

# Exceptional Student Education (ESE) Services – ESE Classified Professionals as Substitutes

Internal Audit Report

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## EXECUTIVE SUMMARY

### Why We Did This Audit

This audit was requested by the School Board.

Our objectives were to document, analyze, and evaluate current practices related to the use of Exceptional Student Services (ESE) classified professionals being assigned as substitute teachers and determine opportunities for improvement.

### Observations and Conclusion

Audit Results at a Glance			
	Risk/Impact Rating		
Results and Observations	Significant	Moderate	Minor
IA - Internal Audit M - Management	-	-	IA - 3
D - Deficiency O - Opportunity	-	-	D - 3

The 2020/2021 school year was unique and school leaders needed to adapt to meet numerous challenges during an unprecedented pandemic. Kelly Services substitute fill rates decreased 14% from two years ago while teacher absences increased due to the pandemic. As a result, the number of times ESE classified professionals served as substitutes more than doubled in the current year, although 79% of the ESE classified professionals employed at our sample of 40 schools did not substitute at all.

Our overall conclusion is that ESE classified professionals substituted in General Education (Gen Ed) classes more than ESE classes due to the COVID pandemic.

### Results and Recommendations

Principals with whom we met indicated that they use ESE classified professionals as substitutes only as a last resort and they do not pull ESE classified professionals from ESE units. They further indicated that ESE staff to student ratios were maintained at all times.

We noted these procedural deficiencies at schools and made recommendations to address them.

- Two schools were unable to provide substitute training certificates to support paying the extra \$10 supplement amount to three ESE classified professionals.
- On 15 occasions, ESE classified professionals were paid to substitute for other classified professionals instead of instructional personnel as called for in the OESPA agreement.
- In 70 instances, instructional personnel did not enter their absence timely when they were out and a substitute was needed in their class.

This report has been discussed with management and they have prepared their response which follows.

**DEFINITIONS:**

**Risk / Impact Ratings**

Minor	Low risk with a financial impact of less than one percent and/or an isolated occurrence limited to local processes (low impact and low likelihood)
Moderate	Slight to moderate risk with a financial impact between one and five percent and/or a noticeable issue that may extend beyond local processes (low impact and high likelihood or high impact and low likelihood)
Significant	High risk with a financial impact greater than five percent and/or a significant issue that occurs in multiple processes (high impact and high likelihood)

*We rate risk/ impact as:*

- *Minor*
- *Moderate*
- *Significant*

**Observations Categories**

Opportunity	A process that falls short of best practices or does not result in optimal productivity or use of resources
Deficiency	A shortcoming in controls or processes that reduces the likelihood of achieving goals related to operations, reporting and compliance

*We categorize our observations as opportunities or deficiencies.*

**Criteria for Observations Sourced to Management**

- Internal audit was informed of the issue prior to starting detailed testing
- Management identified, evaluated, and communicated the issue to appropriate levels of the district
- Management has begun corrective action with clear, actionable plans and targeted completion dates

None of the observations resulting from this audit were sourced to management.

**BACKGROUND:**

ESE classified professionals are part of the classified group of employees represented by the Orange Education Support Professionals Association (OESPA). Article X, Section C.5 of the district’s agreement with OESPA states the assignment of substitute coverage shall be at the sole discretion of the Principal or his/her designee. The contract further states that an employee who substitutes for a least 2.5 hours of student contact time for a teacher who is absent, shall be paid the supplemental rate of \$20 per day for said day. If the employee has completed the district endorsed Substitute Teacher Training he/she shall be paid the supplemental rate of \$30 per day. Appendix A-1 and A-2 of the contract list 12 classified professionals job titles specifically related to ESE.

*Assignment of substitute coverage shall be at the sole discretion of the Principal or his/her designee.*

*Table 1 – ESE Classified Professional Job Titles*

<b>ESE CLASSIFIED PROFESSIONAL JOB TITLES</b>
Braille & Tactile Materials Specialist I
Braille & Tactile Materials Specialist II
<b>Ed. Paraprofessional Exceptional Ed, Certified</b>
<b>Ed. Paraprofessional Severely Handicapped, Certified</b>
Ed. Paraprofessional Sign Language, Certified
Educational Captions & Sign Language Interpreter Level 1
Educational Captions & Sign Language Interpreter Level 2
Educational Captions & Sign Language Interpreter Level 3
P/O Therapy Assistant
Program Assistant, District ESE Specialist, Certified
Program Assistant, ESE Post HS Employment Specialist, Certified
<b>Program Assistant, ESE, Certified</b>

*Only the three ESE classified job titles in bold received substitute supplement payments during our audit period.*

*Source: OESPA contract*

Only the three job titles in bold received substitute supplement payments during our audit period. Therefore, for the rest of this report, when we use the term “ESE Classified Professional” we are referring to those three positions.

The District contracts with Kelly Services to provide substitute services. When a teacher will be absent, the established procedure is for the teacher to notify the school and the Kelly Automated Scheduling System to secure a substitute. The chart below details the Kelly Services substitute fill rate for the last three school years. Fill rates decreased during the pandemic.

*Table 2 – Substitute Fill Rates*

School Year	Total Requests	Total Filled	Fill Rate
2018/2019	201,273	178,778	88.8%
2019/2020	123,532	108,165	87.6%
2020/2021	130,826	97,856	74.8%

*Source: HR Department*

*Substitute fill rates decreased 13% from 2019/2020 to 2020/2021.*

**OBJECTIVES, SCOPE, AND METHODOLOGY:**

**Objectives**

Our objectives were to document, analyze, and evaluate current practices related to the use of ESE classified professionals as substitutes and determine opportunities for improvement. Accordingly, we determined whether the district and schools:

- Have established consistent processes and procedures and followed them
- Complied with applicable OESPA contract requirements
- Maintained supporting documentation
- Monitored procedures for entering absences

*We documented, analyzed, and evaluated current practices related to the use of ESE classified professionals as substitutes.*

**Scope**

The scope of the audit included transactions and activities from July 1, 2018 to April 15, 2021.

## Methodology

Our audit methodology included:

- Reviewing information on the ESE Department's website
- Reviewing OESPA contracts and appendices
- Reviewing Kelly Services contract and fill rate reports
- Testing and analyzing school-based procedures at 40 schools
- Surveying 184 ESE classified professionals
- Analyzing payroll and employee data reports
- Testing 60 randomly selected ESE classified professionals' substitute pay transactions from fiscal years 2019-2020 and 2020-2021 (through April 15, 2021)
- Examining evidence of substitute training
- Examining payroll supplement documents and tracing to absences recorded in the SAP system
- Interviewing management and school personnel

We conducted this audit in accordance with the *International Standards for the Professional Practice of Internal Auditing* of the Institute of Internal Auditors and included such procedures as deemed necessary to provide reasonable assurance regarding the audit objective. Internal Auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

We are required to note any material deficiencies in accordance with Florida Statutes, School Board Policy and sound business practices. No material deficiencies were noted in this audit. We also offer suggestions to improve controls or operational efficiency and effectiveness.

## RESULTS AND RECOMMENDATIONS:

### Overall Conclusion

Our overall conclusion is that ESE classified professionals substituted in General Education (Gen Ed) classes more than ESE classes due to the COVID-19 pandemic. The 2020/2021 school year was unique and school

*We tested 60 randomly selected ESE substitute pay transactions from the past two years and performed detailed examination of ESE substitute activities at 40 schools.*

*We conducted this audit in accordance with the International Standards for the Professional Practice of Internal Auditing.*

*No material deficiencies were noted.*

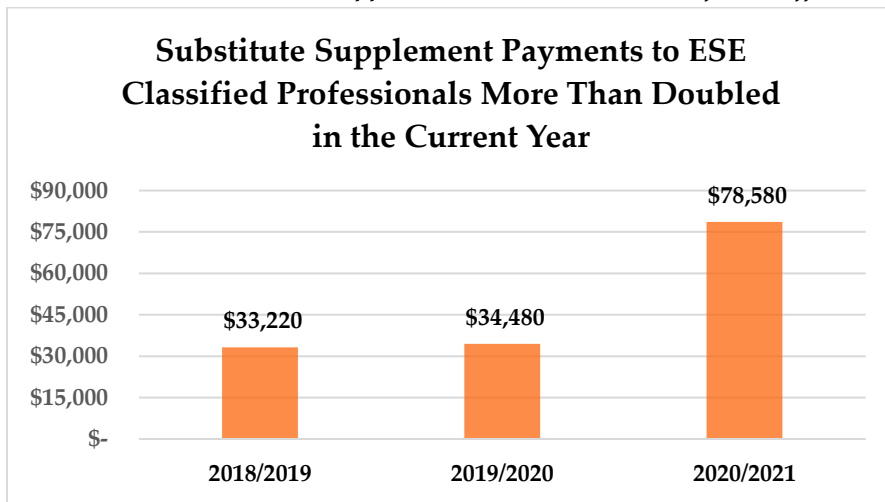
*The pandemic contributed to an increased need for substitutes in all classes.*

leaders needed to adapt to meet numerous challenges during unprecedented circumstances. Further discussion follows.

**Results and Analysis – Substitute Supplement Payments**

Classified professionals are paid \$20 per day to substitute or \$30 per day if they have completed the district endorsed substitute training. According to SAP payroll records, the district paid substitute supplements totaling \$146,280 to ESE classified professionals from July 1, 2018 through April 15, 2021 with payments in the current school year more than double the amounts paid in each of the two previous years. Details are in Chart 1 below:

*Chart 1 - Substitute Supplements Paid to ESE Classified Staff*



Source: SAP Payroll records

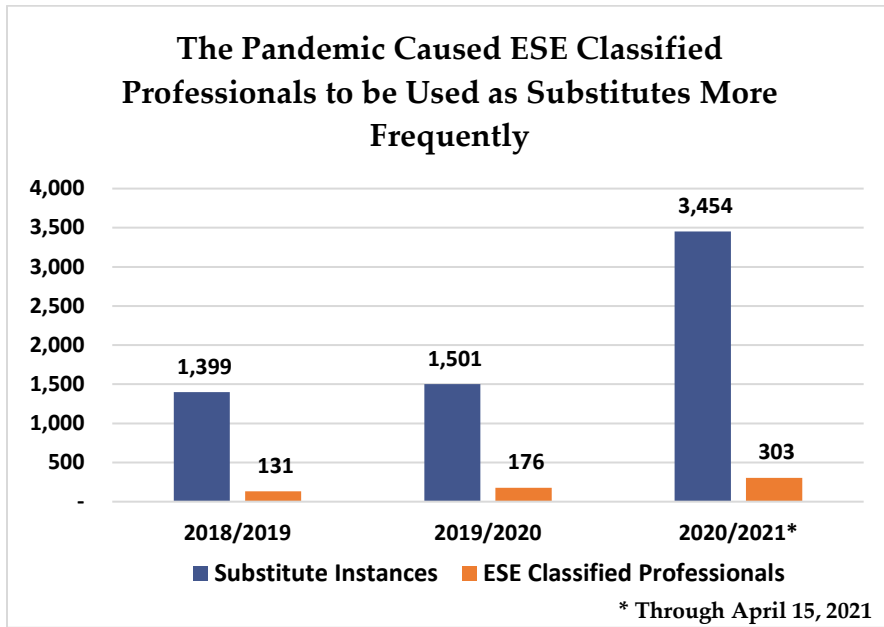
We sorted, filtered, and examined the data to determine the number of times ESE classified professional were paid to substitute (substitute instances) during the period from July 1, 2018 through April 15, 2021. These totals did not include all instances of substitution due to the timing of position changes but in our opinion, the difference is not material.

*The district paid \$146,280 in substitute supplement payments to ESE classified professionals from July 1, 2018 through April 15, 2021.*

*Substitute supplement payments to ESE classified professionals more than doubled in the current year.*



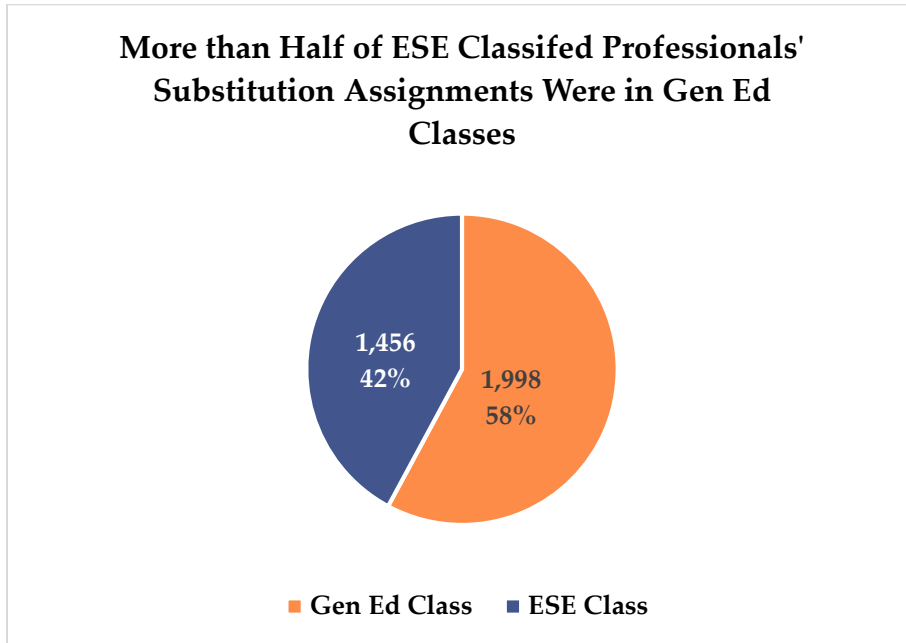
Chart 2 – Substitute Instances Last Three Years



Source: SAP Payroll records

During the 2020-2021 school year ESE classified professionals substituted 1,998 times in Gen Ed classes and 1,456 times in ESE classes.

Chart 3 – Substitute Class Assignments – FY2020-2021 Through April, 15



Source: SAP Payroll & Employee Data records

ESE classified professionals substituted 3,454 times in 2020/2021 (through April 15) compared to 1,501 in 2019/2020 and 1,399 in 2018/2018.

Through April 15 in the current school year, ESE classified professionals substituted 1,998 times in Gen Ed classes and 1,456 times in ESE classes.

More than half of ESE classified professionals' substitution assignments were in Gen Ed classes.

**Detailed Tests of ESE Supplemental Substitute Pay Transactions**

We noted three areas of procedural deficiencies at the schools as a result of our detailed testing of 60 substitute pay transactions from the last two fiscal years.

**1) Short Term Leave absences were not always entered. *Minor (Risk or Impact) Deficiency***

**Best Practice:**

School Board Policy GCC and Management Directive A-14 requires employees to enter leave absences in a timely manner. This prevents use of leave in excess of what has been earned as well as overpayment of accumulated leave balances upon termination of employment.

**Audit Result:**

We tested 60 ESE substitute pay supplement transactions and found 28 days when the absences had not been entered in the Employee Self-Service Portal by the teacher that was absent and replaced by an ESE classified professional. This was noted at 15 schools.

As a result of this finding, we expanded our testing and further analyzed the entire population, noting 42 additional days of absence not entered at three additional schools.

We contacted all 18 schools to confirm why absences were not entered and school personnel stated:

- The teacher forgot to enter the absence and correcting entries would be made.
- An error was made on the payroll forms regarding personnel name or personnel number.

The final results of our testing indicated that a total of 70 days of leave had not been entered when a teacher was absent and a substitute was used. We verified that schools entered the missing absences after we informed them of these oversights.

Fifty-one of the 70 unrecorded days of leave were Temporary Duty Leave (TDY) which does not accumulate. TDY is used when a teacher

*We noted three areas of procedural deficiencies at the schools.*

*Management Directive A-14 requires employees to enter leave absences in a timely manner.*

*Instructional personnel did not always enter their absences.*

*A total of 70 days' absences had not been entered.*

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has to attend a meeting, is proctoring during testing, attends professional development, or works remotely for LaunchEd.

After accounting for the fifty-one days of TDY, there were 19 days where leave balances were not reduced for teacher absences until after we notified the schools. When sick or annual leave usage is not recorded, an employee can be overpaid at termination of employment.

Reliance on manual tracking and human memories caused these oversights. There are no effective controls over these substitutions like the ones used for Kelly Services substitutes. In the latter case, Kelly Services cannot be paid unless and until an absence is entered in the district's payroll system. Because the procedures for substitute services by classified employees are manual and vary from school to school they are not effective in preventing or detecting unrecorded absences.

### Recommendation:

Management of the Payroll Department and the Area Learning Communities should continue to emphasize the importance of compliance with established policy and Management Directive A-14. Procedures should be standardized at all schools and automated if possible. Monitoring procedures should be implemented to ensure leave is entered in a timely manner.

### **2) ESE Classified professionals were paid to substitute for other classified professionals. *Minor (Risk or Impact) Deficiency***

### Best Practice:

OESPA Article X, Section C.5 states that an employee who substitutes for a least 2.5 hours of student contact time for a *teacher* who is absent, shall be paid the supplemental rate of \$20 per day for said day. (emphasis added)

### Audit Result:

During our analysis of the data population, we noted 15 instances where ESE classified professionals were paid a supplement to substitute for other classified professionals. Management of the Payroll and Labor Relations Departments informed us that classified

*Employees can be overpaid when sick or vacation absences are not recorded.*

*Reliance on manual tracking and human memories are ineffective in preventing or detecting unrecorded absences.*

*Standardize procedures and automate them if possible.*

*On 15 occasions ESE classified professionals were paid to substitute for other classified professionals instead of instructional personnel.*

employees should be paid when substituting for instructional employees and not for other classified employees.

Recommendation:

Management of the Labor Relations Department and the Area Learning Communities should remind schools of Article X, C.5 of the OESPA contract. Classified employees should not be paid to substitute for other classified employees.

**3) Substitute Training Certificates were not on file. *Minor (Risk or Impact) Deficiency***

Best Practice:

OESPA Article X, Section C.5 states that an employee who substitutes for a least 2.5 hours of student contact time for a teacher who is absent, shall be paid the supplemental rate of \$20 per day for said day. If the employee has completed the district endorsed Substitute Teacher Training he/she shall be paid the supplemental rate of \$30 per day.

Audit Result:

Two schools had no substitute training certificates on file to support paying a \$30 substitute supplement to three ESE classified professionals.

Recommendation:

Management of the Payroll Department and the Area Learning Communities should remind school work locations of this requirement and also monitor to ensure the appropriate certificate is on file to support paying the extra supplement amount.

Detailed Analysis of Sample Schools

Separately from our detailed testing of overall ESE supplemental substitute pay transactions, we selected 40 schools for more detailed testing and analysis. Our sampling plan included:

- Schools from each learning community
- Schools of each type – elementary, middle, high, K-8, etc.
- Schools with more and few complaints

*Two schools had no substitute training certificates to support paying the larger supplement amount to three ESE classified professional employees.*

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- Schools where ESE students performed well academically and schools where academic performance could improve

We scheduled 40 virtual meetings and conducted 39. One meeting was canceled due to extenuating circumstances with the school principal. During our meetings, we discussed the schools' substitute procedures with the Principals.

### School Substitute Procedures

Teachers notify Kelly Services and the school in advance for preplanned absences or the day of via email/text/call for emergency absences. The school attempts to use Kelly Services substitutes first and if Kelly Services can't fill the absence, then the school uses school staff which includes the school's Leadership Team as well as all types of classified professionals. Principals stated they will not use an ESE classified professional assigned to a unit and they use other ESE classified professionals only as a last resort. Our examination of ESE classified professionals substitute instances during the 2020-2021 school year for the 40 schools in our sample disclosed:

*Table 3 – Sample results*

Number of Schools	Number of ESE Classified Professionals	Number of Substitution Days	Results / ESE Classified Professionals:
8	0	0	No ESE classified professionals
14	145	0	Did not substitute
7	26	287	Substituted only in ESE classes
2	2	51	Substituted only when 1:1 student was Launch Ed
9	11	122	Substituted in Gen Ed classes
40	184	460	Totals

Source: Internal Audit

As noted above, eight schools in our sample employed no ESE classified professionals. Of the 184 ESE classified professionals employed at the remaining 32 sample schools, 79% did not substitute. Others

*We scheduled 40 virtual meetings and conducted 39.*

*Schools attempt to use Kelly Services substitutes first.*

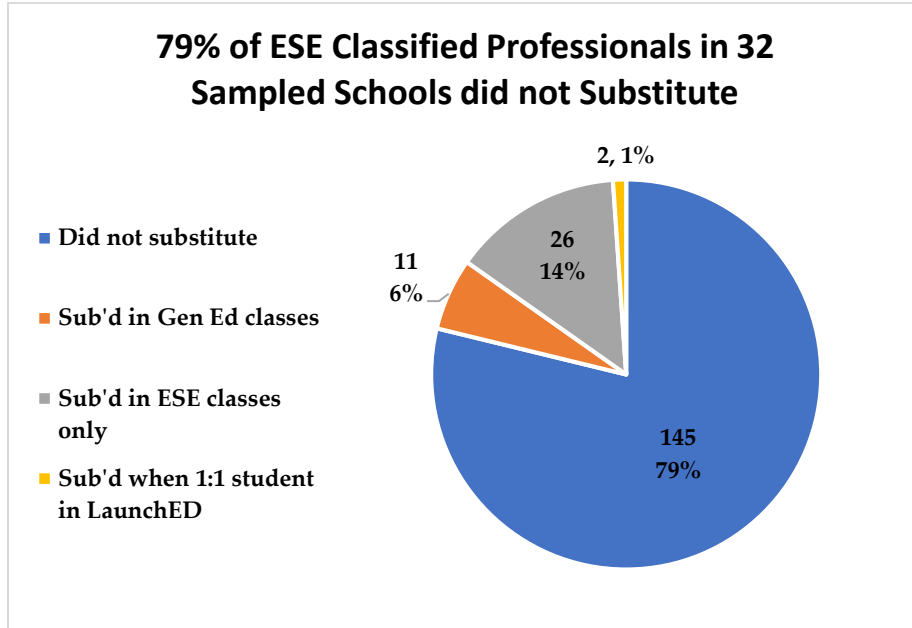
*Principals stated they use ESE classified professionals to substitute as a last resort.*

*184 ESE classified professionals employed in our sample of 40 schools substituted a total of 460 days during the 2020-2021 school year.*

*51 days of substitution were by 1:1 ESE classified professionals while their students were in LaunchEd at home.*

substituted in ESE classes or Gen Ed classes as depicted in Chart 4 below.

Chart 4 – ESE Classified Professional in sample schools



Source: Internal Audit Analysis

Since 9 of the 40 schools in our sample used ESE classified professionals for various Gen Ed classes, we reassessed the data to isolate other schools with 25 or more substitute instances for Gen Ed classes. In so doing, we identified 20 additional schools, not selected in our sample, where ESE classified professionals substituted in Gen Ed classes from 25 to 97 times. We emailed principals at these 20 additional schools to confirm this data and all but one school responded. Their responses are incorporated into the paragraph below that explains the use of ESE classified professionals in Gen Ed classes.

The 39 principals in our sample with whom we met and the 19 principals who responded to our email inquiry provided the following reasons for using ESE classified professionals in Gen Ed classes.

- Teacher absences due to the COVID-19 pandemic (illness, accommodations, quarantines) caused schools to use all staff on campus to cover classes.

*79% of ESE classified professionals in 32 of our sample schools did not substitute.*

*We identified 20 additional schools with 25 or more instances of ESE classified professionals substituting in Gen Ed classes.*

*Principals explained reasons for using ESE classified professionals in Gen Ed classes.*

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- Kelly Services was not picking up vacancies at the same rate as in previous school years. Principals reported that Kelly substitutes particularly avoided LaunchEd and hybrid classes.
- The district COVID-19 Health and Safety Procedures Manual required limiting the exposure of students mixing with each other which eliminated the option of combining or splitting classes.
- Families of some ESE students with 1:1 ESE classified professionals chose the LaunchEd virtual learning option so that these ESE classified professionals were available to substitute in other classes.
- Some ESE classified professionals served as the “adult in the room” for a hybrid class where the teacher was remote, but some students were in the classroom.
- No ESE classified professionals assigned to self-contained units were used as substitutes.
- An ESE Program Assistant was used as a substitute for a Reading class that included mainstreamed ESE students from a unit to ensure familiarity and consistency.

We confirmed that 1:1 ESE classified professionals in our sample did not substitute after their assigned student returned to campus for face-to-face learning.

### Survey of ESE Classified Professionals

We sent an 11-question survey to 184 ESE classified professionals assigned to the 40 schools in our sample and received only 14 responses. The poor response to the survey may be related to one or more of the following reasons:

- As stated previously in Table 3, 14 of 40 schools’ ESE classified professionals did not substitute. These 14 schools accounted for 145 of the 184 ESE classified professionals surveyed.
- ESE classified professionals may have limited time to respond to a survey due to their classroom responsibilities.

*Teacher absences and Kelly Services substitutes not picking up vacancies were the primary reasons ESE classified professionals were used in Gen Ed classes.*

*We confirmed that 1:1 ESE classified professionals in our sample did not substitute after their student returned to campus.*

*We received only 14 responses to our survey of 184 ESE classified professionals.*

We wish to extend our appreciation to all of the schools as well as the ESE, Payroll, Employment Services, and Labor Relations Departments for their assistance and cooperation with this audit.





<b>Department / School Name</b>	<b>OCPS Teaching and Learning</b>
<b>Administrator / Department Head</b>	<b>School principals</b>
<b>Cabinet Official / Area Superintendent</b>	<b>Area &amp; Associate Superintendents</b>

<b>Audit Result / Recommendation</b>	<b>Management Response Acknowledgement/ Agreement of Condition</b>	<b>Responsible Person (Name &amp; Title) And Target Completion Date</b>	<b>Management's Action Plan</b>
Short Term Leave absences were not always entered.	School Board Policy GCC and Management Directive A-14 requires employees to enter leave absences in a timely manner. This prevents use of leave in excess of what has been earned as well as overpayment of accumulated leave balances upon termination of employment.	<b>August 2, 2021 and ongoing</b> Each School Principal, along with their designee for substitutes and attendance	Area Superintendents will share the results of this audit at a principals meeting and ask each school principal to submit their plan for monitoring leave absences are being entered in a timely manner.
ESE Classified professionals were paid to substitute for other classified professionals.	OESPA Article X, Section C.5 states that an employee who substitutes for at least 2.5 hours of student contact time for a teacher, who is absent, shall be paid the supplemental rate of \$20 per day for said day.	<b>August 2, 2021 and ongoing</b> Each School Principal, along with their designee for substitutes and attendance	Area Superintendents will share the results of this audit at a principals meeting and ask each school principal to submit their plan for monitoring classified professionals are only receiving the supplement when covering for teachers, not other classified employees.



<p>Substitute Training Certificates were not on file.</p>	<p>OESPA Article X, Section C.5 states that an employee who substitutes for at least 2.5 hours of student contact time for a teacher, who is absent, shall be paid the supplemental rate of \$20 per day for said day. If the employee has completed the district endorsed Substitute Teacher Training he/she shall be paid the supplemental rate of \$30 per day.</p>	<p><b>August 2, 2021 and ongoing</b> Each School Principal, along with their designee for substitutes</p>	<p>Area Superintendents will share the results of this audit at a principals meeting and ask each school principal to submit their plan for how their school will collect and file training certificates for Classified professionals who complete the substitute training.</p>
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