

On Thursday, **June 23, 2022**, members of the May/June 2022 Term of the Grand Jury, initially met to review an ongoing investigation of the Cobb County School Board.

O.C.G.A. 15-12-71(b)(2) provides that "In addition to the inspections provided for in paragraph **(1)** of this subsection, the grand jury shall, whenever deemed necessary by eight **(8)** or more of its members, appoint a committee of its members to inspect or investigate any county office or county public building or any public authority of the county or the office of any county officer, any court or court official of the county, the county board of education, or the county school superintendent or any of the records, accounts, property, or operations of any of the foregoing."

Several prior Grand Juries voted to form a committee, to inspect and investigate the operations of the Cobb County School Board and school system. The May/June Cobb County Grand Jury was presented historical details and data stemming from the four **(4)** previous Grand Juries regarding the functionality of the Cobb County School Board, as well as procurement irregularities dealing with the companies previously owned by David Allen. This information included all of the Cobb County School contracts from **2015-2021** and all contracts with any of the companies associated with David Allen and his family. All of the Cobb County School Board meetings are available for review on the Cobb County School website and have been reviewed by multiple Grand Juries. Summaries of the review of these contracts as well as the video was also provided to this Grand Jury.

The review of the procurement issues has revealed several concerns.

First, a review of the contracts, requests for bid, requests for proposals and similar documents show a clear patterns of rewarding some contracts outside of the Cobb County School procurement policy. These deviations from procurement policy were primarily in contracts with companies who were generally resellers, not sole source providers. However, because Cobb County School Board is exempt from Georgia procurement law, except for construction contracts, no criminal violations have been found. **Therefore, the Grand Jury wishes to focus on what is most important to the residents of Cobb County.**

The Grand Jury recommends that the Georgia legislature review and consider changing state procurement law to include county boards of education. Furthermore, the Cobb County School Board has full authority to control and manage the more than 100 public schools within the county while receiving property tax funds of county residents. The Grand Jury recommends that at the end of each school year (May/June or July/August term) the Grand Jury shall conduct an annual review of the Cobb County Board of Education. Cobb County Board of Education procurement reports, finance services, budgets and other operational instruments must be made available for review under the Georgia Open Records Act. All data regarding procurement should be open to the public and accessible to all constituents in order to foster complete transparency. The Grand Jury recognizes the procurement division of the Cobb County Schools has much of the current documentation posted online for citizen review. This is a proper practice to promote transparency.

The Cobb County School System procurement policies and procedures should be modified to include a provision that requires the Cobb County School Board to conduct a Peer Review of all procurements greater than **\$20,000** Pre-Award, and add the Cobb County School Board as a required approver prior to award for all procurements greater than **\$50,000**. This is particularly important since the Cobb County School Board and District are not currently subject to State procurement law except in the case of construction contracts. All associates and employees of the Cobb County Board of Education should adhere to practices that are **fiscally** sound and maintain a common sense to the use of **fiscal** spending. Current policies of maintaining competitive bids for purchases must be followed. An easy to understand reporting for purchases and competitive bids for over **\$20,000** should be maintained by the CFO for presentation to the Grand Jury, to include all exceptions. This is the same process used by the other agencies who are reviewed by the Grand Jury pursuant to **O.C.G.A. 15-12-71**.

The **second** issue the Grand Jury examined is the functioning of the Cobb County School Board. There is substantial evidence that the Cobb County School Board has not been operating as a well-functioning school board. Cobb County overall, and the student body represented are high functioning groups. The students, parents, and the community deserve a high functioning school board. The points of greatest concern can be summarized by:

- Insufficient adherence to appropriate procurement and approval policies and procedures, resulting in outcomes non-representative of sound fiscal management.
- Insufficient transparency among board members, employees, and the stakeholders within the district.

To this end, the Cobb County School Board should review the Code of Ethics to develop, implement, and monitor a plan of accountability that holds each board member individually and collectively responsible for improving public perception of board leadership, district leadership, and ensures adherence of all board members in effectively and efficiently executing their established roles and responsibilities.

As leaders of the community and role models for the students of the school district, the Cobb County School Board and leadership staff shall conduct themselves with propriety, dignity, morality, integrity, honesty, and consistent with Cobb School Board Policies, Regulations, and written guidance. No member of the Cobb County School Board and leadership staff shall engage in any activity likely to bring reproach, disgrace, infamy, or public ridicule to himself, the Board, or the school district.

The Board should revise the strategic plan to include measurable goals, initiatives, and budgetary allocations and ensure adherence to clearly defined policies, procedures, and practices to promote consistency and transparency through-out the decision-making process, particularly in managing fiscal resources.