



MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION

INVESTIGATIVE SUMMARY | 21-0006-I

Findings Regarding the Baltimore City Public Schools Lack of Use and Practice of Advising Employees of Their Constitutional Rights During an Internal Investigation

The OIGE initiated an investigation after receiving a complaint alleging inflated student enrollment data and ghost students at the Augusta Fells Savage Institute for Visual Arts (AFS). Based on this complaint, information derived from OIGE case 20-0003-I, Baltimore City Public Schools (BCPS) Grade Changing, and significant media attention, the OIGE initiated this investigation on April 21, 2021, but did not continue the investigation due to an ongoing BCPS internal investigation. Instead, the OIGE investigated the lack of use and practice of advising employees of their constitutional rights under *Garrity v. New Jersey*, 385 U.S. 493 (1967) (hereinafter *Garrity*) during the BCPS internal investigation.

The OIGE found that the BCPS Staff Investigations Unit (SIU) lack of a written policy regarding *Garrity* and other protections against self-incrimination potentially places employees at risk during internal investigations and could hinder the chance of any prosecutorial consideration in cases deemed appropriate.

The OIGE has completed its investigation.

Unless otherwise noted, the OIGE applies the preponderance of the evidence standard in determining whether local school system personnel have committed misconduct.