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Inspector General
Office of the Inspector General for Miami-Dade County Public Schools



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To: The Honorable Chairperson, Perla Tabares Hantman
and Members, Miami-Dade School Board
Alberto M. Carvalho, Superintendent of Schools, M-DCPS

From: Christopher Mazzella, Inspector General

Date: November 11, 2011

Re: SES Provider Arrested for Phantom Student Billing Scheme, Ref. IG09-99SB

Attached is a news release announcing the arrest of Erika Raquel Robinson (Robinson), the operator of a Miami-Dade County Public Schools (M-DCPS) Supplemental Education Services (SES) program provider. Robinson, the principal of Divine Sports, Inc. (Divine Sports), a Florida not-for-profit corporation, surrendered to authorities last Friday. She was charged with 47 felonies relating to fraudulent billing schemes involving the afterschool SES tutoring programs at Miami Central High School, Miami Northwestern Senior High School, and Golden Glades Elementary. Robinson's company, Divine Sports, was also charged with the same 47 felonies.

Divine Sports, for the 2009-2010 school year, received almost \$1 million from M-DCPS for SES tutoring. Qualified students are eligible to receive free afterschool tutoring in reading and math. The SES program is federally-funded and those funds are administered at the local level by M-DCPS. In 2010-2011, Divine Sports billed M-DCPS over \$470,000 for SES tutoring. However, payment was withheld due to the pending criminal investigation.

The arrest stems from a joint investigation conducted by the Miami-Dade County Public Schools Office of the Inspector General (OIG), the United States Department of Education Office of the Inspector General (U.S. ED OIG), and the Miami-Dade State Attorney's Office (SAO). Afterschool SES programs at other middle schools and high schools are still under investigation. The OIG would like to thank the U.S. ED OIG for their assistance in this investigation. We would also like to express our appreciation to the Superintendent for bringing to the OIG's attention his concerns about the SES program.

cc: Rennina Turner, Principal, Miami Central High School
Wallace Aristide, Principal, Miami Northwestern High School
Theron Clark, Principal, Golden Glades Elementary School
Chief Charles J. Hurley, Miami-Dade County Schools Police
Walter J. Harvey, School Board Attorney
Jose Montes de Oca, Chief Auditor, Office of Management and Compliance Audits
John Schuster, Chief Communications Officer, Office of Public Relations
Yesskya Santana, Special Agent in Charge, Southeastern Regional Office, U.S. ED OIG
Kristen Frias, Asst. Special Agent in Charge, Southeastern Regional Office, U.S. ED OIG



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November 14, 2011

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NEWS RELEASE

Erika Raquel Robinson, of Divine Sports, Inc., Miami, FL., was arrested on Friday, November 11, 2011, for defrauding the Miami-Dade County Public Schools (M-DCPS) Supplemental Education Services (SES) program. Robinson was released after complying with the terms of the \$25,000 bail set by a Circuit Court judge. Robinson, through her company, Divine Sports, Inc. (Divine Sports), a not-for-profit Florida corporation, provided after-school tutoring services to M-DCPS as part of the SES program. The investigation was conducted by the Miami-Dade County Public Schools Office of the Inspector General (OIG), the United States Department of Education Office of the Inspector General (U.S. ED OIG), and the Miami-Dade State Attorney's Office (SAO). Robinson is charged with one count of Organized Scheme to Defraud, a first degree felony; one count of Grand Theft, a third degree felony; 40 counts of Identity Theft of a minor, second degree felonies; and five counts of Identity Theft, third degree felonies. The company, Divine Sports, is also being criminally charged with the same 47 felony charges.

The SES program offers afterschool tutoring in reading and math. M-DCPS administers U.S. Department of Education funds targeted to low-income students in need of academic services and who receive free or reduced lunches in Title 1 schools. For the 2009-2010 school year, M-DCPS received approximately \$19 million in federal funds for the SES program. Divine Sports, Robinson's company, has held contracts with M-DCPS to provide afterschool tutoring through the SES program. During the 2009-2010 and 2010-2011 academic years, Divine Sports provided SES tutoring services at 33 M-DCPS locations. Divine Sports received almost \$1 million for its services to the M-DCPS SES program in 2009-2010. During the 2010-2011 academic year, Divine Sports submitted tutoring invoices, totaling over \$470,000, to the M-DCPS-administered SES program; due to the pending investigation, M-DCPS has withheld paying those invoices.

Fraud at Miami Central and Miami Northwestern High Schools

The joint investigation found that at two local high schools, Miami Central High School (Central) and Miami Northwestern High School (Northwestern), Divine Sports billed for tutoring phantom students, overbilled for actual students, and submitted false documentation as proof of services rendered. The fraud, as the OIG uncovered, began with the application process. In violation of parental choice laws, Divine Sports staff instructed tutors to pre-fill the SES program applications to make it appear that the parents had selected Divine Sports as their first choice tutoring program. After the students were signed up to receive tutoring from Divine Sports, their identifying information, including forged initials, were submitted by Divine Sports in its payment requests. The OIG found that very few students were actually tutored; those who were, were tutored for only a minimal amount of time. Divine Sports, however, billed for the maximum amount of time allowed for each student. Divine Sports' invoices, submitted for services purportedly provided during the 2009-2010 academic year, show that all 104 of

its Central High School students attended afterschool tutoring 100% of the time, without absences. Sadly, the OIG learned that even when students did show up for the afterschool sessions, they did not always receive tutoring services. Sworn testimony taken from Northwestern students revealed that the students were often left to amuse themselves during the afterschool period. Many students stated that they spent the afternoon logging on to the NFL.com website. The OIG investigation also found numerous examples of attendance sheets containing forged initials and signatures of students and tutors. Furthermore, in order to receive payment, progress reports that parents should have received were falsified and submitted as proof of services to M-DCPS. The approximate amount of fraud uncovered at Central and Northwestern for the 2009-2010 and 2010-2011 academic years exceeds \$75,000.

Fraud at Golden Glades Elementary School

Robinson and Divine Sports also provided SES program tutoring services at Golden Glades Elementary School (Golden Glades). Similar schemes of fraudulent billing were uncovered at Golden Glades regarding Divine Sports' invoices. Additionally, the OIG found that Divine Sports contracted with the Children's Trust to provide out-of-school services at Golden Glades. The Children's Trust program required a rigorous curriculum of services provided to students after school and specifically prohibited duplication of services or staff providing the services to the children in the program. However, the OIG investigation found that Divine Sports billed the Children's Trust and the SES program for tutoring the same children at the same time. In addition, phantom students and forged tutor signatures were also found in the Divine Sports billing for the SES program. In total, M-DCPS paid Divine Sports over \$56,000 for SES tutoring services at Golden Glades. It is noted that Divine Sports was also paid over \$138,000 from the Children's Trust for providing afterschool services to those same SES students.

Investigation Continues

The OIG investigation continues as the inquiry has expanded to look at other fraud related to SES providers. In commenting on the investigation, Inspector General Christopher Mazzella noted that Robinson's brazen actions enriched herself at the expense of our community's children. Even more egregious is that she profited at the expense of children in need of assistance. Many qualified students did not receive the needed services while others waited for tutoring slots that were filled by her phantom students. State Attorney Katherine Fernandez Rundle stated that, "Whenever funds are stolen from our children, which is what happens when our public schools are victimized, both we and our children are the losers. Children who needed educational help had that help stolen from them and were left to their own devices. All the taxpayers got was the bill." Additionally, Yesskya Santana, Special Agent in Charge of the U.S. Department of Education Office of Inspector General's Southeastern Regional Office, remarked that, "Today's action alleges that this business owner not only abused her position of trust for personal gain but did so at the expense of young students who needed those funds for educational development services that they were entitled to. That is completely unacceptable. That's why OIG Special Agents will continue to aggressively pursue those who seek to enrich themselves at the expense of our nation's students and taxpayers."

Copies of the arrest affidavit are available at the OIG's website www.miamidadeig.org, or at the State Attorney's Office, c/o Ed Griffith, 1350 NW 12 Avenue, Miami, FL, telephone number (305) 547-0535.