



Corrective Action Plan Follow-up Review: Allegations of Course Grade Changes for Athletics Eligibility Reasons Investigation

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Final Follow-up Report

Audit Plan Code: 20-15

Management implemented 12 corrective action plan (CAP) activities to address the findings and recommendations in the original audit report. As such, this report represents the close-out of the CAP.



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Abbreviations

CAP	Corrective Action Plan
IA	Internal Audit
TEAMS	Total Education Administrative Management Solution



Follow-up Review

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Background

The Institute of Internal Auditors' (IIA) International Standards for the Professional Practice of Internal Auditing, Performance Standard 2500 - Monitoring Progress, require we "...establish and maintain a system to monitor the disposition of results communicated to management." Internal Audit has established the Corrective Action Plan (CAP) process to meet this requirement. The process includes monitoring and reporting whether management has implemented corrective actions to address audit findings, observations, and recommendations.

Internal Audit issued the Allegations of Course Grade Changes for Athletics Eligibility Reasons Investigation Report on April 5, 2019. The objective and scope of the investigation was to determine the validity of allegations two teachers were asked by campus administrators to make course grade changes for athletics eligibility reasons.

In summary, we found evidence two course grades, for the second nine-week period for fall 2018, were altered for two student athletes by campus staff to boost their grades from failing to passing for athletics eligibility reasons. The campus administrators/staff in question denied wrong intent.

The original investigation report included 5 findings, and 12 recommendations. For reference, a summary of original investigation report findings is provided on **Exhibit A**. District management and administration agreed with our recommendations and developed a corrective action plan (CAP) with 12 activities.

Objective and Scope

The objective and scope of this follow-up review were to determine whether management implemented the 12 CAP activities or took other actions to address the five (5) findings and 12 recommendations outlined in the Allegations of Course Grade Changes for Athletics Eligibility Reasons Investigation Report.

Methodology

To achieve our follow-up review objective, we:

- Held meetings and communicated with persons responsible for carrying out the CAP activities.
- Reviewed supporting documentation maintained by management as evidence of completion of the CAP activities provided to Internal Audit.

Inherent Limitations

This was a limited scope follow-up review covering only the actions taken by administration to address the original audit findings and recommendations stated in the Objective and Scope section of this report. No representations of assurance are made to other areas or periods not covered by this follow-up review.

Summary of Results

Recommendations	Implemented	Overall CAP Status
12	12	Closed

Management implemented a corrective action plan with 12 activities to address the five (5) findings and 12 recommendations in the original investigation report. This report represents the close-out of the corrective action plan.

Original Recommendations and Status of CAP Activities

The original recommendations, CAP activities, the person(s) responsible, and the status of the CAP activities are outlined below:

1

Original Recommendation: The Superintendent or designee for the District shall promptly report in writing the Category A violations of the UIL Constitution and Contest Rules to the District Executive Committee or the State Executive Committee, whichever is appropriate.

Management and Leadership Response: Agreed with recommendation and incorporated into the CAP as activity one (1) as follows:

Activity 1: "Burgess High School Administration and Athletic Coordinator will report Category A violation of the UIL Constitution and Contest Rules to the District Executive Committee."

Person Responsible: Interim Principal, Burgess High School; Athletic Coordinator, Burgess H.S.

Status: Implemented

2

Original Recommendation: The superintendent or designee should follow and implement corrective actions stated by either committee mentioned in Recommendation #1.

Management and Leadership Response: Agreed with recommendation and incorporated into the CAP as activity two (2) as follows:

Activity 2: "Ruling by DEC will be implemented and affected programs will be informed."

Persons Responsible: Athletics Director; Assistant Superintendent

Status: Implemented

3

Original Recommendation: The Secondary Schools Division Assistant Superintendent, in consultation with Human Resources, should determine the appropriate disciplinary action for the campus administrators/staff involved in the inappropriate course grade changes.

Management and Leadership Response: Agreed with recommendation and incorporated into the CAP as activity three (3) as follows:

Activity 3: "Recommend disciplinary action for administration and staff involved in inappropriate course grade changes."

Persons Responsible: Assistant Superintendent, Schools; Executive Director, Employee Relations; Deputy Superintendent, Administration

Status: Implemented

4

Original Recommendation: Human Resources should file a copy of this investigation report, as well as results of management's decision for Recommendation #3, in the appropriate employee files.

Management and Leadership Response: Agreed with recommendation and incorporated into the CAP as activity four (4) as follows:

Activity 4: "File copies of investigative report as well as employee disciplinary recommendations in employee files."

Persons Responsible: Executive Director, Employee Relations

Status: Implemented

5

Original Recommendation: District administration should ensure the correct course and semester grades for Students A and B are reflected in their individual AAR folder and in TEAMS. Refer to Finding #1.

Management and Leadership Response: Agreed with recommendation and incorporated into the CAP as activity five (5) as follows:

Activity 5: "Correct course and semester grades for both students."

Persons Responsible: Assistant Superintendent, Schools; Interim Principal, Burges H.S.

Status: Implemented

6

Original Recommendation: District administration should communicate with the parents of Students A and B the changes stated in Recommendation #5 and provide academic counseling, guidance and/or assistance as necessary.

Management and Leadership Response: Agreed with recommendation and incorporated into the CAP as activity six (6) as follows:

Activity 6: "Inform parents and students impacted by inappropriate grade change."

Persons Responsible: Interim Principal, Burges H.S.; Assistant Superintendent, Schools

Status: Implemented

7

Original Recommendation: District administration should continue with current efforts to implement and integrate a Districtwide grade change process using the District's current TEAMS system. Administration should ensure that key controls are present, working as intended, and can facilitate inquiries. The goal is to increase accountability, transparency, and efficiency in the grade change process.

Management and Leadership Response: Agreed with recommendation and incorporated into the CAP as activity seven (7) as follows:

Activity 7: "Implement and integrate a Districtwide grade change process using the District's current TEAMS System."

Persons Responsible: Chief Information Officer, Information Technology; Executive Director, Student and Parent Services

Status: Implemented

8

Original Recommendation: District administration should develop a training program that is aligned with Board policies and related standard operating procedures for course grade changes. Administration should determine the frequency of this training and whether it should be mandatory. The goal is to educate all staff involved in course grade changes on how to properly create, research, document, maintain, and review grade changes. One way is to develop a continuous training method available 24/7 to include, but not limited to: (i) frequently asked questions, (ii) training videos, and (iii) a knowledgebase which users could access and refer to as needed.

Management and Leadership Response: Agreed with recommendation and incorporated into the CAP as activities eight (8) and nine (9) as follows:

Activity 8: "Realign/update Board Policy EIA to detail grade change policy/procedures. Including acceptable reasons for grade changes, timeframes, self-audits, supporting documentation, and data owner responsibilities."

Persons Responsible: Chief Academic Officer, Academics; Executive Director, 21st Century Learning and Well Being

Status: Implemented

Activity 9: "Develop a mandatory Grading and Grade Change Training Program to be utilized yearly districtwide for Grades 2-12."

Persons Responsible: Executive Director, Student Parent Services; Director, Athletics; Chief Academic Officer, Academics; Assistant Superintendent, Schools; Director, Staff Development

Status: Implemented

9

Original Recommendation: District administration should update the standard operating procedures for processing course grade changes to include (but not limited to) the following:

- 9.1 Reflect the new TEAMS grade change process being implemented,
- 9.2 State the mandatory requirement for training users involved in the grade change process (if approved),
- 9.3 State the mandatory requirement that all grade changes must include the correct level of supporting documentation,
- 9.4 Define the roles and responsibilities of each user involved in the process,
- 9.5 Outline the review process the principal and PEIMS/registrar clerk must follow, and Outline the proper maintenance and retention of grade change documentation in accordance with the District's retention schedule.

Management and Leadership Response: Agreed with recommendation and incorporated into the CAP as activity as follows:

Activity 12: "High School Principals will ensure that nine-week audits are conducted in regards to grade change form. Audit will reflect all failing to passing grade changes and passing to failing requests submitted."

Persons Responsible: Assistant Superintendent, Schools; High School Principals; High School Registrars; High School PEIMS Clerks

Status: Implemented

10

Original Recommendation: District administration should (i) determine the level of documentation to support grade changes and (ii) require supporting documentation be maintained for all grade changes. If not already implemented, consider enhancing the new process in TEAMS by allowing users to upload supporting documentation as attachments. The goal is to facilitate the review process and for grade changes to withstand a reasonable level of scrutiny.

Management and Leadership Response: Agreed with recommendation and incorporated into the CAP as activities eight (8) and nine (9) as presented in recommendation eight (8), and twelve (12) as presented in recommendation nine (9).

Activity 12: High School Principals will ensure that nine-week audits are conducted in regards to grade change form. Audit will reflect all failing to passing grade changes and passing to failing requests submitted.

Persons Responsible: Assistant Superintendent, Schools; High School Principals; High School Registrars; High School PEIMS Clerks

Status: Implemented

11

Original Recommendation: District administration should provide training as promptly as possible to both new teachers stated in Finding #1 regarding the correct grade change process.

Management and Leadership Response: Agreed with recommendation and incorporated into the CAP as activity ten (10) as follows:

Activity 10: "Provide training to both new teachers stated in Finding 1 regarding the correct grade change process."

Persons Responsible: Interim Principal, Burges H.S.; Assistant Superintendent, Schools

Status: Implemented

12

Original Recommendation: We recommend the Superintendent or designee, in consultation with the Community Engagement Department, prepare a Districtwide reminder to all campus personnel that need to know about the District's expectations, to lead with ethics and risks of not following District policies and procedures as it relates to the grade change process.

Management and Leadership Response: Agreed with recommendation and incorporated into the CAP as activity eleven (11) as follows:

Activity 11: "Prepare and roll out a Districtwide reminder to all employees the importance of following policies and procedures as it relates to the grade change process, and the potential ethics violation when not adhering to the process."

Persons Responsible: Chief Communication Officer, Community Engagement

Status: Implemented

Exhibit A – Summary of Original Audit Results

Finding	Summary Findings
1	<p>The course grades were changed from 69 (failing) to 70 (passing) without consent from the two teachers who gave those grades (aka “teacher of record”). Course grades that were finalized and posted by the teachers of record on December 17 and December 20, 2018 were changed on January 8 and January 7, 2019, respectively. The teachers of record, who retired on December 21, 2018, stated the course grades were not arbitrary and they were not aware of any errors at the time they retired.</p> <p>The teachers who signed off on the course grade changes were first-year teachers (hereinafter known as New Teachers). The New Teachers signed the form on the same day they met Students A and B. Both New Teachers received their teaching certificates on December 15, 2018. The New Teachers stated they were not aware of the policy or procedures for course grade changes. The New Teachers had not received training regarding the grade change process.</p> <p>The course grade change for Student A led to an increase from a 70 to a 71 for his/her first semester grade average (fall 2018). Consequently, the fall 2018 semester course grade for Student A is not consistent with the teacher of record’s posted grade.</p> <p>According to the Texas Education Code (TEC) 28.0214 Finality of Grade and Board Policy EIA (Legal) Grading/Progress Reports to Parents, “An examination or course grade issued by a classroom teacher is final and may not be changed unless the grade is arbitrary, erroneous, or not consistent with the school district grading policy applicable to the grade, as determined by the board of trustees of the school district in which the teacher is employed.”</p> <p>According to the Texas Education Agency’s Minimum Standards for the Academic Achievement Record, “The Academic Achievement Record (AAR) is an official and permanent record of a student’s academic performance during high school...Entries on this official record of actual courses taken, grades earned, credit awarded, and codes denoting special explanations must be consistent with teachers’ records... Entries may not be altered or removed except to correct errors. Error corrections must be fully explained in the student’s permanent record. Failure to maintain the AAR accurately or any attempt to alter the document with intent to use it for fraudulent purposes is a misdemeanor....”</p>
2	<p>We confirmed the grades finalized and posted by the teachers of record were changed after the assistant principal had a conversation with the two New Teachers asking them to help out Students A and B with their failing grades. According to statements provided, the assistant principal was involved as follows:</p> <p>2.1 According to New Teacher 1, on his/her second day on the job (January 8, 2019), the assistant principal along with the counselor had a conversation with him/her regarding Student A’s grade change. During the conversation, the assistant principal offered to provide desks in exchange for the grade change. We confirmed New Teacher 1 received student desks s/he was missing in his/her classroom.</p> <p>2.1.1. The assistant principal admitted discussing with New Teacher 1 on January 8, 2019, the need for student desks and arranging the delivery of desks; however, s/he stated there was no bargaining of desks in exchange for the grade change.</p>

Finding	Summary Findings
	<p>2.1.2. The counselor did not provide a clear response when asked if she witnessed or was part of this conversation.</p> <p>2.1.3. According to the [sport omitted] coach, s/he knew Student A <u>was ineligible</u> until the assistant principal told him/her face-to-face on January 7 or 8, 2019, that Student A <u>was eligible</u> to play. The team was scheduled to leave out of town for a tournament on January 9, 2019.</p> <p>2.2 According to New Teacher 2, on his/her first day on the job (January 7, 2019), the assistant principal asked if s/he could help out with a grade change for Student B, so the student could be passing for a [sport omitted] tournament.</p> <p>2.2.1 The assistant principal admitted completing the top portion of the grade change form for Student B and presenting it to New Teacher 2. The assistant principal also admitted walking the form, signed by New Teacher 2, to the PEIMS clerk on January 7, 2019, so the grade change could be processed. The assistant principal stated s/he considered these actions a means “to help out” Student B and not for other reasons.</p> <p>2.2.2 According to New Teacher 2, the assistant principal told him/her s/he was going to send Student B to say “thank you.” Student B confirmed the assistant principal told him/her s/he needed to say thank you to New Teacher 2. The assistant principal stated s/he does not recall saying this.</p> <p>According to the Texas Administrative Code Rule 247.2 Code of Ethics and Standard Practices for Texas Educators:</p> <ul style="list-style-type: none"> Standard 1.5: “The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or that are used to obtain special advantage.” Standard 1.6: “The educator shall not falsify records, or direct or coerce others to do so.” <p>Standard 2.6: “The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.”</p>
3	<p>The reasons written on the two grade change forms for Students A and B were fabricated. We made this determination based on statements provided by the retired teachers, New Teachers 1 and 2, Students A and B and our recalculation of the original grades finalized and posted by the retired teachers. There is no evidence to indicate there are valid reasons to change grades due to (i) “grade was not updated” or (ii) “computational error” as stated on the two grade change forms. The campus did not have documentation to support the grade changes noted on the forms.</p> <p>3.1 We confirmed a discussion occurred between New Teacher 1 and the counselor on January 8, 2019 about a grade change for Student A. According to New Teacher 1, the counselor told him/her, “...to put the computer crashed or grade not updated as the reason for the grade change.”</p> <p>3.1.1 The counselor stated s/he personally gave New Teacher 1 a grade change form on January 8, but denies telling New Teacher 1 what reason to write on the form since it was up to him/her to decide.</p> <p>3.1.2 The counselor acknowledged New Teacher 1 asked for advice from him/her and s/he provided a response that included walking him/her through the grade change process and what the counselor would do if s/he was a teacher.</p>

Finding	Summary Findings
	<p>3.1.3 According to the counselor, no one instructed him/her to ask New Teacher 1 to change Student A's grade. However, s/he stated the assistant principal instructed him/her to talk to New Teacher 1 and to "work" on him/her (New Teacher 1) to see what his/her decision was (whether to make the grade change).</p> <p>3.2 We confirmed a discussion occurred between New Teacher 2 and the assistant principal on January 7, 2019 about a grade change for Student B. According to New Teacher 2, "On the form, s/he [the assistant principal] asked me to write the old grade, new grade, and for the reason, s/he asked me to write computational error."</p> <p>3.2.1 According to the assistant principal, s/he does not recall advising New Teacher 2 to write computational error. In addition, s/he stated s/he probably read the reason on the course grade change before hand delivering it to the PEIMS clerk, but did not question it. See Section 2.2 above for additional details.</p> <p>According to the Texas Administrative Code Rule 247.2 Code of Ethics and Standard Practices for Texas Educators:</p> <ul style="list-style-type: none"> Standard 1.6: "The educator shall not falsify records, or direct or coerce others to do so."
4	<p>Students A and B stated their grades were changed so they could be eligible to play [sport omitted]. New Teachers 1 and 2 also stated the grades were changed so the students could play sports.</p> <p>4.1 Student A stated the following:</p> <p>4.1.1 "On January 7th [2019], coach [name omitted] told me I need to talk to [assistant principal's name omitted] to fix my grade so I could play."</p> <p>4.1.2 "I talked to [counselor's name omitted] about possibly changing my grade to become eligible again."</p> <p>4.2 Student B stated: "coach [name omitted] said don't worry, I'll get [assistant principal's name omitted] to fix your grade." The [sport omitted] team was leaving to an out of town tournament on January 9, 2019. Student B also stated s/he was surprised when the coach said not to worry "because I knew it was my fault for not doing the work. This was the first time anyone ever changed my grade."</p> <p>4.3 The coach stated that if s/he used the word "fix", it meant "...go through the procedure of talking to the teachers and finding out whatever."</p> <p>According to the UIL Constitution Contest Rules: "Category A violations for school district personnel are: (A) violating eligibility rules;... (G) pressuring teachers to modify the grade or grades of UIL participants in such a manner as to affect eligibility...."</p>
5	<p>The principal admitted s/he did not validate the reasons on the two course grade change forms before s/he signed them. When asked as to who are the teachers of record in this case, s/he stated the names of the retired teachers and not the names of those who s/he saw on the grade change forms. The principal:</p> <p>5.1 Admitted s/he knew the teachers who signed the grade change forms were New Teachers 1 and 2.</p>

Finding	Summary Findings
	<p>5.2 Acknowledged the original and finalized second nine-week grades for fall 2018 were not earned under New Teachers 1 and 2.</p> <p>5.3 Did not follow up to determine whether the two grade changes in question were appropriate.</p> <p>5.4 Admitted it is not typical for administrators or non-teachers to complete grade change forms. See 2.2.1 for relevant information.</p> <p>5.5 Was not aware of the seriousness of changing a student's grade when it is not one of the exceptions allowed.</p> <p>According to the Principal Job Description under Administration and Fiscal/ Facilities Management major responsibilities and duties include:</p> <ul style="list-style-type: none"> • "...Assume responsibility for implementing the policies and directives of the Board and TEA." <p>Maintain accurate records and make such reports as required by TEA or as requested by the superintendent or Board.</p>



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