

IN THE EXECUTIVE ETHICS COMMISSION  
OF THE STATE OF ILLINOIS

IN RE: TRACEY BRUNO ) OEIG Case #15-00700

OEIG FINAL REPORT (REDACTED)

Below is an amended final summary report from an Executive Inspector General. The General Assembly has directed the Executive Ethics Commission (Commission) to redact information from this report that may reveal the identity of witnesses, complainants or informants and “any other information it believes should not be made public.” 5 ILCS 430/20-52(b).

The Commission exercises this responsibility with great caution and with the goal of balancing the sometimes-competing interests of increasing transparency and operating with fairness to the accused. In order to balance these interests, the Commission may redact certain information contained in this report. The redactions are made with the understanding that the subject or subjects of the investigation have had no opportunity to rebut the report’s factual allegations or legal conclusions before the Commission.

The Commission received this report from the Governor’s Office of Executive Inspector General (“OEIG”) and a response from the agency in this matter. The Commission, pursuant to 5 ILCS 430/20-52, redacted the final report and mailed copies of the redacted version and responses to the Attorney General, the Governor’s Executive Inspector General and to Tracey Bruno at her last known address.

The Commission reviewed all suggestions received and makes this document available pursuant to 5 ILCS 430/20-52.

**FINAL REPORT**

**I. ALLEGATIONS**

On April 3, 2015, the Office of Executive Inspector General (OEIG) received a complaint alleging that an Illinois Department of Human Services (DHS) Division of Rehabilitation Services (DRS) employee may have engaged in “possible fraud. . . .” Documents attached to the complaint indicated that DHS employee Tracey Bruno may have improperly approved \$20,000 for [Client], a DHS client, for tuition.

**II. BACKGROUND**

**A. DHS’s Vocational Rehabilitation Program**

DHS provides qualifying individuals with financial assistance for educational expenses in order to achieve defined employment objectives.<sup>1</sup> For non-degree training, DHS either pays for:

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<sup>1</sup> See generally 89 Ill. Admin Code §§ 553.20, 590.10, 590.220, 590.240; DHS Policy Manual § 21-04-01.

(1) the full cost of attendance at a community college, or (2) the cost of an alternative program at a non-community college or vocational school, up to the cost of tuition at a comparable community college program, or if there is no comparable program at a community college, up to a maximum amount annually, which for the 2014-2015 academic year was \$5,268.<sup>2</sup> In other words, if a client chooses to attend a non-community college or vocational school when there is a comparable program at a community college, DHS will only pay up to the cost of the comparable community college program.

Until approximately 2010, in either of the above scenarios, DHS would pay for the cost of tuition minus any grants received by a client, and minus the results of a DHS financial analysis that determined how much a client can pay.<sup>3</sup> Notably, since approximately 2010, DHS will pay for the full cost of tuition at a community college, and not factor in a client's ability to pay, although it will still subtract any grants received by a client.<sup>4</sup>

Exceptions to these rules may be approved by a DHS Bureau Chief if there are extenuating circumstances related to an individual's disability.<sup>5</sup> [Chief] is the Bureau Chief that is relevant to this investigation.

#### **B. DHS Program Advisor Tracey Bruno**

Tracey Bruno began working as a DRS Vocational Rehabilitation (VR) Counselor at DHS in April 1996. In 1999, she relocated to DHS's Westchester office and was later promoted to Senior Vocational Rehabilitation Counselor. On July 15, 2014, she was promoted to be a Program Advisor, and no longer works at the Westchester office.

### **III. INVESTIGATION**

#### **A. DHS Client [Client]**

The OEIG obtained and reviewed [Client's] case file. The file showed that DHS, through Ms. Bruno, authorized [Client] to pursue a non-degree training program in automotive technology at the Universal Technical Institute (UTI), a private institution. Ms. Bruno authorized \$20,000 to be paid to UTI for [Client's] tuition. Notes in the file indicate that [Client] arrived at this figure by subtracting \$12,210 in federal grants from UTI's tuition, \$31,600, which left \$19,930 as the total cost. Ms. Bruno approved vouchers dated June 30, 2014, the last day of the fiscal year, to pay for the \$20,000, and the vouchers show that the funds were paid to UTI.<sup>6</sup>

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<sup>2</sup> 89 Ill. Admin Code § 590.240(a).

<sup>3</sup> 89 Ill. Admin Code §§ 590.240(b), 562.40.

<sup>4</sup> See DHS Policy Directive VR-009.

<sup>5</sup> 89 Ill. Admin. Code § 590.240(d).

<sup>6</sup> Ms. Bruno authorized \$20,000 to be paid through five separate \$4,000 vouchers, an action that the investigation revealed was inconsistent with internal DHS procedures, but did not violate DHS policy. Ms. Bruno's supervisor, DRS Rehabilitation Supervisor [Supervisor], said this amount exceeded an office limit he set for vouchers, but that the limit was not DRS policy. [REDACTED], DHS' Manager of Strategic Management, also told investigators that issuing separate vouchers was a "bad practice," but he was not aware of any rule that prohibited the issuance of separate vouchers.

[Client's] file did not contain any documentation referencing the cost of tuition for any comparable programs at any in-district community colleges. His file also did not contain any documentation indicating that Ms. Bruno obtained supervisory approval to authorize the \$20,000 payment.

**B. Interview of VR Counselor Trainee [Employee 1]**

On May 4, 2015, investigators interviewed VR Counselor Trainee [Employee 1], who said she took over Ms. Bruno's cases, including [Client 1's] case, after Ms. Bruno was promoted to her new position. [Employee 1] said she reviewed [Client's] case file, and saw that [Client] was attending UTI for an automotive technology program. [Employee 1] said that she learned that Triton College, a community college in the same district as [Client's] residence, offered an automotive technology certificate program that cost \$5,508. [Employee 1] provided investigators with a copy of courses and a list of tuition and fees at Triton. [Employee 1] said that, per DHS rules, for [Client], DHS should have paid no more than the cost of Triton's tuition, minus any grants received by [Client].

**C. Interviews of DRS Bureau Chief of Field Services [Chief]**

On July 14, 2015, and January 27, 2016, investigators interviewed DRS Bureau Chief of Field Services [Chief]. Investigators showed [Chief] documents detailing the \$20,000 that was authorized for [Client]. [Chief] said that DHS has a form he can sign to approve an exception to DHS's rules, but he did not fill one out or approve "anything" for [Client's] case. Investigators also showed [Chief] documents detailing the cost of tuition at Triton College. [Chief] said that if Triton had a similar program, then Ms. Bruno should have authorized no more than the cost of Triton's tuition, or \$5,508.

**D. Interview of DRS Program Advisor Tracey Bruno**

On October 1, 2015, the OEIG interviewed DRS Program Advisor Tracey Bruno. Ms. Bruno said that as a Senior VR Counselor, she could approve the use of DHS funds for tuition, but the amount DHS could pay for tuition depends on the level of training a client seeks, and the amount a client can pay is deducted from the cost of tuition. Ms. Bruno said that she was "kind of" familiar with DHS policy regarding non-degree programs. Ms. Bruno said that other than [Client], she had not had a client pursue non-degree training for a long time, and most of her clients went to community colleges. She said that DHS rules have changed over time, and at one point, DHS had paid for the full amount of tuition for a vocational school.<sup>7</sup>

With respect to [Client], when asked, Ms. Bruno denied having a personal relationship with [Client] or his family outside of DHS. Ms. Bruno acknowledged that she wrote in [Client's] file that DHS would pay \$20,000 for his tuition, and said she arrived at that number by subtracting what [Client] was awarded in grants (\$12,210) from the cost of tuition (\$31,600).

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<sup>7</sup> The relevant Administrative Code, has, since at least 2012, not authorized DHS to always pay for the full cost of a *non-degree* training program. 89 Ill. Admin Code § 590.240(a). However, as previously detailed, beginning in approximately 2010, DHS permitted payment of the full cost of tuition at *community* colleges, including vocational training at community colleges. See DHS Policy Directive VR-009.

Ms. Bruno explained that while the cost of attendance equaled \$19,390, she authorized \$20,000 to account for books and supplies, although she did not know what those expenses would be. Ms. Bruno said she believed this was the proper way to calculate how much DHS would pay because she took into consideration what [Client] was awarded, and she believed DHS could pay for the full amount of tuition. Ms. Bruno said that she corresponded with UTI, and the school agreed that any money not used would be returned to DHS.

Investigators showed Ms. Bruno documents from Triton College detailing the cost of tuition at Triton for a program similar to UTI's automotive technology program. Ms. Bruno acknowledged that [Client] lived in a district served by Triton, and that Triton would have cost less than UTI. Ms. Bruno said that she approved UTI because [Client] was a more visual learner, she believed UTI had a more "hands on" program, and [Client] chose UTI. Ms. Bruno said she talked to UTI about its program, but did not talk to Triton about its program.

Ms. Bruno also said that while coming out of a staff meeting, her supervisor, DRS Rehabilitation Supervisor [Supervisor], said he was going on vacation and asked if anyone needed funding approved. Ms. Bruno said she told [Supervisor] she needed \$20,000 for tuition. Ms. Bruno said [Supervisor] normally would look at a case file, but did not look at [Client's] file. Ms. Bruno acknowledged that she later approved vouchers to pay for [Client's] tuition and dated the vouchers for the last day of the fiscal year, June 30, 2014. Ms. Bruno said that it was the last day of the fiscal year and funds had to be used, [Supervisor] was on vacation, she was transferring to a new job, DHS staff were overworked, and she was trying to get [Client's] case done and not put it on someone else. Ms. Bruno acknowledged that she did not specifically get approval from [Chief] before issuing the vouchers to pay for [Client's] tuition. After investigators reviewed DHS's rules regarding tuition for non-degree programs with Ms. Bruno, she acknowledged that DHS should not have paid \$20,000 for [Client's] tuition. Ms. Bruno said she did not intentionally violate DHS policy, and said she "honestly thought that [she] was doing what [she] was supposed to do."

#### **E. Interviews of Rehabilitation Supervisor [Supervisor]**

On December 8, 2015, and January 20, 2016, investigators interviewed [Supervisor]. [Supervisor] said that VR Counselors at Westchester report to him. [Supervisor] said that DHS prioritizes college tuition payments for disabled clients. [Supervisor] said that DHS may pay tuition for a technical school, but if the tuition is higher than the cost of a similar program at a community college, a Counselor must obtain permission from a Bureau Chief before DHS pays for tuition.

With respect to [Client], [Supervisor] said that the \$20,000 Ms. Bruno authorized exceeded the maximum that could be paid for tuition. [Supervisor] said that he was not aware of [Client's] case before his OEIG interviews. Investigators showed [Supervisor] an email he sent to Ms. Bruno on June 26, 2014, in which he stated that he "Just allocated money into your district 601. (\$24,500), for services to customer [sic] you mentioned during our meeting." [Supervisor] explained that although Senior VR Counselors have the authority to authorize and disburse funds, he must first make the funds available in a Counselor's individual district<sup>8</sup>

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<sup>8</sup> [Supervisor] said each Counselor's caseload is referred to as a district.

account, which requires him to use a computer program to transfer and make funds available for use. [Supervisor] said he knows when to transfer funds because he will generally ask Counselors if they need funds, but he usually does not ask for details on specific cases. [Supervisor] said he does not remember Ms. Bruno's request, but that it probably came after a Counselor's meeting on June 26, 2014. [Supervisor] said the amount was not unusual. [Supervisor] said he believed Ms. Bruno had "good intentions" by authorizing payment of [Client's] tuition, but violated DHS policy by authorizing payment for the full amount of [Client's] tuition. [Supervisor] also said that Ms. Bruno should have consulted with upper management before disbursing \$20,000.

#### **F. OEIG Review of DRS Tuition Reimbursement Files and the Action DHS Took After Learning about [Client's] Tuition**

Given Ms. Bruno's actions, the OEIG reviewed all of the files involving tuition reimbursements assigned to Ms. Bruno at the time she left her position as a Senior VR Counselor. Investigators reviewed each of these ten files, and, with the exception of [Client's] file, investigators did not find any anomalies. In addition, to determine whether there might be a systemic problem at DHS, investigators reviewed fourteen files where tuition reimbursements over \$20,000 had been approved. Investigators did not find any anomalies.

The OEIG also reviewed what actions DHS took after learning about Ms. Bruno's actions with regard to [Client's] tuition. Documentation provided by DHS shows that while DHS has not taken any disciplinary action with respect to Ms. Bruno, DHS has already referred this matter to its Bureau of Collections to begin collecting a \$20,000 overpayment from UTI.

#### **IV. ANALYSIS**

The investigation revealed that Ms. Bruno authorized \$20,000 for [Client] to attend UTI. She authorized that amount by deducting [Client's] grants (\$12,210) from the cost of tuition at UTI (\$31,600), arriving at a figure of \$19,390, and rounding up to \$20,000 to account for other expenses. Her calculation did not comply with DHS policy for non-degree training programs.<sup>9</sup> She did not consider that Triton College's tuition for a comparable program was less than UTI's, and therefore, the cost of tuition that he could have been awarded should have been no more than Triton's tuition, which was \$5,508. However, the investigation revealed that after deducting the amount of grants [Client] received from the cost of Triton's tuition, [Client] was actually not eligible for any assistance from DHS, because he received more money in grants than the total cost of Triton's tuition.

The amount Ms. Bruno authorized, \$20,000, also exceeded DHS's maximum tuition available for non-degree programs. Moreover, Ms. Bruno did not seek or obtain an exception from [Chief], the relevant Bureau Chief who could have authorized this amount.

During her interview, Ms. Bruno acknowledged that she approved \$20,000 for [Client's] tuition. She said she believed this amount was proper because she took [Client's] grants into account and believed DHS could pay the full amount of tuition. She further explained that she was only "kind of" familiar with DHS rules regarding non-degree programs, and that most of her

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<sup>9</sup> 89 Ill. Admin. Code §§ 590.240(a), (d).

clients went to community colleges. With respect to Ms. Bruno's belief that DHS could pay for the full amount of tuition for non-degree programs, DHS policy has in fact permitted DHS to pay the full cost of tuition at a *community* college, but not for a *non-community* college program.<sup>10</sup> Ms. Bruno also said that she was trying to complete [Client's] case on her last day before a promotion, did not intentionally violate DHS policy, and "honestly thought that [she] was doing what [she] was supposed to do."

Ms. Bruno denied having any personal relationship with [Client], and the funds were paid to UTI for [Client's] tuition, not directly to [Client].

Ms. Bruno should have known the relevant DHS policies, or at least sought to uncover what the appropriate tuition rules were, before approving these benefits for [Client]. Accordingly, the allegation that Ms. Bruno violated DHS policy<sup>11</sup> by authorizing tuition for [Client] in excess of the maximum amount allowable and without obtaining approval from a Bureau Chief is **FOUNDED**.<sup>12</sup>

## V. CONCLUSION

As a result of its investigation, the OEIG concludes that there is **REASONABLE CAUSE TO ISSUE THE FOLLOWING FINDING**:

- **FOUNDED** – Tracey Bruno violated DHS policy by authorizing tuition for [Client] in excess of the maximum amount allowable and without obtaining approval from a Bureau Chief.

The OEIG recommends that DHS take whatever action it deems appropriate with respect to Ms. Bruno. The OEIG also recommends that DHS continue its efforts to collect the overpaid funds.

No further investigative action is warranted and this case is considered closed.

Date: March 31, 2016

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**Ajay Alexander**  
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<sup>10</sup> DHS Policy Directive VR-009; 89 Ill. Admin Code § 590.240(a).

<sup>11</sup> 89 Ill. Admin. Code §§ 590.240(a), (d).

<sup>12</sup> The OEIG concludes that an allegation is "founded" when it has determined that there is reasonable cause to believe that a violation of law or policy has occurred, or that there has been fraud, waste, mismanagement, misconduct, nonfeasance, misfeasance, or malfeasance.



Bruce Rauner, Governor

James T. Dimas, Secretary

100 South Grand Avenue, East • Springfield, Illinois 62762  
401 South Clinton Street • Chicago, Illinois 60607

May 3, 2016

*Via e-mail to Fallon Opperman, Deputy Inspector General and Chief of Chicago Division,  
on behalf of:*

Maggie Hickey

Executive Inspector General

Office of the Executive Inspector General for the Agencies of the Illinois Governor

69 West Washington Street, Suite 3400

Chicago, Illinois 60602

RE: Response to the Final Report for Complaint 15-00700

Dear Executive Inspector General Hickey:

This letter responds to the Final Report for Complaint Number 15-00700, attached. The Report essentially details a violation of Department of Human Services (DHS) policy by DHS employee Tracey Bruno, who authorized tuition for \_\_\_\_\_ in excess of the maximum amount allowable. The Report recommended discipline for Ms. Bruno and continued efforts at recovery of the overpayment.

The recommendations are being followed. Specifically, DHS is continuing recovery efforts, and Ms. Bruno is being disciplined. In addition, \_\_\_\_\_ is also being disciplined for failure to properly monitor the employee. As you know, the Collective Bargaining Agreement specifies a process for discipline. Accordingly, a pre-disciplinary meeting has been held. A rebuttal period will be afforded and possibly several review periods, before any final action can be taken. As you probably know, the process could take some time for resolution. You will be updated by DHS as the process moves along.

If you have any questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,

James T. Dimas  
Secretary



Bruce Rauner, Governor

James T. Dimas, Secretary

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401 South Clinton Street • Chicago, Illinois 60607

September 2, 2016

*Via e-mail to Fallon Opperman, Deputy Inspector General and Chief of Chicago Division,  
on behalf of:*

Maggie Hickey

Executive Inspector General

Office of the Executive Inspector General for the Agencies of the Illinois Governor

69 West Washington Street, Suite 3400

Chicago, Illinois 60602

RE: Update to the Response for Complaint 15-00700

Dear Executive Inspector General Hickey:

This letter updates you regarding Complaint Number 15-00700. As previously indicated, two employees were to receive discipline. Ms. Bruno served a 15 day suspension from May 9, 2016, to May 24, 2016. On May 6, 2016, \_\_\_\_\_ received a written reprimand for failing to properly monitor staff work and failing to provide appropriate support to staff.

With the disciplinary action concluded, the Department of Human Services considers this matter closed with respect to your office. If you have any questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,

James T. Dimas<sup>6</sup>  
Secretary