcused absences)." (Board Report 06-0222-PO2, § 703.1(VII)(A), (D)(1).)

According to the *Quick Guide to CPS Enrollment and Leave Codes*,¹ IMPACT SIM is the "official and legal 'system of record' for CPS." When a CPS student transfers from a school, school personnel must enter into the IMPACT SIM database a numerical "leave code" that specifies the reasons for and circumstances surrounding the student's transfer. Additionally, the *Guidelines for Attendance Improvement and Truancy Reduction in Chicago Public Schools* state: "Use of Enrollment/Withdrawal Codes are legal entries and must reflect the true status of the child." Two of these codes are central to this investigation — Code 33, which is entered when a student is transferred to a public or private school located outside of the city of Chicago and Code 40, which is entered when a student is transferred to homeschool.

In order to use Code 33, the *Quick Guide* provides that the parent/guardian must request a transfer from the Sending School "in writing." Alternatively, the Sending School receives a written request for records from the Receiving School. Regardless of the type of request, it must be maintained in the Sending School records. Leave code 33 requires subsequent verification and the *Quick Guide* emphasizes that a "parent telling you where they are going is not sufficient for verifying a transfer." Additionally, the *Guidelines for Attendance Improvement* notes that unverified out of district transfers will generate a CPS Dashboard data quality index (DQI) error and if such errors are not resolved by the end of the school year, they count as dropouts against the sending school.

The *Quick Guide* also notes that effective for the 2017-18 school year, the following "attestation language" has been added to remind users that they must have supporting documentation on file for students whose transfer is verified:

By verifying a student's out-of-district transfer record, you are confirming that you are entering accurate information about the student's transfer to another school and that necessary, supporting documentation exists, such as a written request for records from the

¹ Version 2.1 dated September 30, 2017 is cited and available at https://impact.cps.edu/downloads/SIM_EnrollmentandLeaveCodeQuickGuide.pdf. This version is substantially similar to versions used during the prior two school years.

receiving school indicating enrollment or written notification from the receiving school that the student has enrolled at the receiving school. In instances where the student has moved out of the country, the school must have written confirmation that a student has emigrated to another country. Note that falsification of student records is against the law and CPS Policy. Documentation must be maintained per Board Policy 706.1 Student Records Retention and are subject to internal audit.

While Code 40 transfers do not require subsequent verification, in order to use Code 40, the *Guidelines for Attendance Improvement* provide that the sending school must keep on file a written, dated and signed statement from the parent/guardian indicating that they will be responsible for their child’s education. The *Quick Guide* also notes that the parent/guardian is encouraged to provide a letter which describes the manner in which the parent/guardian will be instructing the child at home.

C. REVIEW AND ANALYSIS OF OGDEN’S TRANSFER DATA

The OIG acquired Ogden’s transfer data for the 2015-16, 2016-17 and 2017-18 school years. The OIG then identified students who transferred out and re-enrolled at Ogden within in the same school year. The OIG identified 75 transfers from Ogden where the student was re-enrolled at Ogden within the same school year and marked as Code 33 or Code 40 transfers. The following table reflects a further breakdown of the 75 transfers:

Year	Codes 33 Transfers	Code 40 Transfers	Total (By School Year)
2015-16	33	0	33
2016-17	10	4	14
2017-18*	16	12	28
Total (By Code)	59	16	

D. REVIEW AND ANALYSIS OF OGDEN STUDENT ENROLLMENT AUDIT LISTS

The OIG reviewed Ogden’s student enrollment data for the 2015-16, 2016-17 and 2017-18 school years to determine identities of individuals, via their CPS user ID, who entered the Code 33 or Code 40 “transfers” into the IMPACT SIM database. Of

* Information current as of June 1, 2018.

these 75 transfers identified by the OIG, 20 were entered by [REDACTED] and 14 were entered by school [REDACTED]. The remainder of these transfers were entered by individuals who no longer work at Ogden.

E. OGDEN'S ATTENDANCE RATE

CPS calculates rates of attendance as the number of days students were present at school divided by the number of days that students should be in attendance. Ogden's attendance rates for 2015-16, 2016-17 and 2017-18 school years calculated by Dashboard are set forth in the table below:

School Year	Attendance Rate
2015-16	95.0%
2016-17	94.8%
2017-18*	95.4%

F. REVIEW AND ANALYSIS OF STUDENT ENROLLMENT AND ABSENCE INFORMATION

The OIG reviewed student cumulative files at Ogden for the purposes of obtaining student enrollment and absence information for the 2015-16, 2016-17 and 2017-18 school years. The OIG also obtained and reviewed related emails. These documents show repeated instances where students were unenrolled, at the recommendation or behest of Ogden staff and administration for periods ranging from as little as one week and as long as four months, when they would otherwise be marked as absent and unexcused. For at least 14 students, the OIG found documents showing that Ogden staff and administration marked the student as a Code 33 or Code 40 transfer when they clearly knew the student was not actually transferring, but rather, taking some sort of extended absence (typically an extended family vacation). In the case of the remaining students, the OIG could find little or no documentation or explanation of the coded transfer. Despite the absence of documentation, the OIG identified at least 27 other questionable transfers, which, given their brief duration coinciding with the school's winter or summer vacations, raise the likelihood were actually extended absences rather than actual transfers. A more detailed summary of the documented and undocumented "transfers" follows:

* Information current as of June 1, 2018.

1. Documented Extended Absences

In the case of 14 students, the OIG found that Ogden learned of an upcoming extended absence through school absence forms or conversations with or emails from parents. Instead of marking these students as absent unexcused, they were unenrolled. (Some students were unenrolled and re-enrolled multiple times.) This group of students can be summarized as follows:

	Student	Date(s) Unenrolled	Date(s) Re-enrolled	Leave Code	Reason for Absence
1.	[REDACTED]	[REDACTED]	[REDACTED]	33	Annual family trip to [REDACTED]
				33	
				33	
2.	[REDACTED]	[REDACTED]	[REDACTED]	33	Annual family trip to [REDACTED]
				33	
3.	[REDACTED]	[REDACTED]	[REDACTED]	33	Observance of religious holiday and family wedding in [REDACTED]
4.	[REDACTED]	[REDACTED]	[REDACTED]	40	Temporary absence
5.	[REDACTED]	[REDACTED]	[REDACTED]	40	Family trip to [REDACTED]
6.	[REDACTED]	[REDACTED]	[REDACTED]	40	Family trip to [REDACTED]
7.	[REDACTED]	[REDACTED]	[REDACTED]	40	Family trip to [REDACTED]
8.	[REDACTED]	[REDACTED]	[REDACTED]	40	Family trip to [REDACTED]
9.	[REDACTED]	[REDACTED]	[REDACTED]	33	Visa renewal in [REDACTED]
10.	[REDACTED]	[REDACTED]	[REDACTED]	33	Visa renewal in [REDACTED]
11.	[REDACTED]	[REDACTED]	[REDACTED]	33	Visa renewal in [REDACTED]
12.	[REDACTED]	[REDACTED]	[REDACTED]	33	Visa issues
13.	[REDACTED]	[REDACTED]	[REDACTED]	40	Absence due to [REDACTED] [REDACTED]
14.	[REDACTED]	[REDACTED]	[REDACTED]	40	Absence due to [REDACTED] [REDACTED]

Nearly all of these 14 student unenrollments involved noteworthy communications showing that Ogden administrators condoned, orchestrated, or suggested unenrollment as a means to avoid unexcused absences. Briefly, the key communications can be summarized as follows:

a. [REDACTED] and [REDACTED]

[REDACTED]'s parents contacted Beyer in November 2015, notifying him of an annual family trip to [REDACTED] beginning during the Christmas holiday that would result in ten days of unexcused absences. In an email dated November 4, 2015, Beyer responded to the parents: "we cannot stop families from taking trips, but we cannot excuse absences according to CPS policy...it can affect a school's rating, which is why we strongly discourage absenteeism of any kind." Later that day, he wrote: "If you decide to transfer [REDACTED] out during that period, you will simply re-enroll [REDACTED] when you return. No change of status would occur." The same day [REDACTED]'s father responded: "If this is something that would help the school, and is relatively simple, we would be interested to do this." Attendance records reflect similar periods of unenrollment for [REDACTED] and [REDACTED] in the subsequent two school years. The few records the OIG could find regarding their transfer showed that the [REDACTED] "transferred" to [REDACTED] which the OIG discovered is not an actual school, but rather, a country club in [REDACTED]

In June 2017, the [REDACTED] requested Principal Beyer provide a letter of enrollment and attendance for the 2015-16 school year so that [REDACTED] and [REDACTED] could apply for [REDACTED] citizenship. Beyer provided a letter saying that [REDACTED] had been "consistently enrolled and attending" Ogden from 7/1/16 to the present and [REDACTED] had been "consistently enrolled and attending Ogden from 7/20/15 to the present. When asked about this later in an interview, [REDACTED] could not explain why he failed to mention the breaks in their enrollment.

b. [REDACTED] and [REDACTED]

On April 27, 2017, [REDACTED] emailed Beyer to tell him that [REDACTED] and [REDACTED] mother had called regarding her children being absent from the school for two weeks due to [REDACTED]. Their mother said that she had spoken with [REDACTED] who told her that as long as she can provide work permits, the children's absences would be excused. Beyer and [REDACTED] another clerk at Ogden but responded that these absences are not excused but Beyer noted "if they will be homeschooled during that time, as some [REDACTED] are, they can transfer out and it won't count against them."

A separate email thread shortly thereafter shows Beyer directing [REDACTED] to email the transfer paperwork to [REDACTED] and [REDACTED] mother, noting that the students would be homeschooled during [REDACTED]. He also directed Baylen's teacher to "send home some work for the next two weeks." [REDACTED] and [REDACTED] mother responded "by saying they are home schooled, will I have to show any evidence of this to the state?"

c. [REDACTED]

On September 20, 2017, [REDACTED] kindergarten teacher contacted [REDACTED] to ask if [REDACTED] was unenrolled due to [REDACTED] temporary absence. [REDACTED] responded that [REDACTED] was and that [REDACTED] would be re-enrolled after returning on October 2.

d. [REDACTED]

After submitting absence forms notifying Ogden of an extended absence due to a family trip to [REDACTED] on October 11, 2017, [REDACTED] mother emailed her [REDACTED] teacher [REDACTED]: "The school called me today regarding [the absence forms]. They asked me if I'll be doing any home schooling. And considering that attendance is important in your class they would unenroll [REDACTED] and enroll [REDACTED] back when [REDACTED] comes back. That makes me somewhat nervous." [REDACTED] emailed [REDACTED] asking for guidance on how to respond; Beyer was also copied. [REDACTED] responded: "We tell parents that teachers do not give grades or assignments while they travel. Otherwise we'd make it easier for parents to not have their children at school." However, the ten day unenrollment was coded as a homeschool transfer.

e. [REDACTED] and [REDACTED]

On December 13, 2017, [REDACTED] and [REDACTED]'s father emailed [REDACTED]:

As you advised me earlier, I've met with [REDACTED] in the office yesterday and filled out forms starting the process of disenrolling [REDACTED] & [REDACTED] from Ogden starting Monday, Jan 8th (their last day in school before our trip to [REDACTED] is Dec 22nd followed by winter break).

[REDACTED] told me all I need to do to re-enroll them back in Ogden when we come back from our trip on Sat Jan 27th 2018 is to have them come back to school on Monday Jan 29th 2018 and go up to their classes before 8:30am as usual, then I go to the office to do the paper work of re-enrolling them back in Ogden. Please correct me if I misunderstood anything, because it seems so simple to me than I expected [sic]....

[REDACTED] responded: "This is correct. Since [REDACTED] and [REDACTED] are already students of Ogden and they are being home schooled while in [REDACTED] the process for re-enrollment is a little easier."

f. [REDACTED]

In January 2017, [REDACTED]'s teacher alerted [REDACTED] that [REDACTED] had missed two to three weeks of school before winter break and was likely to miss another three to four weeks because of a visa renewal in [REDACTED]. [REDACTED] sought further guidance from Senior Manager of Truancy and Attendance, Zakieh Mohammed and Foreign and Exchange Student Manager Beata Arceo. Mohammed asked if [REDACTED] was receiving instruction in [REDACTED] while away ([REDACTED] did not know) but said that the student could be coded as a transfer out of country and re-enrolled upon return.

Note: This was the sole instance the OIG could identify where Ogden's administration sought further guidance on these unenrollment issues and unenrollment was permitted. [REDACTED] said that this could be coded as a transfer out of country because they did not really know the family's circumstances and whether they would actually return from [REDACTED].

2. *Undocumented Extended Absences*

The majority of unenrollments were undocumented, lacking either documentation of a verified transfer and/or documentation of the real underlying reason for the unenrollment. However, many of these undocumented unenrollments raise suspicion given their relatively short duration and because they coincided with the school's winter or summer vacation, suggesting that they were not likely valid transfers. Specifically, in the 2015-16 school year, the OIG identified 20 such instances. This group of students is summarized in the following table:

	Student	Date(s) Unenrolled	Date(s) Re-enrolled	Withdrawal Code
1.	[REDACTED]	[REDACTED]	[REDACTED]	33
2.	[REDACTED]	[REDACTED]	[REDACTED]	33
3.	[REDACTED]	[REDACTED]	[REDACTED]	33
4.	[REDACTED]	[REDACTED]	[REDACTED]	33
5.	[REDACTED]	[REDACTED]	[REDACTED]	33
6.	[REDACTED]	[REDACTED]	[REDACTED]	33
7.	[REDACTED]	[REDACTED]	[REDACTED]	33
8.	[REDACTED]	[REDACTED]	[REDACTED]	33
9.	[REDACTED]	[REDACTED]	[REDACTED]	33
10.	[REDACTED]	[REDACTED]	[REDACTED]	33

	Student	Date(s) Unenrolled	Date(s) Re-enrolled	Withdrawal Code
11.	[REDACTED]	[REDACTED]	[REDACTED]	33
12.	[REDACTED]	[REDACTED]	[REDACTED]	33
13.	[REDACTED]	[REDACTED]	[REDACTED]	33
14.	[REDACTED]	[REDACTED]	[REDACTED]	33
15.	[REDACTED]	[REDACTED]	[REDACTED]	33
16.	[REDACTED]	[REDACTED]	[REDACTED]	33
17.	[REDACTED]	[REDACTED]	[REDACTED]	33
18.	[REDACTED]	[REDACTED]	[REDACTED]	33
19.	[REDACTED]	[REDACTED]	[REDACTED]	33
20.	[REDACTED]	[REDACTED]	[REDACTED]	33

The OIG also identified a smaller group of questionably timed unenrollments in the 2017-18 school year. These unenrollments are summarized in the table below:

	Student	Date(s) Unenrolled	Date(s) Re-enrolled	Withdrawal Code
1.	[REDACTED]	[REDACTED]	[REDACTED]	33
2.	[REDACTED]	[REDACTED]	[REDACTED]	40
3.	[REDACTED]	[REDACTED]	[REDACTED]	33
4.	[REDACTED]	[REDACTED]	[REDACTED]	33
5.	[REDACTED]	[REDACTED]	[REDACTED]	40
6.	[REDACTED]	[REDACTED]	[REDACTED]	33
7.	[REDACTED]	[REDACTED]	[REDACTED]	33

3. Review and Analysis of Ogden's Student Transfer Records

The OIG visited Ogden to obtain student transfer records related to the 75 transfers identified and discovered that the vast majority of these transfers lacked documentation. Indeed, the OIG only found transfer forms and cards for seven students in the 2016-17 school year. Looking further at the underlying documents in

these transfer files, it does not appear that Ogden maintained the required documentation that the transfer was verified, such as a written request for records from the receiving school indicating enrollment, written notification from the receiving school that the student has enrolled at the receiving school or written confirmation that the student has emigrated to another country.

Three of the documented transfers do not even appear to be valid transfers to actual schools. Two of these transfer files relate to [REDACTED] and [REDACTED] who "transferred" to a country club in [REDACTED] during a family trip; the third transfer file indicated that the student, [REDACTED] was not transferring to another school but rather, returning to [REDACTED] temporarily for a visa renewal. Thus, at most, the OIG found evidence of four potentially valid, albeit semi-documented, transfers. The OIG did not find documentation for any of the 16 purported homeschool transfers.

G. INTERVIEW OF RICKIE WRIGHT (APRIL 11, 2018)

Rickie Wright is a school clerk assistant at Ogden. She started working at Ogden in April 2017.

In addition to being the school's attendance clerk, her responsibilities include registering all students, managing student transfers, and assisting the school's two other clerks, Rosa Mora and Marisol Ramos. Wright also edits attendance codes if they are incorrectly entered by teachers. If a student's attendance is really bad, Wright will notify either Principal Michael Beyer or [REDACTED]. If a student is going to be out on a trip or vacation, the teachers notify Wright and Wright communicates either to the teacher or to the student's parents that the attendance will not be an excused absence.

When Wright was trained by Ogden's West Campus Clerk Sylvia Hernandez, she was told that the protocol for extended vacations was to transfer the student out of the school during the vacation and re-enroll the student upon return. Wright was also told that this was the practice of her predecessor, Gustavo Del Real. Wright did not know how students were transferred out of the school for vacations because transfers were largely handled by Mora, but she believed that students were either shown as transferring into another school or homeschooled. Wright knew that that when students were out for extended periods of time, they continued to receive assignments from their teacher, but she did not know if teachers assigned work for students if they transferred to homeschool.

Wright attended a network training for clerks in October or November of 2017. There she learned that students have been marked as having an unexcused absence when on vacation. She also learned that schools are not allowed to transfer students

out for vacation. Wright is relatively new and depends on other clerks to tell her how to do things; when asking other clerks, they also told her that students on vacation should be marked as absent unexcused. Wright believed that a student's parents had to prove that the student was transferred into another school or actually being homeschooled in order to process the transfer, but she thought [REDACTED] would know more.

H. INTERVIEW OF ROSA MORA (APRIL 11, 2018)

Rosa Mora is a school clerk assistant at Ogden. Mora assists with enrollments when lead enroller Rickie Wright is unavailable. She also processes the paperwork when students transfer out of Ogden. Mora was trained by Gustavo Del Real, the previous school clerk, and she also attends annual trainings.

If parents want to transfer their child out of Ogden, they must fill out a three-page transfer form. The form indicates the date the student is leaving, the school to which the student is transferring, the date of filing, and the intended date of transfer. The form does not require authorization by Principal Michael Beyer or [REDACTED] for the transfer to be completed. Transfer records are maintained in binders in the main office of Ogden. Once the parents authorize the transfer, the clerk can process the transfer the same day. The day the student transfers is the day the student is taken out of the school's enrollment.

If a student goes on vacation, the student remains enrolled and is marked as absent. Ogden has an online form parents can use to notify the school, but those days count as absences. If parents ask for a transfer or have a letter, school clerks cannot ask questions; otherwise, the student is recorded as absent.

[REDACTED] is adamant that students traveling on school time should be marked as absent unexcused. Mora said that sometimes parents get upset when she tells them that students are not supposed to travel during school time and will be marked as absent unexcused. Mora has never heard [REDACTED] or Beyer advise a parent to unenroll a student while the student is on vacation. However, Mora is not involved in the conversations because parents discuss such matters with just [REDACTED] or Beyer.

Mora was aware that parents transfer students in and out of Ogden regularly but she did not know why. She also did not know why parents might unenroll from the school temporarily to go on vacation. She estimated that approximately 20 students unenroll and re-enroll in the same school year. Parents who transfer their student out temporarily get angry because when the student returns, they need to provide all of the documentation as if the student is a new enrollee. Mora did not know what

parents tell teachers when parents unenroll a student temporarily. She only becomes aware of the transfer when the student returns and Mora is told to re-enroll the student.

Mora was personally aware of at least two families who transferred their students when the families went out of town. She could not remember the name of one family, but the family's surname began with a [REDACTED] and they had [REDACTED] students enrolled at Ogden, [REDACTED] and [REDACTED] or [REDACTED] (she was not certain of the name). She also mentioned the [REDACTED] who have two students enrolled at Ogden. The family goes to [REDACTED] every year around December and they transferred their children either to a homeschool or school in [REDACTED].

I. INTERVIEW OF CARA KRANZ (APRIL 13, 2018)

Cara Kranz is the assistant principal at Ogden's East Campus. Kranz reports to Principal Michael Beyer, but she is also Head of School, which means that she is responsible for running the school when Beyer is not physically present at the East Campus.

Kranz is only involved with enrollments during kindergarten registration week. Grades one through five enroll with the clerk in Ogden's office on an as needed basis. If a student transfers out, they go to the office and request a transfer. The transfer form does not require approval from Kranz or anyone else. Kranz did not know if the form is required for student transfers within the district. She also did not know what records were required to verify if a student is homeschooled or what a previously homeschooled student would submit before enrolling in a high school.

Counselor Allison Potter is the point of contact for all records at Ogden and she is responsible for sending student records to the receiving school. When parents give Ogden the name of the next school, the school sends records to the school. However, this is also dependent on the parents and the type of transfer. Student records sent within CPS are mainly electronic. If the parents request a packet with the student's records, it is generally faxed. Sometimes parents will request that they personally take the documents to the new school; this usually occurs with international transfers.

When asked if she was aware of students transferring out of Ogden and returning within the same year, Kranz stated that the [REDACTED] family left for another CPS school and then decided not to sell their condo, so they remained enrolled.² Some families

² Enrollment records obtained by the OIG show that [REDACTED] and [REDACTED] were unenrolled November 27, 2017 and re-enrolled April 10, 2018. Although this was marked as a Code 33 transfer, the OIG did not find any transfer documents or files associated with the transfer.

have parents that work internationally and spend periods of time outside of the country.

When students plan to go on extended vacations, parents are told the absence is unexcused and that, depending on the length of time, they will receive five-and ten-day letters. Parents are also told it is not in the child's best interest. Kranz has never advised parents to enroll in another school while traveling. She said it is against the school's policy to give makeup work for extended unexcused absences. If a student is homeschooled, they do not receive assignments because it is the responsibility of the homeschool. Kranz was aware there are CPS guidelines related to homeschooling but she could not recall them specifically.

Kranz could not recall [REDACTED] and [REDACTED] or [REDACTED] and [REDACTED] unenrolling and re-enrolling in the same year. She did recall that a family, possibly the [REDACTED] spent half the year in [REDACTED] and that the children enrolled somewhere in [REDACTED] while the father received [REDACTED] there. She also recalled that a family from either [REDACTED] or [REDACTED] had an issue with their visa and she had to contact the Central Office to figure out what to do, but she could not recall the family's name.

When asked if she recalled students unenrolling from Ogden to [REDACTED] Kranz said she did not know. She recalled that Ogden has a few [REDACTED] and that a student with a work permit may have moved to [REDACTED] or [REDACTED] out of state. She also mentioned that [REDACTED] was in a [REDACTED] as part of [REDACTED] [REDACTED] and missed a lot of time because of the [REDACTED]. Another girl was a point of concern for the same reason, but Kranz believed she transferred out. This year, the administration has been marking these absences as unexcused to discourage students from missing school.

Kranz said Ogden is not purposefully using transfers for student vacations; the emphasis has always been on good attendance. Every transfer out of Ogden has been voluntary and a decision made by parents, with the exception of one incident where a student was transferred out due to a DCFS issue at home. Many Ogden parents know CPS's policies very well and it would not be beyond them to transfer a student out temporarily to avoid absences. Parents are told when they unenroll from Ogden that they are not guaranteed to attend the same class should they return.

A few years ago, the previous principal at Ogden was removed as a result of an OIG investigation. The school went through five principals in three years. The loss in stability undermined the systems in place. Kranz believed that, in the past, before Beyer became principal at Ogden, there was a practice of clerks unenrolling students that were planning on being absent for extended periods of time.

Clerks are trained annually at the Network or Central Office. Network 6 has had some recent instability; there has been less training, but the annual training still occurs. Each instance that Kranz knew about in which a student transferred out and back into Ogden within the same year was distinctly different. Kranz thought it was possible that the clerks do not know how to do this correctly, but also believed there was an opportunity to fix things. She also thought the clerk and clerk's assistant understand the policies related to attendance and enrollment but she was concerned that the OIG's investigation was "freaking people out" at Ogden.

J. FIRST INTERVIEW OF MICHAEL BEYER (APRIL 13, 2018)

Michael Beyer is the principal of Ogden. Beyer is in his third year at Ogden.

Beyer was aware that in the past, students regularly unenrolled and re-enrolled at Ogden to avoid having unexcused absences on their attendance. This was a habit from one of Ogden's prior administrations which carried over into the beginning of Beyer's time at Ogden. When Beyer first discovered the practice, he found it alarming and told the clerk at the time, Gustavo Del Real, that it was not allowed. Beyer said one major issue was that many staff members at Ogden did not know what they were supposed to be doing and were unfamiliar with CPS policy. He named two clerks in particular, Del Real and Norma Chavez, as being an issue. In his second year, he brought in new clerks, as well as [REDACTED].

Beyer knows that students temporarily unenrolling to avoid unexcused absences is still happening, but the Ogden administration is not recommending or encouraging the practice. Ogden is always trying to reach 95% attendance, but falling short. Ogden's administration does not care if an absence is excused or unexcused; they just do not want absences. [REDACTED] has had some success with incentives for attendance on Friday and Beyer has worked with Senior Manager of Attendance and Truancy Zakieh Mohammed to create a "nudge letter" in order to guilt parents into making sure their students attend. However, Beyer is a cynic who believes reaching the District's standard of 96% attendance is not possible and he thinks that parents, especially at Ogden, do not like to be pushed.

Beyer was unsure when he first learned it was impermissible to unenroll students on extended personal leaves, but he believed it would have been when he was a principal at Morrill Elementary School. He was also unsure whether he had explained to parents that they cannot unenroll temporarily for travel, but he has always tried to encourage parents to plan their travel around the CPS calendar. Beyer is not aware of any students unenrolling and re-enrolling at Ogden for personal travel during this school year. However, he did know that the [REDACTED] family

had students transfer back into Ogden recently, but he believed their reasons were legitimate.

Ogden has a transient population with its proximity to consulates in a neighborhood of international people. Beyer does not view transfers as good or bad but just the nature of having a transient population. He was aware that transferring a student out of Ogden during a time in which the school knows that they will not be there could increase attendance.

Initially, Beyer could not recall the [REDACTED] family or Ogden students [REDACTED] and [REDACTED]. Beyer was then shown an email in which he explains to their mother [REDACTED] that students cannot have unexcused absences for travel but that if she were to transfer her daughter out, there would be "no change of status." Beyer sent this email during his first year at Ogden and he distinctly remembers someone told him that what he is describing in the email is not above board. Beyer admitted: "Clearly, I did break the policy." Beyer said off the top of his head, he is not aware of the [REDACTED] continuing to go on an annual trip.

Beyer was then shown an email in which [REDACTED] requests assistance from the Executive Director of Education Policies and Procedures and Mohammed. Beyer and [REDACTED] sought policy guidance from Howard and Mohammed because someone said they were leaving the country for two months, not for a vacation. More specifically, after getting guidance from Howard and Mohammed, [REDACTED] wrote to Beyer on September 8, 2016: "I pushed for guidance on the students for extended period of time. I was wrong, they can't unenroll and re-enroll - they are just absent." Beyer responded "I agree. What you wanted to do is what MANY schools do, but I've never heard of one getting busted for it. This being Ogden I'd like to play by the rules. Once things calm down we can work on this."

Beyer acknowledged that the email did not look good. Still, he agreed with his statements in his email that other schools were unenrolling and re-enrolling students to get around attendance requirements. He is suspicious of other schools that suddenly went from 95% to 96% attendance as soon as the district began expecting 96% as the new perfect SQRP score. He recommended the OIG look into which schools recently rose to 96% attendance.

Beyer was uncertain if any students unenrolled from Ogden to [REDACTED]. He said he made a clear policy that teachers not send work home for absences because it creates more work for teachers; not allowing students to do assignments while absent also discourages absences. Beyer knew teachers sent students home with makeup work when he started at Ogden, but he changed the policy. Students who transfer to homeschool would not receive school work from Ogden.

The OIG then presented Beyer an email regarding students [REDACTED] and [REDACTED] temporarily transferring to homeschool to [REDACTED]. Beyer was copied on the email and only wrote "thank you." In this instance, he said a counselor and parent decided to transfer the students out of Ogden. Instances like this are different because parents are very insistent. Although the Ogden administration can tell them the policy, ultimately it is the parents' decision. Beyer was not aware of Ogden requesting any information to verify that a student is actually homeschooled.

Beyer did not know the policy on foreign transcripts or if information is requested when a student transfers from outside of the country. He also did not know how kindergarten through eighth grade transcripts are handled domestically either. He knows that all of the information a student needs to enroll can be found on the school's website. He did not know if students need to submit enrollment paperwork if a student was previously enrolled at Ogden less than a month before.

The OIG showed Beyer emails regarding [REDACTED] and [REDACTED]'s mother requesting school enrollment and attendance information to apply for [REDACTED] citizenship. Beyer was also shown a letter in which he indicates that [REDACTED] and [REDACTED] have been "consistently enrolled and attending our school" since 7/1/2016 and 7/20/2015, respectively. Beyer could not recall whether he or his clerk wrote the enrollment dates, nor could he recall why he left off the breaks in their enrollment.

Beyer may not have put it in an email but he was confident he made it clear to his staff that they should not unenroll students for attendance purposes. Beyer does not delve down into verifying that students have been transferred to the school where they are supposed to have gone. He knows that Ogden had to send records to the receiving school and assumed the clerk took care of this. Beyer believed he either dropped the ball and did not make policies clear to his staff or it was momentum from the way things were previously run at the school. He hopes that the clerks are aware of this policy but the OIG's investigation made him doubt this.

When asked if he had anything else he would like to share with the OIG, Beyer stated "I messed up; I'm sorry." Beyer knew when coming to Ogden, his actions would be under a magnifying glass but his administration is not trying to cheat the system.

Following this interview, Beyer sent an email on April 15, 2018 requesting to meet with the OIG again. On April 18, 2018, Beyer sent an email to the OIG forwarding additional student records for Ogden students [REDACTED] and [REDACTED] that he said show they enroll in a school when their mother is working abroad. The student

records he forwarded were diplomas from [REDACTED]. On April 19, 2018, Beyer sent a third email to the OIG stating he believed there was no need to meet again. These emails are included in the OIG's investigative file.

K. INTERVIEW OF ALLISON POTTER (APRIL 24, 2018)

Allison Potter is a school counselor at Ogden. She has been at Ogden for two years.

She is also involved in record keeping when the students transfer out of the school and their file becomes inactive, as well as receiving student information from other schools when a student transfers into Ogden.

When a student transfers into Ogden, Potter requests the student's cumulative file, medical file, and any documents related to the student's special education from their last school. The documents requested are generally the same regardless of whether the transfer is within the district. If a school is not responsive to a request for records, Ogden will contact them again by phone. However, the student will still be enrolled at Ogden if the parents are able to produce two proofs of address, the student's birth certificate, and a parent's photo identification. Students must also complete the school's enrollment in addition to other forms if necessary.

If a student transfers from Ogden into an out of district school, Potter is notified of the transfer from Ogden's main office and she sends responses to record's requests from the receiving school upon receiving the request. To Potter's knowledge, the receiving school always requests student information.

Potter did not know why students transfer out of Ogden and transfer back during the same school year. Many of the students at Ogden come from international families and they often go on a trip or have work or family situations. In general, Potter estimated that about fifteen students a year leave Ogden's enrollment and come back within the same year without transferring to a new school out of district or out of country.

Potter did not recall any students transferring back into school from homeschool. She was then shown SIM enrollment information for [REDACTED] and [REDACTED]. Potter recalled these students but did not realize that they were transferred to homeschool. Potter was not aware why they transferred. She is not commonly told why a student transfers out of Ogden. When a student transfers out of the school, the office handles it and Potter does not typically talk to the families unless there is a

³ Subsequently the OIG learned that [REDACTED] is not actually a school but rather, a country club in [REDACTED].

counseling issue. Potter is not told which code is used when a student transfers out, but she can access those codes if she needs it.

Potter said that the only reason she is notified if a student transfer back into Ogden is if the main office needs the inactive file. Otherwise, the transfer is handled by the main office. When asked if a student leaves enrollment for Ogden for three weeks in order to travel, does Potter need the file from the previous school, Potter stated she does not. When asked how long a student needs to be removed from enrollment before information will be requested from the previous school, Potter stated she was not sure. She said she does not really handle that, the office staff would look into that. She receives paperwork when the student transfers out and then receives record requests from the receiving school. Potter was not sure if a receiving school would send a request for documents if the student is only going to be gone a short time.

Potter was not aware of rules regarding students temporarily transferring outside of school or circumstances where that would be prohibited by CPS policy. Potter was not aware of a burden of proof necessary to prove that a student who is transferred out of Ogden as a Code 33 actually enrolled at another school, but the office staff would handle that. She also could not recall any conversation with Beyer or [REDACTED] about students unenrolling or re-enrolling at Ogden for travel.

L. SECOND INTERVIEW OF MICHAEL BEYER (MAY 16, 2018)

Beyer was interviewed at the OIG's office on May 16, 2018; CPAA attorney William Quinlan was also present at the interview.

Beyer was read an excerpt of an email he sent the OIG on April 19, 2018. The excerpt read as follows:

I went through all of my email and I am confident that over the past three years we have done our best to improve our practices to ensure we are following all policies to the best of our ability.

Beyer said after reviewing his emails, he was unable to find any in which he discussed the prohibition of unenrolling students for the purpose of travel. He did, however, recall having a conversation with former school clerk Gustavo Del Real where he told Del Real that they cannot unenroll and re-enroll students as he had previously done. Beyer did not think he ever documented these conversations with Del Real because it was relatively minor compared to other issues. He did not recall discussing these issues with any of his other administrative assistants until after he was made aware of the OIG's investigation.

Beyer talked with Mohammed, Howard, and Arceo but no one could tell him what the policy is for homeschooling.⁴ He questioned whether those who monitor policy are certain of the policy themselves. Based on his review of state law, he believes the burden of proof for homeschooling and student transfers is on the parents. His understanding is that the parents need to maintain their own student information and elementary schools are held to a lesser standard than high schools.

Beyer was shown the [REDACTED]'s diplomas from a [REDACTED] summer school, [REDACTED]. Beyer previously provided these diplomas to the OIG following his prior interview. He acknowledged that this school is not a homeschool but, to his knowledge, the [REDACTED] received an education while in [REDACTED]. The diplomas are the only information, to his knowledge that Ogden received for the [REDACTED] school. Anything else would be in student file. He did not know if Ogden sent any records to the school in [REDACTED]. Ogden only sends records to the receiving school upon request and often these files are not requested.

Beyer did not review the diplomas before forwarding them to the OIG. He reviewed the student files for [REDACTED] and [REDACTED] and forwarded the diplomas after finding them in their student files. Beyer was shown an itinerary for [REDACTED]'s summer school program. He was not aware that [REDACTED] is country club in [REDACTED] or that the diplomas reflected an education in activities like golf and tennis. He stated that the students could have been homeschooled in [REDACTED] during this time and that he believed, per state law, that the parents were responsible for ensuring their children's education.

Beyer believes the idea that he is being investigated for attendance related issues is ironic given that he previously wrote up Ogden High School's [REDACTED] for "counseling out" two students with low attendance and performance, a clear violation of CPS policy.⁵ Beyer believes it is unfair that Ogden Elementary is the focus of an investigation related to attendance when so many other schools have attendance issues that are far worse.

M. TELEPHONE INTERVIEW OF ZAKIEH MOHAMMED (JUNE 25, 2018)

The OIG interviewed Zakieh Mohammed by telephone on June 25, 2018.

Mohammed stated that it is not permissible for students to unenroll for the purpose of vacation. Mohammed knows that students have temporarily been removed from

⁴ Beyer provided emails related to these discussions to the OIG. These emails are in the OIG's investigative file.

⁵ Beyer is currently being investigated by the EOCO due to [REDACTED]'s discrimination claims against him.

enrollment for the purpose of vacation, but it is not allowed and the district does their best to catch it when they can. She noted this is frequently an issue around holiday breaks when students are going to be gone for a couple weeks and the parents look to extend their winter vacation by an additional week by unenrolling. However, schools know that students cannot be unenrolled for the purpose of vacation and are reminded of this during trainings provided by the Office of Student Support and Engagement.

Historically practices have been “grey,” but Mohammed was confident that schools know that students who travel are still the school’s student. Schools regularly call Mohammed’s office with questions regarding attendance, sometimes on behalf of parents to confirm what the schools already know. In instances of things like an extended trip during the school year, Mohammed always advised that the child is still the school’s student and the school cannot withdraw the student.

The parents are responsible for student enrollment and can sometimes be creative in how they attempt to comply with CPS policies. Mohammed recalled one instance in which parents wanted to partially homeschool their gymnast daughter, allowing her to leave an hour early everyday so she could attend practices. There is no such thing as a partial homeschool. Students can either be homeschooled or enrolled at a school, but they cannot do both. Even if parents are attempting to find ways around CPS policy, the schools are responsible for educating the parents and remaining compliant. It is the school’s responsibility to ensure that students receive the required 300 minutes.

Mohammed said a student can be removed from the school’s enrollment, but the student must be deemed unable to locate, as in the child is missing. In such instances, a missing person’s report would need to be filed before the transfer could be coded as a Code 86 Lost Child transfer. This requires an investigative process to locate the child consistent with CPS protocol. If at any point as part of the investigation, someone is able to make contact with the student, the student is returned to the school’s enrollment as the student is no longer considered missing. Mohammed noted that in general this code is used infrequently and that it has become more difficult in recent years to use the code. The intent of the process is to locate a child as matter of safety. Generally, the code is used infrequently.

Mohammed said there is sometimes a lack of information provided when a student is transferred in or out of CPS. CPS is often surprised to learn how little information is recorded about a student when they attend schools in other districts. Student with STLS status do not need to provide transfer information to attend CPS and often do not. If the student transfers out of the country, the family may be “in the wind,”

leaving the school with little more information than that they student transferred to Mexico, for example. However, the schools are still required to do their due diligence and learn as much information as possible before determining that it cannot find more information about the student's transfer.

All transfers out of district need to be verified by receiving confirmation from the receiving school. If these transfers remain unverified, they are flagged in Dashboard and can count against the school. In instances where a student has left a CPS school, 10-day letters are issued by certified mail if they are unable to be located. If parents provided information about the new school, CPS schools will also sometimes issue 10-day letters to the receiving school as a reminder that documents are needed in order to verify the new enrollment. This can sometimes be more difficult in instances of students moving outside of the country because the school is essentially doing an international search for a former student to verify the new enrollment. Mohammed noted that the timeframe for delivery of certified mail can vary widely so there is no set timeline for verifying transfers. CPS is dependent upon the parents and receiving school to verify the transfers.

Mohammed was familiar with instances when students needed to leave a CPS school due to visa issues, but believed them to be very rare. She could only recall two instances that have been brought to her attention. She could not recall the specifics, but both cases were referred to Newcomer Services Specialist Beata Arceo of the District's Language Department. Mohammed did not know what was decided in those two instances, but in general, Mohammed consistently advises that if a student is going out of town for several months, the parents look into where the student can attend school while away.

Mohammed recommends that parents find a new school for students who are temporarily relocating not only because the students are required to receive an education, but also because it is healthy for the students. Mohammed believes that the crux of the district's enrollment policy is the question: "Is the student receiving education?" Her office does the best that they can to put resources in place for schools and parents to know the policy.

Mohammed did not recall ever speaking with Ogden ES's administration regarding students who unenroll when anticipating being out of school for an extended period of time. Mohammed takes questions from various schools all the time and cannot recall if it was something that has come up in the past. When schools do have questions about attendance and enrollment, Mohammed does her best to answer questions in writing and to include Howard on the email as he is responsible for overseeing school enrollment. Mohammed agreed to review emails to see if she had

any correspondence with Ogden ES's staff and forward anything related to the topics discussed. Mohammed also agreed to send emails regarding the two instances of students in visa situations being transferred to Arceo. Most of her recent discussions with Ogden ES have been in regards to student inventions. Mohammed knows that schools and principals are under a lot of pressure to maintain attendance, but is not aware of any parent intentionally unenrolling students to avoid attendance penalties.

Note: After the interview, Mohammed forwarded an email from Beyer regarding international and home school transfers, as well as emails regarding instances where Mohammed referred CPS students to Newcomer Services Specialist Beata Arceo. These emails are included in the OIG's investigative file.

ANALYSIS

The OIG's investigation at Ogden has unearthed yet another scheme by CPS administration and staff to game their attendance numbers. Specifically, during the 2015-16, 2016-17 and 2017-18 school years, the OIG identified 75 instances of students who were unenrolled and re-enrolled within the same school year and coded either as an out of district transfer or homeschool transfer. In a few instances, students were unenrolled and re-enrolled multiple times in a single year or they were unenrolled and re-enrolled for several weeks around the same time each school year.

The OIG's investigation confirmed that in at least 17 instances involving 14 students Ogden's administration and staff clearly misused transfer codes to avoid unexcused absences. These students were marked as Code 33 or Code 40 transfers when in fact they were taking an extended absence for a family vacation or trip or for some other reason. The OIG also identified at least 27 additional instances of suspect "transfers" which, based on their short duration and timing coinciding with Ogden's winters and summer breaks, were unlikely to be actual transfers. The OIG did not find any transfer files associated with these "transfers."

Additionally, the OIG found that Ogden failed to verify transfers and failed to maintain proper records on its transfers. The OIG found transfer files, which were themselves incomplete, for seven students during the 2016-17 school year, although only four of these seven appeared to be valid transfers. Finally, the OIG found that Ogden's administration and staff lacked familiarity with basic policies on the use of transfer codes, proper record keeping and homeschooling.

Because of Ogden's incomplete record keeping, the OIG was unable to determine the circumstances of the remaining transfers and was unable to determine what effect, if any, Ogden's misuse of transfer codes had on its overall attendance rates. However, the OIG believes that Ogden perpetuated this unenrollment and transfer practice to manipulate the attendance numbers and protect Ogden's SQR. Emails from Beyer show that he was concerned about the effect of absences on the school's rating and in his interview he noted that Ogden is always trying to reach 95% attendance but falling short.

A. OGDEN'S MISUSE OF TRANSFER CODES

The evidence shows that Ogden administration and staff have been and continue to unenroll students temporarily to avoid unexcused absences. Students with extended absences are classified as "transferred" to an out-of-district school or "homeschooled." With the exception of [REDACTED] all of the Ogden administration and staff interviewed acknowledged that in the past it was a regular practice at Ogden to unenroll students temporarily for attendance purposes. However, they claimed that this was not the current practice at Ogden; to the extent it still occurred, they characterized it as the parents' choice and not something to be questioned.

Beyer, [REDACTED], and Potter noted that Ogden's student population is very international and as such, families have to spend periods of time out of the country. Beyer and [REDACTED] also characterized Ogden parents as savvy individuals familiar with the school's policies and they would not be surprised if parents were using a temporary transfer to avoid absences. Notwithstanding these claims, the students' cumulative files and emails from Ogden's administration and staff show that the practice continues at Ogden. In several instances, Ogden administrators and staff actively encouraged or orchestrated a "transfer" to avoid unexcused absences for students. Moreover, this practice has continued even after Ogden's administration and staff were clearly put on notice that this practice was prohibited.

The [REDACTED] are a particularly egregious and continuous example of this practice. At Beyer's suggestion, the [REDACTED] unenrolled their children as early as 2015 to avoid unexcused absences due to an extended annual family trip to [REDACTED]. Since then, the [REDACTED] have continued to unenroll their children for a four to six week period in December and January. The only evidence that the students actually transferred to a school during these periods were diplomas from a country club in [REDACTED]. At the same time, when the [REDACTED] applied for [REDACTED] citizenship, Ogden sent a letter, signed by [REDACTED], reporting that the [REDACTED] children had been "consistently" enrolled at the school. When confronted with the emails and letters related to the [REDACTED], Beyer admitted "Clearly, I did break policy."

Ogden also advanced policies that further encouraged this practice. For example, Beyer and ██████ claimed that there was a clear policy that teachers not provide missing assignments to students when absent for extended periods. (In fact, when Beyer and ██████ sought further guidance, this was a policy that Mohammed recommended that Ogden implement to discourage absences.) However, ██████, Ogden's attendance clerk, acknowledged that students continue to receive assignments from their teachers when out for extended periods of time, and the OIG reviewed emails from Ogden administrators, including Beyer, clearly directing teachers to provide missing assignments to students who were purportedly transferred or homeschooled. If the out-of-district or homeschool transfers were valid, there should be no need for teachers to provide missing assignments.

Furthermore, claims by Ogden administration and staff that this practice is driven by policy savvy or overly demanding Ogden parents simply do not hold up. ██████ and ██████ both noted that transfers do not require approval from Beyer or anyone else. This is incorrect. To the extent that the OIG was able to find transfer forms or cards for the identified unenrollments, they contained Beyer's signature, which means he either approved and signed them or that they were approved and signed for by someone else on his behalf. Additionally, the practice of a no-questions-asked transfer is against Board policy. It is "the Board's policy to limit transfers of students in the Chicago Public Schools to times in which both the students' and the schools' disruptions will be minimized." (Board Report 17-0426-PO1, § II.) "Transfers from a student's home school shall be granted at the request of a parent or guardian, when the student has been accepted for enrollment at another school." (*Id.* at § II(C)(1).) The *Quick Guide* also emphasizes that a "Parent telling you where they are going is not sufficient for verifying a transfer." Also, as Mohammed noted, even if parents attempt to find ways around CPS's policies, schools are still responsible for educating parents and remaining compliant.

Indeed, at least some parents expressed skepticism or concern about the practice. The OIG's investigation was triggered by a concerned parent who reported that another parent at Ogden was told it was the school's policy that she would have to unenroll her son for a three day family trip. The OIG also found emails from parents asking questions like whether they would be required to prove to the state that their children were actually homeschooled, whether the students would be returned to their original classroom, and whether they were missing anything because the procedure just seemed so "simple."

B. LACK OF PROPER RECORD KEEPING FOR TRANSFERS

Ultimately, the OIG was unable to identify the circumstances for a majority of temporary unenrollments due to a lack of records. The *Quick Guide* states that all transfers must be in writing and that per ISBE requirements, transfers out of district must be verified. Verification requires supporting documentation, such as a written request for records from the receiving school indicating enrollment or written notification from the receiving school that the student has enrolled at the receiving school. "In instances where the student has moved out of the country, the school must have written confirmation that a student has emigrated to another country."

Presumably, if any of the identified transfers had been valid, Ogden would have transfer forms, records requests from the receiving school, and the re-enrollment forms would include the name of the school transferring the student back to Ogden. In fact, Potter, the point of contact for records at Ogden, said that to her knowledge, the receiving school always requested student information. However, the OIG requested enrollment, attendance, and transfer records from Ogden and found little or no documentation for the vast majority of the purported transfers. Indeed, the OIG found transfer files and cards for only seven students during the 2016-17 school year. Of these seven transfers, only four appeared to have some validity, albeit incomplete files. Three of these "transfers" were clearly done to avoid unexcused absences.

Finally, to the extent a student "transferred" to homeschool, their parent/legal guardian is required to complete a "Statement of Assurance for Parent Taught Home Instruction" and a "statement indicating the manner in which the child will be instructed at home." (Board Report 05-1116-PO2, § II.) The OIG found no evidence that Ogden requested or maintained these documents from the parents or legal guardians of the 16 students marked as Code 40 homeschool transfers.

C. LACK OF PROPER TRAINING OR FAMILIARITY WITH BASIC POLICIES

The Ogden administrators deferred to their office staff to worry about the technicalities of transfer paperwork and coding and assumed the staff knew the correct policies, even while they had a poor grasp of the policies themselves. Indeed, when questioned about the procedures for transfers, homeschooling, and the requisite record keeping for each, Beyer, [REDACTED] and Potter were unfamiliar with and could not explain key aspects of the procedures. [REDACTED] first became aware that it was impermissible to unenroll students on extended absence when he was previously a principal at Morrill Elementary School. At various points, Beyer and [REDACTED] also sought further guidance from Howard and Mohammed about attendance issues and emails show that, at a minimum, Beyer and [REDACTED] were put on notice as

early as September 2016 that unenrollments for attendance purposes is impermissible. Still, the practice continued.

██████████ and ██████████ said they attended an annual training and received training from other clerks. ██████████ said she did not know that schools are not allowed to transfer students out on vacation until she attended a training in October or November 2017. She also said she did not know how students were transferred out for vacations because transfers were largely handled by ██████████. ██████████ claimed she transferred and enrolled students as she was told and clerks cannot ask questions if parents request a transfer or have a letter. At the same time, it seems implausible that ██████████ and ██████████ could feign ignorance about CPS's policies regarding the proper use of transfer codes, verification of transfers, and proper record keeping for transfers, given that attestation language in the SIM IMPACT database now reminds users that they must have supporting documentation on file verifying the transfer and that the falsification of student records is against the law and against CPS Policy.

Potter, who ██████████ identified as the records point of contact for Ogden, was unaware of rules regarding temporary transfers or circumstances that would be prohibited by CPS policy. Nor was she aware of the burden of proof necessary to show that a student who is transferred out of Ogden as a Code 33 actually enrolled at another school.

Beyer could not find any emails making it clear to staff not to unenroll students for attendance purposes but Beyer and ██████████ believed the clerks knew the proper procedures. At the same time, they both acknowledged that there were possible bad habits or procedures that were holdovers from prior administrations and ██████████ noted that recently, due to some instability in Network 6, there have been less trainings. Beyer also admitted "I messed up" and acknowledged that he dropped the ball and did not make things clear to his staff. Indeed, the OIG's interviews with Ogden's staff and administration show an incomplete and inconsistent understanding of CPS's policy regarding the use of transfer codes, proper record keeping for transfers, and documents related to homeschooling.