



OFFICE OF THE INSPECTOR GENERAL

Montgomery County, Maryland



MEMORANDUM OF INVESTIGATION

TO: Karla Silvestre
President
Montgomery County Board of Education

FROM: Megan Davey Limarzi, Esq.
Inspector General *ML*

DATE: January 8, 2024

SUBJECT: Investigation of Misconduct by Senior MCPS Officials

The Montgomery County Office of the Inspector General (OIG) has completed an investigation of alleged misconduct by senior Montgomery County Public Schools (MCPS) officials. The investigation was predicated on a written complaint received by MCPS's Chief of Human Resources and Development and subsequently referred to us by the Chief of Staff.

The complaint alleged that two MCPS administrators made inappropriate jokes and statements of a sexual nature directed toward a subordinate. The supervisor of one of the administrators was reportedly aware of the alleged misconduct. The complaint also alleged that a senior MCPS official was present at a social gathering during which an MCPS employee was intoxicated and attempted to remove their clothing in front of MCPS colleagues. Lastly, the complaint alleged that another MCPS administrator was involved in an improper romantic and/or sexual relationship with a subordinate, and that a senior MCPS official was aware of the relationship while it was on-going.

We initiated an investigation to address the potential violations of policy, law, and regulations as presented in the complaint. In so doing, we conducted interviews with the requisite MCPS employees, and obtained and analyzed responsive records. The written complaint, however, lacked important details such as dates, locations, and other potentially corroborating information, and the complainant ignored our multiple requests for an interview and additional information. Our attempts to corroborate the allegations were further hindered by an MCPS administrator who provided evasive answers to direct questions and made the unlikely claim that they did not recall memorable events noted in the complaint. MCPS's Employee Code of Conduct (Code of Conduct) requires that employees "respond honestly to a work-related inquiry by MCPS, law enforcement, or other authorized investigative officials."¹ Policy in this area should be strengthened to include a mandate that employees fully cooperate with investigations.

¹ Employee Code of Conduct, Pgs. 2 and 3

Conclusion and Recommendations

Our investigation did not substantiate any violations of MCPS policy or regulation by the individuals identified in the complaint. However, we noted opportunities to bolster policy and regulations to ensure greater transparency and limit conflicts of interest. We recommend that MCPS establish requirements mandating that anyone serving in a leadership position disclose to their supervisor any previous romantic and/or sexual relationships with employees within their supervisory chain. Those disclosures should then be evaluated to ensure the prior relationship does not impact the employee's ability to properly supervise the subordinate. Presently, MCPS's *Employee Conflict of Interest Regulation (GCA-RA)* only restricts those in leadership positions from supervising someone in their immediate supervisory chain with whom they simultaneously have a romantic and/or sexual relationship.² It does not address prior relationships or acknowledge the impact that prior romantic relationships may have a detrimental impact on the supervisor-subordinate working relationship.

We further recommend that MCPS strengthen policy requirements to mandate employees fully cooperate and provide complete and truthful information when questioned as subjects and witnesses as part of an investigation. A similar obligation is a part of Montgomery County's Personnel Regulations and will lead to greater transparency and accountability if implemented by MCPS.³

² Employee Conflict of Interest Policy (GCA-RA), section IV(A)(1)(a)

³ Montgomery County Personnel Regulations 2001, section 33-5(z) and (aa)