

Office of Inspector General
The School District of Palm Beach County

Case No. 13-058a

Benoist Farms Elementary

INVESTIGATIVE REPORT

AUTHORITY AND PURPOSE

Authority. *School Board Policy 1.092, Inspector General (4)(a)(iv)* provides for the Inspector General to receive and consider complaints, and conduct, supervise, or coordinate such inquiries, investigations, or reviews as the Inspector General deems appropriate.

Allegation. The Office of Inspector General (OIG) initiated an investigation during September 2014 in response to a complaint regarding an exchange of monies between a School Principal and the complainant. The complainant alleged that:

1. The Principal inappropriately “demanded” the complainant contribute \$100 towards a loan the Principal made to an employee; and,
2. The Principal was to repay the complainant the \$100, but did not.

BACKGROUND

The complainant is a current District employee and former Benoist Farms Elementary School (“School”) Secretary, employed at the School between 2010 and 2013. The complainant reported directly to the School Principal.

The complainant stated on or about October 2, 2012, she contributed \$100 via a check made payable to the Principal, as part of a \$300 loan (“Loan”) the Principal made to an employee (“Employee”). The purpose of the Loan was to assist the Employee, who was newly transferred to the School and had been underpaid as a result of an error in payroll processing.

The Principal loaned the Employee \$300 in total, and was to repay the complainant \$100 when the Employee repaid the Principal. The complainant alleged the Principal did not reimburse her the \$100.

The Assistant Principal was also to contribute \$100, representing one-third of the Loan. However, the Assistant Principal stated she “forgot” to pay the Principal her portion of the contribution and the Principal did not ask her for the money.

The OIG reviewed the issue of the Loan at the request of the complainant.

REVIEWS PERFORMED**Document Review**

Canceled check for \$100

Policy 3.02 – Code of Ethics

Professional Standards Investigative Report, # E12/13-020

Interviews

Principal

Assistant Principal

Attendance Clerk

Complainant

This investigation was conducted in compliance with the *Quality Standards for Investigations* within the *Principles and Standards for Offices of Inspector General*, promulgated by the Association of Inspectors General.

RESULTS OF REVIEW AND CONCLUSIONS

Allegation #1: The Principal inappropriately “demanded” the complainant contribute \$100 towards a loan the Principal made to an employee.

The complainant stated the Principal “demanded” she contribute \$100 towards the Loan. The complainant did contribute \$100, as discussed below in Allegation #2. The complainant cited intimidation and fear of job loss as the reasons she agreed to contribute the money.

The Principal denied she asked the complainant to contribute, and stated the idea for the Loan originated with the complainant and that the complainant’s contribution was voluntary.

Due to the lack of evidence and witnesses other than the two involved parties, the allegation is unsubstantiated.

Allegation #2: The Principal was to repay the complainant the \$100, but did not.

The complainant provided a copy of a cancelled check made payable to the Principal in the amount of \$100. The check was written on the account of the complainant’s husband and signed by him. The Principal does not dispute that the complainant provided the \$100, nor does the Principal dispute that the \$100 was to be repaid to the complainant.

The Principal stated in both the OIG interview and an interview conducted by the Office of Professional Standards, that she repaid the full \$100 to the complainant. The Principal stated the Employee paid her back the \$300 in cash, and she, in turn, personally handed the complainant \$100 in cash on the same day. Other than the Principal and complainant, it appears there is no other person who had direct knowledge as to whether or not the complainant was repaid.

However, the complainant is adamant she never received the \$100 from the Principal. The complainant further stated that after providing the Principal with the \$100 check, the matter was

never again discussed with the Principal and the complainant did not approach the Principal regarding the repayment.

Due to the lack of evidence and witnesses other than the two involved parties, the allegation is unsubstantiated.

RECOMMENDATION

Although there is no School Board policy specifically prohibiting the loaning of money between supervisor and subordinate, *School Board Policy 3.02, Code of Ethics*, does require “the use of good judgment based on high ethical principles.” An arrangement such as the one described in this report, may not constitute good judgment.

The OIG recommends that the Code of Ethics Policy be revisited by District Administration to address the District’s expectation that employees are encouraged to exercise good judgment in dealing with personal loans and other financial transactions involving coworkers and subordinates.

FURTHER ACTION

As this issue was previously reviewed by the Office of Professional Standards, no further action is required.

The OIG has provided a draft copy of this report to the appropriate parties, who were given the opportunity to respond. No responses were received.

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