

# OFFICE OF INSPECTOR GENERAL

## School District of Philadelphia

### Investigative Report Synopsis

#### **Introduction**

In February 2023, the Office of Inspector General (OIG) for the School District of Philadelphia (District) received an allegation that two sibling students attending a Philadelphia public school were not residents of Philadelphia. School administrators complained that the students' father used his passport as proof of identification when he recently picked up one of the children early from school. Administrators were aware that the childrens' mother lived in New Jersey and suspected that their father used his passport to avoid giving the school his current address.

#### **Applicable Policy**

##### ***Policy 200, Enrollment of Students***

Per Board Policy 200, "school age resident students and eligible nonresident students shall be entitled to attend district schools. Enrollment requirements and administrative procedures shall apply to nonresident students approved to attend district schools, in accordance with [Board] policy. The district shall not enroll a student until the parent/guardian has submitted proof of the student's age, residence, and immunizations and a completed Parental Registration Statement, as required by law and regulations."

##### ***Policy 202, Eligibility of Non-Resident Students***

While the policy states that "[t]he School Reform Commission shall operate district schools for the benefit of students residing in the City of Philadelphia who are eligible for attendance[.]" non-resident students who meet certain requirements may also attend Philadelphia public schools.

"Before any eligible nonresident student may be accepted as a student in district schools, the [Board] requires that appropriate documentation verifying the student's eligibility be submitted. The [Board] reserves the right to verify claims of residency, dependency and guardianship and to remove from school attendance a nonresident student whose claim is invalid. Admitted nonresident students shall receive the same benefits and be subject to the same responsibilities as resident students. The [Board] shall not be responsible for transportation to or from school for any nonresident student residing outside school district boundaries except when the transportation is required per the federal and state mandate (i.e foster care or homeless students)."

#### **REPORT FRAUD, WASTE, AND ABUSE**

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The School District of Philadelphia shall deny the admission of a nonresident student to any school or academic program where such enrollment would displace a resident student or require the district to incur additional costs. However, regularly enrolled students whose parents/guardians have moved out of the school district may be permitted to remain in a school in which the student was appropriately enrolled until the last day of that school year for pupils, upon district approval and payment of tuition by the parent/guardian or the district of residence. Tuition shall not be charged if a student is attending School District of Philadelphia schools and moves out of the city in the student's senior year.

District policy as well as 24 P.S. § 13-306 states that “[t]uition rates shall be determined annually in accordance with law. Tuition shall be charged monthly, in advance of attendance.”

### ***Policy 202, Misrepresentation of Residency***

The School District of Philadelphia reserves the right to unenroll and/or charge tuition fees for any misrepresentation of any information used to enroll in a School District of Philadelphia school. Misrepresentation of information used for this purpose may also constitute perjury, unsworn falsification to authorities, fraud and other offenses under the Pennsylvania Criminal Code. Suspected violations will be referred to the Philadelphia District Attorney's Office.

### **OIG Investigation**

A review of District records indicated that the students initially registered in Philadelphia public schools for the 2016-2017 school year, and have remained enrolled since then. As part of the admission process, an Application of Admission for Child to School, often referred to as the EH-40 form, was submitted for each child. Both students were listed as primarily residing with their father at a Philadelphia address within the appropriate catchment. The only other piece of registration information was a copy of the father's passport, which contains no address information. Neither students' enrollment packets had any other proof of address such as a residential lease, deed, utility bill, or other documentation indicating that the students lived at the Philadelphia address. According to District records, there was no address listed for the students' mother. A grandparent was also listed as an emergency contact in SIS, but they did not have an address on file.

A search of various public and subscriber database records determined that the father's most recent address was in New Jersey. The mother's address was also determined to be in New Jersey, as was the grandparent listed in SIS. The father was last issued a Pennsylvania driver's license in 2004 with a Philadelphia address, but that license expired in 2007. The students' father has not had a Pennsylvania license for 16 years, but was issued a New Jersey license in 2015. That license expired in 2019 and does not appear to have been renewed.

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On February 22, 2023, OIG investigators visited the father's last known New Jersey address. An individual who looked like the father answered the door, but identified himself by a different name. When asked if the students' father was home, the individual stated that he no longer lived at that address and had not lived there for about seven years. Subsequent investigation revealed that a person with the name by which this individual identified himself died in January 2019. OIG investigators then visited the last known address of the students' mother. While at that address, a man who refused to identify himself stated that the mother was not at home, but he would have her contact us when she returned home. She did not contact the OIG.

In March, OIG investigators attempted to contact the students' parents by making telephone calls to all of the known telephone numbers found in District records of both students. No one answered any of the calls, but messages were left at the telephone numbers for the father, grandparent, and mother. On March 22, OIG investigators sent emails to two email addresses for the students' father and an email address for their mother. The emails requested that the parents submit to the OIG required documents for proof of address at an in-person meeting on April 5. The parents were asked to provide two documents to establish residency as outlined in the District guidelines and those documents must include a deed, current lease, valid Department of Transportation identification card or driver's license, current utility bill, current vehicle registration, recent property tax bill, recent pay stub containing an address, a letter from the Public Assistance Office, an IRS Tax form (W-2, 1040, 1099), or a current voter registration card. The students' mother responded that day indicating that she is not the custodial parent, and the students live with their father. The father never responded to the email and never appeared at the OIG office on April 5.

On April 5, OIG investigators again made phone calls to the numbers associated with the students. When investigators called one number, a person who identified themselves by the grandparent's name answered the phone. When asked if the students' father was available, the individual stated that they would run downstairs as the father was just about to leave the house. The grandparent stated that they were unable to catch him before he left the house, but a message was left for him to call OIG investigators. According to various databases, the telephone number called is associated with the grandparent's residence in New Jersey. The students' father did not return the OIG investigators' phone call.

Based on the information gathered during this investigation, the OIG concluded that the students' father's permanent residence is in New Jersey and that, as he is the custodial parent, both students live in New Jersey.

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## Conclusion and Recommendations

Living outside the geographical boundaries of Philadelphia and attending school in Philadelphia County without submitting appropriate documentation as to residency is a violation of School District Policy 202 and Sections 1301 and 1316 of the Pennsylvania Public School Code (24 P.S. Secs. 1301, 1316). Accordingly, the OIG recommended that the custodial parent of the students be billed the non-resident tuition for the time that they attended school in the District while living outside of Philadelphia County.

Considering all the facts established in this investigation, OIG made the following recommendations:

- The School District of Philadelphia Office of Child Accounting (OCA) should generate a non-resident tuition invoice for both students in the amount of \$13,453.80 per student for the current 2022-2023 school year. In total, the tuition bill for the students amounts to \$26,907.60. The District should require the students' father to produce relevant proof of address for prior years or be billed for additional tuition.
- The District should not permit the students to continue matriculation in Philadelphia public schools for the next school year without sufficient proof of residency within the catchment. In this instance, the students' father, advised of the nature of this investigation, ignored several attempts that OIG investigators made to contact him, and he exhibited complete disregard for District policy and the importance of the truth about whether or not he and his children are, or have been, legal residents of Philadelphia. The OIG therefore recommends that the District require him to produce definitive proof of residency, consistent with Pennsylvania law and District policy.
- The District should take appropriate actions according to policy to ensure that the process of enrolling a non-resident student in any school be permitted only when no other qualified district residents have applied for enrollment. No interests of any student living outside Philadelphia attending a District school should be considered against the rights and interests of a bona fide Philadelphia resident to also have the opportunity to attend.

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