

THE SCHOOL DISTRICT OF PALM BEACH COUNTY, FLORIDA

OFFICE OF INSPECTOR GENERAL 3318 FOREST HILL BLVD., C-306. WEST PALM BEACH, FL 33406 (561) 434-7335 FAX: (561) 434-8652 www.palmbeachschools.org Hotline: (855) 561-1010 TERESA MICHAEL, CIG, CIGI, CFE INSPECTOR GENERAL

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MEMORANDUM

TO:

Honorable Chair and Members of the School Board

Michael J. Burke, Superintendent

Chair and Members of the Audit Committee

FROM:

Teresa Michael, Inspector General

DATE:

January 27, 2023

SUBJECT:

Transmittal of Final Investigative Report:

23-0006-I/Conflict of Interest

Attached please find a copy of the Palm Beach County School District Office of Inspector General (OIG) Final Report of OIG Case 23-0006-I related to a Conflict of Interest. On August 10, 2022, the Office of Inspector General (OIG) received a complaint from Chief Academic Officer Dr. Glenda Sheffield regarding Jupiter High School Math Teacher William Johnston. Specifically, the allegation was that Johnston had a conflict of interest in that he used his District email to promote an Algebra I supplemental workbook that he authored.

The OIG investigation concluded that the allegation was **substantiated**.

In accordance with *School Board Policy 1.092.9.b.iv.*, on 12/16/2022, the draft of this investigation was provided to William Johnston for a response. On January 17, 2023, the OIG received a written response from Johnston and it is included in the final report.

The findings of this report were referred to the Office of Professional Standards for action deemed appropriate.



OIG CASE NUMBER 23-0006-I

Jupiter Community High School
Conflict of Interest-REDACTED

TYPE OF REPORT: FINAL

DATE OF REPORT: <u>1/27/2023</u>





Teresa Michael

Teresa Michael, Inspector General
Office of Inspector General
School District of Palm Beach County

THIS REPORT MAY CONTAIN INFORMATION THAT IS CONFIDENTIAL OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. DO NOT RELEASE WITHOUT PRIOR COORDINATION WITH THE OFFICE OF INSPECTOR GENERAL.

Office of Inspector General Report of Investigation 23-0006-I

EXECUTIVE SUMMARY

From August 17, 2022, to December 9, 2022, OIG staff conducted interviews and reviewed documents such as Email documentation as they related to the Allegation. As a result of the investigation, OIG staff determined that the Allegation that William Johnston promoted an Algebra I supplemental workbook that he authored by using his District email account to send emails to principals and other District employees in violation of School District Policy 3.02.5.e.iv.-Code of Ethics in that there was a Conflict of Interest was Substantiated.

On December 16, 2022, the OIG forwarded a copy of the draft report to William Johnston. On January 17, 2023, Johnston submitted a written response. The response is attached to the investigative report in its entirety (Exhibit 13).

RECOMMENDATIONS

The OIG recommends that:

- This case is referred to the Office of Professional Standards for action deemed appropriate.
- William Johnston removes his District email address from all materials, websites, and/or videos

INVESTIGATIVE PREDICATE

On August 10, 2022, the School District of Palm Beach County, Office of Inspector General (OIG) received a complaint via Email from Chief Academic Officer Dr. Glenda Sheffield regarding an allegation of a potential Conflict of Interest. The Conflict of Interest was related to Math Teacher William Johnston at Jupiter Community High School who used his District email to promote an Algebra I supplemental workbook that he authored. On August 17, 2022, OIG Director of Investigations Oscar Restrepo assigned this complaint to Tanya Lawson for investigation.

The OIG investigation concluded that the Allegation was substantiated. The investigative findings of the allegation will be discussed in detail later in this report.

BACKGROUND

B.E.S.T. Standards

Adoption and Implementation of the Benchmarks for Excellent Student Thinking (B.E.S.T.) Standards.

On February 12, 2020, the State Board of Education amended Rule 6A-1.09401, Florida Administrative Code, Student Performance Standards, to adopt the B.E.S.T. Standards for English language arts (ELA) and Mathematics for grades K-121.

House Bill (HB) 1467

Signed by Governor DeSantis on March 25, 2022, and effective July 1, 2022. Requiring certain individuals involved in selecting library materials to complete a specified training by a certain date; requiring certain materials to be selected by employees who meet specified criteria².

Jupiter Community High School is located at 500 N. Military Trail, Jupiter, FL in Palm Beach County.

ALLEGATION

It is alleged that William Johnston promoted an Algebra I supplemental workbook that he authored by using his District email account to send emails to principals and other District employees in violation of School District Policy 3.02.5.e.iv.-Code of Ethics. The policy states the following:

² Source: https://www.flsenate.gov/Session/Bill/2022/1467

¹ https://info.fldoe.org/docushare/dsweb/Get/Document-8838/dps-2020-26.pdf

School Board Policy 3.02.5.e.iv. states,

Unethical conduct includes but is not limited to:

Advertising business or professional activities on school district property or use work hours, property or services to perform or promote personal business or professional activities, or to campaign or raise money for any Candidate for political office.

COMPLAINANT INTERVIEW

On October 17, 2022, a sworn recorded interview of Director of Secondary Education Eva Cwynar was conducted at Fulton-Holland in West Palm Beach, FL. The following represents actual and paraphrased statements made by "Cwynar" as it relates to the Allegation.

Eva Cwynar began her career in the School District in 2008. Cwynar is the director of curriculum instruction for secondary education and oversees the curriculum instruction for middle and high school levels.

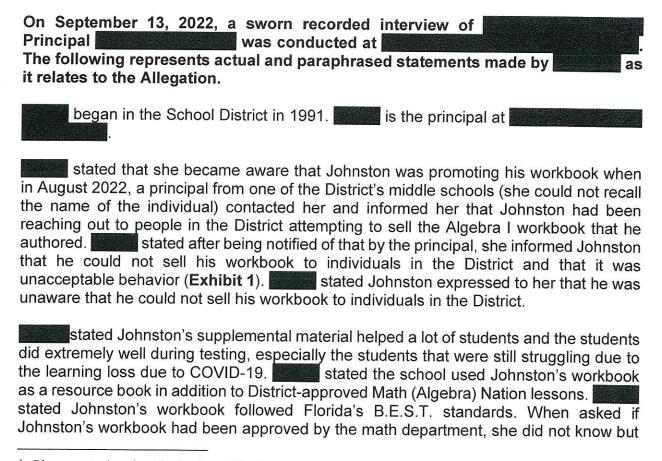
Cwynar stated due to the new Florida legislation (HB 1467), all materials (workbooks, textbooks, supplemental material) have to be vetted by an individual that has been certified as an Educational Media Specialist (EMS)3 before it is used for instructional purposes. According to Cwynar, that individual can be either school-based or based at the District office. According to Cwynar, at the District level, materials are reviewed by a curriculum specialist to ensure alignment with the new B.E.S.T. standards. Per Cwynar, once that review has been completed, the Curriculum Instruction Department works with an individual from the library media services division, who is also in her department, and it is reviewed by that individual before the materials are distributed for use in the District. Cwynar stated if a teacher wanted to use materials that were beyond or outside of the District's materials, the school would have to undergo a similar vetting process, and the library media specialist (on the campus) would have to review and approve the material. Cwynar stated workbooks or supplemental materials do not have to be approved by her department before they are used, but they must be vetted; reviewed, and approved by an individual with the proper professional certification (EMS). Cwynar stated her department would not know if workbooks or supplemental materials at the school level were being used, however, the media specialist should keep records of the materials that they have reviewed and approved for school use. Cwynar stated if the school did not have a certified educational media specialist, then, the materials would have to be reviewed by the Curriculum Instruction Department. Cwynar stated not all media specialists have to have EMS certification to fulfill the role of the job. Cwynar stated media specialists seeking

³ Source: https://teachercertification.com/ftce/educational-media-specialist: Employment as a school librarian in Florida requires that the established or prospective educator have their media specialist certification.

certification, must take a certification exam similar to that of a teacher but it's related to media services.

At the request of the OIG, Cwynar and Curriculum Specialist Robin O'Brien reviewed Johnston's supplemental Algebra I workbook⁴ to determine if it aligned with the B.E.S.T. standards. Per Cwynar, most standards were present in the workbook, but some standards were lacking in the book; not all of the content was to the rigor of the B.E.S.T. standards, but it did have foundational content related to the B.E.S.T. standards. Cwynar stated overall, it provided some practice in terms of multiple choice but it did not prepare the student for the Algebra End of Course (EOC) exam. Per Cwynar, the EOC not only has multiple choice questions, but it also has technology-enhanced items that the student would have to be familiar with to do the work on the EOC exam. Cwynar stated the workbook did not have those components. Cwynar stated in terms of preparing the student for the EOC Algebra I exam, she does not think that the workbook would do that, but it would support the student in having a foundational understanding of the standards. Cwynar stated in conjunction with District-approved vendor Math Nation, the workbook could serve as a supplement, but not as core instructional material.

WITNESS INTERVIEW[S]



⁴ Please note that the Algebra I workbook was not purchased with School District funds, but was purchased for review by Inspector General Teresa Michael with her own (personal) funds.

stated that the assistant principal in charge of the curriculum; Assistant Principal Raymond Cullum would know that information⁵. According to _____, her understanding of HR 1467 is that it does not cover teacher-made worksheets or supplemental materials.

stated in the past, Johnston created supplemental worksheets for the students to stated this school year, Johnston had the workbook professionally bound, and this was when she believes he began trying to sell it. stated that last school year, the school made 410 photocopies of the worksheets created by Johnston's for a total printing cost of \$5,752.71 payable to Preferred Printing & Graphics (Exhibit 2). stated because the school paid for printing services, Johnston did not make a profit. stated this school year, the school purchased the bound version that Johnston created over the summer for a discounted price of \$4.11 each, for an estimated 700 books⁶ for a total of \$2,883.00⁷ (Exhibit 3). were sold at \$4.11, it ensured that Johnston would not make a profit. acknowledged that she does not know if Johnston was able to sell the workbook to any other school in the District.

On October 10, 2022, a sworn recorded interview of Jupiter High School Assistant Principal Raymond Collum was conducted at Jupiter High School in Jupiter, FL. The following represents actual and paraphrased statements made by "Collum" as it relates to the Allegation.

Collum began his career in the School District in 2002. Collum has been the assistant principal at Jupiter High School since 2013.

Collum stated he is in charge of curriculum review only for the subject of math. Collum stated two years before Johnston wrote the supplemental workbook, Johnston created supplemental work pages. Collum stated he does not know how Johnston's supplemental workbook came to happen or if Johnston received payment from the school for the workbook. Collum stated the workbook is used as a supplement to Math Nation. Collum stated he assumed the workbook was approved by the principal but cannot say for sure. When asked what is the textbook/workbook approval process, Collum stated he was not sure of the exact process, but that Library Media Specialist Patricia (Patti) Potts reviewed Johnston's workbook.

Collum stated in the school's leadership meetings, Johnston did not promote his workbook. When asked if he reviewed Johnston's workbook, Collum stated that he perused the pages, but admitted that he did not thoroughly review the entire workbook and only looked to see if the questions in the workbook conformed to the new legislative rule of being diverse. Collum stated that he never received emails from Johnston trying to sell his workbook. Collum stated he did not know how many students at the school

⁵ Under HB 1467, principals are responsible for overseeing the management and care of instructional materials at the school.

⁶ Later verified at 600 books and not 700.

Actual amount verified as being \$2880.57.

received a copy of the workbook or what price the workbook sold for. Collum stated he does not know the District's process for approving textbooks or workbooks.

On November 1, 2022, a sworn recorded interview of Curriculum Development Specialist Robin O'Brien was conducted at Fulton-Holland Educational Services Center (FHESC), in West Palm Beach, FL. The following represents actual and paraphrased statements made by "O'Brien" as it relates to the Allegation.

Robin O'Brien began her career in the School District in 2007. O'Brien is a curriculum development and school improvement program planner for secondary education.

O'Brien stated her responsibility is to manage the curriculum pieces for all of the secondary math courses (grades 6-12). OIG staff requested a review of William Johnston's Algebra I workbook. In conjunction with the Director of Secondary Education Eva Cwynar, O'Brien provided feedback on the workbook due to her role as the curriculum manager for secondary math courses for the District.

O'Brien stated in reviewing Johnston's workbook, the workbook provided basic Algebra I practice but it repeated the same types of problems, they were just numbered differently throughout the workbook. O'Brien stated she did not feel that the workbook accomplished the rigor that the new Florida legislative (B.E.S.T.) standards require, however, O'Brien's opinion is that the workbook could give basic practice for students. O'Brien stated the workbook could not be used as core instruction and could only be used as supplemental material.

O'Brien stated as supplemental material, the workbook should have been approved at the school level by a certified EMS to ensure that the materials meet the requirements of the new Florida Math Standards (B.E.S.T. standards). O'Brien stated core instructional materials (textbooks) are required to go through the vetting process by the Secondary Education department, however, workbooks can be approved at the school level.

On October 25, 2022, a sworn recorded interview of Library Media Specialist Patricia (Patti) Potts was conducted at Jupiter High School in Jupiter, FL. The following represents actual and paraphrased statements made by "Potts" as it relates to the Allegation.

Patti Potts began her career in 2009 as a media specialist. Potts works as a secondary education media specialist at Jupiter High School. Potts stated she is a certified library media specialist but does not approve textbooks⁸. When asked specifically about workbooks or supplemental material being used at the school and the approval process, Potts stated that she has not approved any workbooks or supplemental material. When asked if she knew that she was required to review and approve workbooks, or supplemental material, Potts stated no, she was not aware; only that she has to review

⁸ Textbooks are approved at the District level only, workbooks, and supplemental materials, should be approved at the school level by a certified Educational Media Specialist (EMS).

the material, but does not approve the material. Potts stated although she was aware that William Johnston created a workbook, she did not approve the workbook. Potts stated she did look at a few pages of Johnston's workbook but admitted that she did not review every page and only noted that the workbook did not have enough word problems, but there seemed to be a fairly even amount of different types of algebraic expressions throughout the workbook that appeared to meet Florida's B.E.S.T. standards. Potts stated she does not have any written record of her perusal of the workbook.

Potts was asked by OIG staff if she knew that Johnston was selling the workbook, and she stated that she was not aware of that. Potts stated the workbook was only used as supplemental material. Potts also stressed that the kids did very well with Johnston's workbook as a supplement because it laid out the math problems in logical and sequential order, unlike Math Nation. When asked if any of the content from Math Nation was taken by Johnston for his workbook, Potts stated when she briefly looked through his workbook, the material appeared to be supplemental and not taken from Math Nation.

SUBJECT INTERVIEW

On November 29, 2022, a sworn recorded interview of math Teacher William Johnston, was conducted at the Office of Inspector General in West Palm Beach. FL. The following represents actual and paraphrased statements made by "Johnston" as it relates to the Allegation:

Johnston began with the School District in 2016. On September 26, 2022, Johnston was promoted from Math teacher at Jupiter High School to the position of Single School Culture Coordinator in the north regional office.

Johnston stated over the summer break (2022), he created a supplemental math workbook. Per Johnston, Principal reviewed the workbook in August and thought that it could help the students. Johnston was asked if any of the material he used in the workbook came from Math Nation, Johnston stated he created the supplemental workbook on his own, did not have any assistance, and did not use anything from Math Nation. Johnston stated, in previous school years, he would create supplemental math material; worksheets. Per Johnston, his previous material was in Microsoft Word format; with unbound pages, and not a formally published workbook. Johnston stated the published workbook is a collection of the work pages that he previously created. Johnston was asked if the school's librarian reviewed the workbook prior to it being used in the classroom. Johnston acknowledged that there was no approval process for the Algebra I supplemental workbook and it was not reviewed by the certified librarian.

Johnston stated in September⁹, Principal informed him that it was a conflict of interest for him to promote his workbook to the principals in the District. When asked if he recalled the number of principals that he emailed, Johnston disclosed that he tried to send an email to just about every one of them in the District before being informed by Principal

The OIG obtained email documentation that this occurred in August.

there was a conflict of interest. Johnston stated that he does not believe he emailed anyone during working hours and believes it was done after working hours 10. Johnston did acknowledge that he probably used the district email system to promote his workbook.

When asked about his familiarity with HB 1467 which passed over the summer, Johnston asked if it was the bill where everything has to be vetted before its use. OIG staff advised "yes. "Johnston stated that he has not read the fine print, and needs to better familiarize himself with the bill. As the (former) department chair for the math department at Jupiter High School, Johnston was asked about the vetting process for materials used. Johnston stated the math department used District-approved materials so, no additional vetting or approval would have been needed. Johnston stated that did not mention any formal vetting process for the workbook when she reviewed it in August.

Johnston was asked by OIG staff if he recalled an email to a principal that appeared to illustrate that he was aware of the district's conflict of interest policy (Exhibit 4). Johnston stated he believes the email would have been around September¹¹, which, was the same time that Principal informed him that he could not promote his workbook due to the conflict of interest. Johnston stated after he was informed by the workbook was no longer used.

Johnston stated that he did not make a profit from the workbook ordered by Jupiter High School. Johnston stated that the book was/is being sold via Amazon and Barnes and Noble (Exhibit 5). Per Johnston, because he is the author, he is allowed to order the books from Amazon at a discount. Johnston stated he ordered approximately 400-500 (OIG verified the exact amount was 600) books at \$4.11 per book via Amazon for Jupiter High School (Exhibit 6). Johnston stated the book sells for \$15 on Amazon. Per Johnston, Amazon charges him, as the seller, \$10.00, leaving him with a \$5.00 profit per book. The OIG verified the exact number. See the Table on page 11 for further details. Johnston could not state the exact number of workbooks that were sold but reiterated that he did not profit from the Jupiter High School order. When asked whether or not an invoice given to OIG staff would disagree with his assertion of a possible profit, Johnston stated he was reimbursed by the school \$2,880.57 for ordering the workbooks and that the money for the purchase of the workbooks came from his (personal) funds (Exhibit 7).

Johnston stated he does not know if any of the workbooks were sold to schools in Palm Beach County because the Amazon report only shows him units sold and not where they are shipped to12. When asked if he has sold any workbooks directly to any teacher, principal, or students in Palm Beach County, Johnston stated that he has not sold any in

¹⁰ Email records illustrate that the bulk of the emails were sent using his District email account before the school year began on August 10, 2022, and sent after hours.

¹¹ The OIG obtained email documentation that this was sent on August 21, 2022.

¹² Johnston later clarified that the Amazon summary that he provided the OIG that showed an address of the receiver's information, is because he made the order and thereby was the customer and was able to view the shipping address. Per Johnston, that is not the case when viewing the purchasing history as the seller.

the District (outside of the workbooks delivered to Jupiter High School). Johnston could not give an amount of how much he has sold in the county but does not think he has sold any additional workbooks since he stopped promoting it.

The OIG clarified with Johnston why he continued to promote his workbook via District email after email to him regarding the conflict of interest. Johnston acknowledged that he is not an approved vendor for the District. Johnston confirmed that he has taken the required annual School District Policy 3.02 Code of Ethics training. Johnston also acknowledged that his understanding of a conflict of interest is that District employees cannot promote their (personal) material where they work. Johnston reiterated that he did not know promoting and selling his workbook was a conflict of interest, and after informed him of the conflict of interest, he stopped promoting his workbook. Johnston also stated that any responses received from principals via District email in connection to his original emails to them, were after he had already sent out the emails promoting his workbook. Johnston acknowledged that he can recall at least one principal contacting him after email (he believed the name to be Sanders, but was not certain), but stated that he informed her that he could not promote his workbook. Johnston stated if anyone from the District purchased his workbook after that, he has no way of knowing since Amazon nor Barnes and Noble gives the customer's addresses (Exhibit 8).

Johnston stated he knows now that he made a mistake, but stated that it was not done out of malice and that he only wanted to help students by creating what he thought was a great workbook.

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RECORDS ANALYSIS

Exhibit 1: Email from Principal regarding conflict of interest

Exhibit 2: Internal Accounts Purchase Order from 2021 for printing costs

Exhibit 3: Amazon summary order for Jupiter HS

Exhibit 4: Email reply from Johnston: conflict of interest (August 21, 2022)

Exhibit 5: Amazon and Barnes and Noble listing of the workbook

Exhibit 6: Internal Accounts Purchase Order for 600 workbooks; Jupiter HS Exhibit 7: Deposited reimbursement check for Johnston (from Jupiter HS)

Exhibit 8: Sales figures for Amazon and Barnes and Noble

Exhibit 9: Johnston's bank account statement showing reimbursement

Exhibit 10: Royalty explanation from Amazon (author copies)

Exhibit 11: Calculating Amazon's paperback-selling commission and royalty

Exhibit 12: Pages from Johnston's website

Table

Workbook Order for Jupiter HS					
Number of Workbooks ordered	600				
Printing cost per workbook	\$4.11*				
Sub-total (600*\$4.11)	\$2,466.00				
Shipping cost (actual not estimated)	\$240.57				
Sales tax (actual not estimated)	\$174.00				
Total	\$2,880.57				
Amount reimbursed to Johnston	\$2,880.57				

^{*}Again, author copies do not receive a royalty. Refer back to Exhibit 10.

CONCLUSION

During his interview, Johnston stated that he did not send out any additional emails after being told by Principal that it was a conflict of interest, however, the emails obtained by OIG staff demonstrate that Johnston sent an email to a District employee on August 21 where he offered to get the workbooks to her school for a lower rate and he mentioned the conflict of interest which is contradictory to his statement of not contacting any other District employees after email on August 9. See Exhibit 4 for reference.

Johnston willingly provided his bank account statement illustrating that he was reimbursed \$2,880.57 by Jupiter High School. The OIG would like to extend a thank you to Johnston for providing his banking information (**Exhibit 9**). As the author of the workbook, he was permitted (by Amazon) to order 'author copies'; which allows the author to charge the printing costs per book. According to Amazon, when ordering author copies, the author does not receive any royalties (**Exhibit 10**). In this case, the cost of printing (per Amazon's calculations) was \$4.11. As demonstrated in the **Table on page 11**, and based on actual figures, Johnston did not profit from the sale of the workbooks from the order made by Jupiter High School. However, the OIG cannot exclude the possibility that there may have been orders made by other schools in the District, however, at this time, that cannot be determined based on the information obtained. The Amazon and Barnes and Noble documents do not provide address details and only show total sales (quantity) (Refer back to Exhibit 8). The OIG has included pages from the Amazon resource center which outline Amazon's fee structure, as well as the author's royalty fee calculation (**Exhibit 11**).

The OIG has concluded that the workbook was not properly vetted and approved as required by HB 1467. In Cwynar's and O'Brien's review of the workbook, they did not disclose that they had any urgent issues with the material that would have negatively impacted the students (in violation of HB 1467) other than overall, it did not have enough rigor for the subject. In their testimonies, both Cwynar and O'Brien agreed that the workbook is fine as a supplement, but not as the core instruction. However, there still should have been a vetting process at the school level. Per her understanding of HB 1467 is that the worksheets or supplemental materials created by teachers do not require a vetting (approval) process which is not in line with the Bill or the testimonies of Cwynar and O'Brien.

The OIG cannot determine how much or if Johnston made a profit from anyone else in the District based on the Amazon and Barnes and Noble documentation. Johnston stated that he cannot tell where the workbooks are being sold since no address is noted on his seller's report from both Amazon and Barnes and Noble. The OIG can, however, state that Johnston used District resources, i.e., his District email account to promote his workbook. Based on this information, the testimonies obtained and the records reviewed, the OIG concluded that the Allegation that William Johnston promoted an Algebra I supplemental workbook that he authored by using his District email account to send emails to principals and other District employees in violation of School District Policy 3.02.5.e.iv.-Code of Ethics in that there was a Conflict of Interest was **Substantiated**.

The evidentiary standard used by the School District of Palm Beach County OIG in determining whether the facts and claims asserted in the complaint were proven or disproven is based upon the preponderance of the evidence. Preponderance of the evidence is contrasted with "beyond a reasonable doubt," which is the more severe test required to convict a criminal and "clear and convincing evidence," a standard describing proof of a matter established to be substantially more likely than not to be true. OIG investigative findings classified as "substantiated" means there was sufficient evidence to justify a reasonable conclusion that the actions occurred and there was a violation of law, policy, rule, or contract to support the allegation. Investigative findings classified as "unfounded" means sufficient evidence to justify a reasonable conclusion that the actions did not occur and there was no violation of law, policy, rule, or contract to substantiate the allegation. Investigative findings classified as "unsubstantiated" means there was insufficient evidence to justify a reasonable conclusion that the actions did or did not occur and a violation of law, policy, rule, or contract to support the allegation could not be proven or disproven.

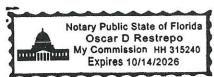
ATTESTATION

I, the undersigned, do hereby swear, under penalty of perjury, to the best of my personal knowledge, information, and belief, the contents of this report are true and accurate; and I have not knowingly or willfully deprived or allowed another to deprive, the subject of the investigation of any rights contained in Sections 112.532 and 112.533, Florida Statutes. This investigation was conducted pursuant to School District Policy 1.092, Inspector General, and in accordance with applicable Principles and Standards for Offices of Inspectors General as published by the Association of Inspectors General.

Tanya Lawson, Investigator II

STATE OF FLORIDA
COUNTY OF PALM BEACH
Sworn to (or affirmed) and subscribed before me this 27 day of January, 2023, by Tanya Lawson, Investigator II for the School District of Palm Beach County, Office of Inspector General, who is personally known by me.

Signature of Notary	Public
☑ Notary Public or	Public Law Enforcement Officer



This investigation was conducted by Tanya Lawson, supervised and approved by Director of Investigations Oscar Restrepo. The investigation was conducted in accordance with guidance from the Association of Inspectors General handbook and within standards as prescribed by Commission for Florida Law Enforcement Accreditation.

Supervised by:

Oscar Restrepo, Director of Investigations

Approved by:

Teresa Michael, Inspector General

EXHIBIT LIST

Email from Principal Iannitti regarding conflict of interest	Exhibit
Internal Accounts Purchase Order from 2021 for printing costs	Exhibit 2
Amazon summary order for Jupiter HS	Exhibit 3
Email reply from Johnston: conflict of interest (August 21, 2022)	Exhibit 4
Amazon and Barnes and Noble listing of the workbook	Exhibit F
Internal Accounts Purchase Order for 600 workbooks; Jupiter HS	Exhibit 6
Deposited reimbursement check for Johnston (from Jupiter HS)	Evhibit 7
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Johnston's bank account statement showing reimbursement	Evhibit C
Royalty explanation from Amazon (author copies)	Evhibit 10
Calculating Amazon's paperback-selling commission and royalty	Evhibit 11
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. 4900 00111010110 W000110	Exhibit 12

DISTRIBUTION LIST

Action Official Distribution:

Office of Professional Standards, Director

Information Distribution:

Palm Beach County School Board Members Michael Burke, Superintendent **Audit Committee Members** OIG File Randy Law, OIG Director of Audit Robert Bliss, OIG Compliance Officer Shawn Bernard, General Counsel



TANYA Lawson tanya.lawson@palmbeachschools.org

Fwd: Advertising Your Workbook

1 message

William Johnston <william.johnston@palmbeachschools.org>
To: TANYA Lawson <tanya.lawson@palmbeachschools.org>

Wed, Dec 7, 2022 at 4:44 PM

From:
Date: Tue, Aug 9, 2022 at 5.02 Aug
Subject: Advertising Your Workbook
To: William Johnston william.johnston@palmbeachschools.org

Exhibit #: _______ No _____

Description: E.

Grant,

I just received an email informing me that you are advertising your workbook to district employees. As a district employee, this is not permitted. There are policies about employees not profiting from the district. Please do not try to sell your workbook to other schools in Palm Beach County.

Thank you

Jupiter High School (561) 744-7900

One Tribe....One Direction

William Grant Johnston North Region Single School Culture Coordinator Secondary Mathematics

REDACTED



THE SCHOOL DISTRICT OF PALM BEACH COUNTY

Internal Accounts Purchase Order

INTERNAL ACCOUNTS PURCHASE ORDER IA SCHOOL	DATE	·
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Internal Accounts (IA) purchase order number must appear on all invoices, packing lists and packages. Tax exempt number: 85-8013897253C-1

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REDACTED

PREFERRED PRINTING & GRAPHICS #1

2605 OLD OKEECHOBEE RD. WFST PALM BEACH, FL 33409 (2-1) 478-2602 Fax: (561) 478-5318

Statement

DATE 10/01/2021

ACCOUNT NUMBER
4771

Customer

ATTN: MOREENLIDENSON
JUPITER COMMUNITY HIGH SCHOOL
500 NORTH MILITARY TRAIL
JUPITER, FL 33458

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Amazon.com order number: 111-8665691-3891443

Order Total: \$2,880.57

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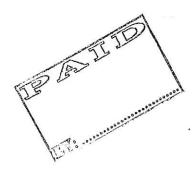
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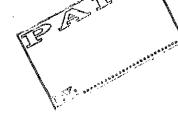
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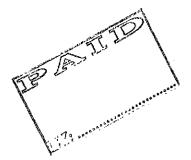
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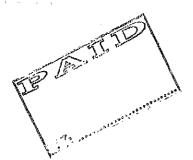
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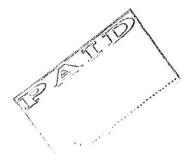
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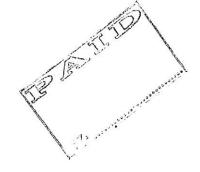
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Payment information

Payment Method:

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Item(s) Subtotal: \$2,466.00 Shipping & Handling: \$240.57

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Total before tax: \$2,706.57 Estimated tax to be collected:

\$174.00

Grand Total: \$2,880.57

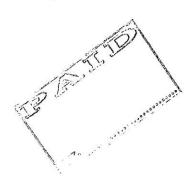
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From: ent:

To:

on behalf of William Johnston Sunday, August 21, 2022 1:04 PM

gayle.fyne@palmbeachschools.org

Subject:

Re: B.E.S.T. Algebra 1 Curriculum Supplement!!!

Description:

Exhibit #:

Redactions: Yes

No

Hey Gayle!

Glad you like it!!

I haven't found the time to make a key quite yet, things have been crazy at my school the first couple of weeks (staff shortages, and I've been covering a lot of classes). But when I do, I'll let you know.

Our school isn't using Algebra Nation at all to be honest. We actually ordered one of my workbooks for every Algebra student, so we are going with that. I'm still working on making YouTube videos for all the sections (jupitermath.org), so when that's done I think this "Jupiter Math" curriculum will be self-sufficient.

If you are trying to get one for every student, you could ask your principal to see if there is any funding. Additionally apparently there are some district rules about employees profiting from the district. So I could potentially get them to your school at a much lower rate, at about only \$5 per book. If that's something you're interested in, talk to your administration and we can possibly make that happen.

On Sun, Aug 21, 2022 at 11:02 AM Gayle Fyne < gayle.fyne@palmbeachschools.org > wrote: Hello,

Thank you so much! I love the materials.... I ordered the workbook. It is great!

Will you be making a workbook key for purchase at any time? Just curious.

Thank you for putting together something so much better for my students than the Algebra Nation curriculum. Does your school use Algebra Nation? Our workbooks have not even arrived at the county warehouse yet. Who knows when they will arrive.

I wish I could purchase your workbook for every one of my algebra students..... 150 of them..... yikes that would be very expensive.

Thank you again for the time and energy you put out to create an amazing workbook, Gayle Fyne

On Thursday, August 18, 2022, Gayle Fyne < gayle.fyne@palmbeachschools.org > wrote: Thank you so much....! can't wait to check them both out!! Have a great night, Gayle Fyne

On Thu, Aug 18, 2022 at 5:28 PM William Johnston < william.johnston@palmbeachschools.org > wrote: Hey Gayle!

Sorry for the late response, it's been a crazy couple of weeks at my school. I attached a sample for Unit 2, and also one for Unit 4. Unit 2 is really basic, so I wanted to show you a Unit that has a little more to it.

On Wed, Aug 17, 2022 at 8:36 PM Gayle Fyne <gayle.fyne@palmbeachschools.org> wrote: Hello,

This sounds wonderful. Could I see a sample from Unit 2? Thank you, G. Fyne

On Friday, August 5, 2022, William Johnston < william.johnston@palmbeachschools.org > wrote: Good Morning! Hope you've had a great summer break!

You might remember me from emails I sent out last year with some algebra 1 materials including excerpts from a workbook I created as well as some activities. If you don't recall, my name is William Grant Johnston and I'm an Algebra 1 teacher at Jupiter High School here in Palm Beach County. I spent this summer creating a **brand new student workbook** to perfectly align to the new B.E.S.T. standards. It is built from the ground up, with careful study from the B1G-M instructional guide. I know from experience that it can be difficult finding quality material that *aligns* to the standards, and I really think this could greatly help!!

The brand new student workbook I created is **272** pages full of much needed practice problems organized in units and sections. The workbook is clear, concise, level appropriate, and absent of any "fluff". I truly believe you aren't going to find another resource as <u>focused</u> and aligned to Florida's B.E.S.T. standards as this is.

The workbook also follows a similar scope and sequence to the curriculum provided by our district, so it should be an easy addition into your classroom. I've attached the Unit and Section list if you want to take a peek of what is covered.

In addition, I have created an accompanying website (<u>jupitermath.org</u>) that has YouTube instructional videos of me covering pages of this student workbook, so students can visit it when they are absent or for re-teaching. There will also be Google Forms they can use to test their understanding. Check it out!

I know this can be a great supplement to your classroom, and if I'm being honest, I think it holds its own as its own curriculum.

I'd be more happy to stop by your school and present the book to you and your teachers if you'd like, or we can set up a Google Meet!! I can send you a sample of one of the Units in the workbook too if you'd like.

Thanks for reading, and let me know if you have any questions!! Links to the workbook are below.

Workbook Link 1: Amazon

Workbook Link 2: Barnes and Noble

William Grant Johnston

Jupiter High School Mathematics Teacher, Department Head, Math Coach jupitermath.org



Books > Education & Teaching > Schools & Teaching

Redactions: Yes No

Look inside → Jupitermath.org



See all 2 images

Algebra 1 Workbook: Jupiter **Mathematics**

by William Grant Johnston (Author)

4 ratings

See all formats and editions Paperback \$15.00

2 Used from \$25.65 4 New from \$15.00

This is a must get resource for any Florida Algebra 1 teacher!! It's a student workbook with hundreds of problems carefully aligned to Florida's B.E.S.T. mathematical standards. Each section within the workbook has an accompanied instructional video that students can use to learn, found on jupitermath.org.

The units are:

Unit 1: Exponents and Radicals

Unit 2: Polynomials

Unit 3: Solving Equations and Systems

Unit 4: Linear Functions Part 1

Unit 5: Linear Functions Part 2

Unit 6: Linear Inequalities

Unit 7: Factoring Polynomials

Unit 8: Solving Quadratics and Standard Form

Unit 9: Quadratic Functions

Unit 10: Absolute Value Equations and Functions

Unit 11: Exponential Functions

Unit 12: Numerical Data

Unit 13: Categorical Data

Unit 14: Summary of Functions

It will be tough to find any material more aligned to the Florida B.E.S.T. standards than this!! It was built from the ground up with careful analysis of the Florida Department of Education's B.E.S.T Instructional Guide (B1G-M).

Being a current High School teacher myself (in Palm Beach County), I know it can be exhausting finding/creating quality aligned material for students. This is here to help!!!! And like I said above, there will also be instructional YouTube videos of me teaching problems from this workbook accessible to students (and anyone for that matter) on my website, jupitermath.org. So if students are confused, or absent, send them there!!

Thanks for taking the time to read this description. I know you wont be disappointed with this resource!! If you have any questions about this, feel free to shoot me an email (my email on my website).

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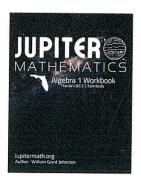
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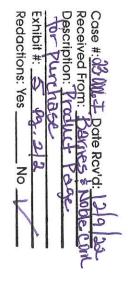
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Algebra 1 Workbook: Jupitermath.org

by William Grant Johnston

★★★★ 5.0 (1)





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1 of 1

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SIGNATURE APPROVING PURCHASING AGENT

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Transaction Search



Bank Statements - William Johnston

William Johnston <william.johnston@palmbeachschools.org>
To: TANYA Lawson <tanya.lawson@palmbeachschools.org>

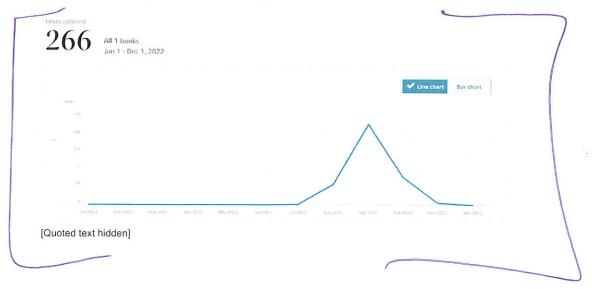
Thu, Dec 1, 2022 at 9:56 AM

Good morning,

The Amazon document I sent you was not a summary but an invoice, meaning I purchased that quantity with my own money. Because I made the order, it shows a shipping address (Jupiter High School).

Whenever they are ordered off Amazon from someone other than me, I have no idea where they are being ordered from or shipped to other than the country. So to slightly adjust the statement you provided, it is not a *certainty* all of the small amount of sales has been sold in the State of Florida, but they were all sold in the United States. In addition, I logged into my Amazon account and was able to pull the exact number, and I've sold exactly 266 books. But again, I do not know the location of where they were ordered from or shipped to.

And to answer your question, yes, the IngramSpark program (that distributes through Barnes and Noble, among other online distributors) works the same way.



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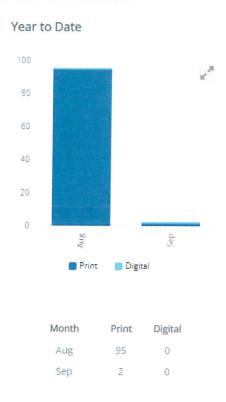


Bank Statements - William Johnston

William Johnston <william.johnston@palmbeachschools.org>
To: TANYA Lawson <tanya.lawson@palmbeachschools.org>

Wed, Nov 30, 2022 at 11:44 AM

Sales at a Glance



I've sold 97 books, 95 in August, and 2 in September. This is through IngramSpark, but similar to Amazon, it does not illustrate where they are ordered from in regards to online retailer or location.

[Quoted text hidden]

Re: Barnes & Hobbe





64967

Statement Period Date: 8/12/2022 - 9/9/2022 Account Type: 5/3 ESSENTIAL CKG Account Number:

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08/15		889301002EPAYW 081522	
08/16		WEB INITIATED PAYMENT AT AUTO DIRECTPAY O	006201013780479 081622
08/16		5/3 ONLINE TRANSFER TO CC: XXXXXXXXXXXXXX8739 REF # 0083	31261198
08/17		CLUB FEES 2222807682765 081722	
08/18		DEBIT CARD PURCHASE AT XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	569, CA ON 081722 FROM CARD#:
08/18	2,774.86	DEBIT CARD PURCHASE AT Amazon.com*VO6UJ6U, Amzn.com/I	bill, WA ON 081822 FROM CARD#:
1			



Page 3 of 4

Introductory Rate/ Promo Expiry Date

Reference Number	Trans Date	Post Date	Description of Transaction or Credit	Amount
WILLIAM G GRANT JOI	HNSTON		XXXX XXXX XXXX	
22168801	08/04	08/04	*800-833-6687 CA	
6000 AC	08/05	08/05	CINCINNATI OH	
6000 AC	08/16	08/16	CINCINNATI OH	OLDINA.
			Total Payments & Credits	
			Purchases, Cash Advances & Other Charges	
22157834	08/02	08/04	JUPITER FL	
22174948	08/04	08/05	0763037900 QPS JUPITER FL	The state of the s
22181962	08/05	08/08	#2176 JUPITER FL	CHANG
22181751	08/06	08/08	703-742-4200 VA	华国
2196545	08/06	08/08	JUPITER FL	
2204894	08/07	08/08	- Jup Jupiter FL	4
2229259	08/09	08/11	JUPITER FL	dan.
2234828	08/10	08/11	#2176 JUPITER FL	
2230398 2232269	08/10	08/11	#2176 JUPITER FL	
2232343	08/10 08/10	08/11 08/11		
2250843	08/13	08/15		
2279089	08/13	08/16	3178299400 IN 7051 JUPITER FL	
2282683	08/14	08/17	93091 JUPITER FL	
2296665	08/17	08/18	AMAZON.COM*PH4TL0PY3 A AMZN.COM/BILLWA	
2327463	08/19	08/22	5192 JUPITER FL	\$105.71
2328327	08/19	08/22	77051 JUPITER FL	
2337651	08/20	08/22	97574776 JUPITER FL	
2337664	08/20	08/22	97574776 JUPITER FL	
2340138	08/21	08/23	77051 JUPITER FL	
2371927	08/24	08/26	#01703 BOYNTON BEACHFL	
2405502	08/26	08/29	JUPITER FL	
2409446	08/27	08/29	77051 JUPITER FL	
2433105	08/30	08/31	035 JUPITER FL	7750 (216)
			Total Purchases, Cash Advances & Other Charges	e land this

2022 Totals Year-to-Date

Total fees charged in 2022 Total interest charged in 2022

Interest Charge Calculation

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

Type of Balance	Annual Percentage Rate (APR)	Balance Subject to Interest Rate	Interest Charge
Current Purchases*	21.24% (v)	\$0.00	\$0.00
Current Cash	24.99%	\$0.00	\$0.00
Current Balance Transfer*	21.24% (v)	\$0.00	\$0.00

(v) = Variable Rate

*If you have a Promotion, the balance may include but is not limited to Balance Transfers, Convenience Checks and other various promotional interest rate offers.



Withdrawals / Debits - continued

Date	Amount	Description
08/24		DEBIT CARD PURCHASE AT 1800244768, CA ON 082422 FROM CARD#:
08/31		RECURRING PURCHASE AT A 8009566310, IL ON 083022 FROM CARD#:
09/01		DEBIT CARD PURCHASE AT CARD CARD CARD CARD CARD CARD CARD CARD
09/02		O ML: XXXXXXI REF # 00827587330
09/02		TO ML: XXXXXX REF # 00827601466
09/02		MERCHANT PAYMENT #2176 - 760048 Wal-Mart Super Center JUPITER FL ON 090222 FROM CARD#: XXXXXXXXXXXX
09/06		RECURRING PURCHASE AT San Francisco, CA ON 090222 FROM CARD#:
09/06		MERCHANT PAYMENT - 997813 # 2405 JUPITER FL ON 090622 FROM CARD#:
09/06		DEBIT CARD PURCHASE , PALM BEACH GA, FL ON 090522 FROM CARD#:
09/06	4 COMP	MERCHANT PAYMENT - 854303 7051 JUPITER FL ON 090622 FROM CARD#: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
09/06		5/3 ONLINE TRANSFER TO CC: XXXXXXXXXXX1645 REF # 00836533045
09/07		1837117314 PPDA 090722
09/09		MERCHANT PAYMENT 760047 2176 WESTER FL ON 090922 FROM CARD#: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Deposits / Credits			
Date	Amount	Description	
08/19		44-7-45 (Marcon Symptom) Cl. 5 (44-66-44-66-1-1-15)	
08/26	2,880.57	MOBILE DEPOSIT	
09/02	433539	The state of the s	
09/08			

Daily Balance Summary					
Date	Amount	Date	Amount	Date	Amount
08/15		08/24		09/06	Comment of the commen
08/16		08/26		09/07	
08/17	A STATE OF THE STA	08/31		09/08	
08/18		09/01		09/09	
08/19		09/02		,	

IMPORTANT FEE CHANGE FOR FIFTH THIRD CONSUMER ACCOUNTS: THE OVERDRAFT - RETURNED ITEM FEE WILL NO LONGER BE CHARGED AS OF 6/23/22. THEREFORE, BEGINNING JUNE 23, WE WILL NO LONGER CHARGE A FEE WHEN A CHECK OR PAYMENT CAUSES AN OVERDRAFT AND IS RETURNED. PLEASE NOTE: THE OVERDRAFT FEE OF \$37 HAS NOT CHANGED AND CAN STILL BE CHARGED IF WE PAY AN ITEM THAT RESULTS IN AN OVERDRAFT TO YOUR ACCOUNT.

Summary

I paid \$2,774.86 from debit

+ \$105.71

\$2,880.57

I was reimbursed \$ 2,880.57

No profit was carnot

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Reports

Communi Case Warketing

Received From:

Description: 10

Exhibit #:

Redactions: Yes

No

Search Help

Help Topics

Help

KDP Help Center Home

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What is the cost to ship my proof or author copy?

When will my proof or author copy arrive?

I'm getting an error ordering my author copy

I'm getting an error ordering my proof copy

My proof or author copy came damaged

My proof or author copy didn't arrive on time

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Note that uploading your files to KDP Print (number one) is the official cost. The other two options are used for estimating costs. Again, trim size, bleed settings, and cover finish do not affect cost of printing.

Format	Ink and page count	Ų	JS marketplace fixed cost
Paperback	Black ink, 24-108 pages	2.15 USD per book	None
Paperback	Black ink, 110-828 pages	0.85 USD per book	0.012 USD per page
Paperback	Standard color, 72-600 - pages	0.85 USD per book	0.036 USD per page
Paperback	Premium color, 24-40 pages	3.65 USD per book	None
Paperback	Premium color, 42-828 pages	0.85 USD per book	0.07 USD per page
Hardcover	Black ink, 75-108 pages	6.80 USD per book	None
Hardcover	Black ink, 110-550 pages	5.50 USD per book	0.012 USD per page
Hardcover	Premium color, 75-550 pages	5.50 USD per book	0.070 USD per page

Scroll down to **Resources** for links to Amazon help pages that have more details and prices for international marketplaces. Note that not all paperback book dimensions can be printed in hardcover format.

Calculating Amazon paperback-selling commission and your royalty

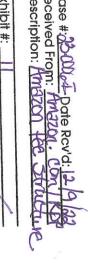
Now that you have the cost to manufacture your printed book, you can compute the sales commission. This is easy: your royalty is 60% of your list price minus printing costs.

• (list price x 60%) – printing costs = royalty

Returning to our client's novel *Trials and Trails*, it looks like this:

- Manufacturing cost: (278 PDF pages x \$0.012 per page) + \$0.85 = \$4.19
- Royalty calculation: (\$14.95 x 60%) \$4.19 = \$4.78

	♦ \$ 14.95	USD	60%	\$4.19	\$4.78
	Min. \$6.98, Max. All marketplaces	\$250.00 Tare based on this			
anded Distribution	Stics	THE RESERVE OF THE PERSON NAMED IN	100		
West State of the Control of the Con			40%	\$4.19	\$1.79
your book mi	ust have an ISBN that	makes your book inel t hasn't been submitte d on paper type. Lear	d for distribution to	istribution. To be another service. 1	e eligible, There are also



Redactions: Yes

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Kindle Direct Publishing Terms and

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KDP Publishing > Create a Book > Pricing Resources > Printing Cost & Royalty Calculator

Printing Cost & Royalty Calculator

Printing cost depends on which Amazon marketplace (website) your paperback was ordered from. Costs also vary depending on page co ink or color ink). Trim size, bleed settings, and cover finish don't affect printing cost. Use this calculator to determine your printing cost, mir royalties.

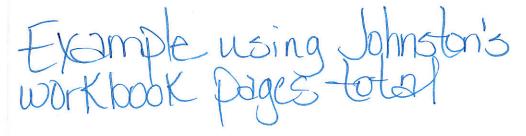
Note: This calculator doesn't include Expanded Distribution estimates. If your book is eligible and enrolled in Expanded Distribution, the n different.

Calculator

Figures generated by this tool are for estimation purposes only. Your actual royalty will be calculated when you set up you

Book Type	Paperback ▼
Interior & paper type	Black & white interior with white paper 🔻
Page Count	271
Marketplace	Amazon.com ✓
List Price	15
Calculate	

Marketplace	List Price	Minimum List Price	Printing	Estimated Roya
Amazon.com	\$15.00 USD	\$6.84 USD	\$4.10 USD	\$4.90 USD

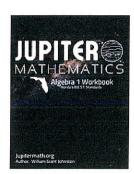




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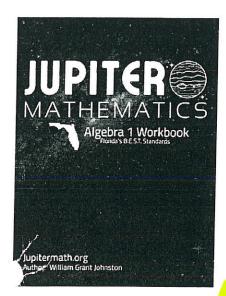
Student Workbooks found *here at Amazon* or *here at Barnes and Noble*!!!

Questions? Contact me at grant.johnston731@gmail.com



Home Algebra 1 About

Welcome to Jupiter Math!!



Thanks for visiting the site!! My name is William Grant Johnston and I'm a mathematics educator in Palm Beach County, Florida.

I've created this Jupiter Math website and a corresponding workbook to provide supplemental math curriculum aligned to Florida's B.E.S.T. standards. This site is easily accessible for students to reference instructional YouTube videos covering the workbook pages.

You can purchase this student workbook for you students *here*.

If you have any questions, please email me at william.johnston@palmbeachschools.org.

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To Whom It May Concern,

Thank you for the opportunity to further explain myself outside of my prior given statements.

For background purposes, I created this algebra 1 supplemental workbook with the intention of bettering education for our student population, and providing a supplemental resource to teachers. As an instructional leader at Jupiter High School, I have played a large part in the success of our students not only in my classroom, but others as well. During my 6 years of service to JHS, we have consistently performed near the top of the school district, and most recently as last year, had the third highest mathematics learning gains. My classrooms have always performed exceptionally on state assessments, and I've done my very best to collaborate with not only my colleagues in my school, but support instructional staff in different buildings as well. With these statements I am not intending to be vain, but to explain my primary motivation as to why I wanted to get my workbook in the hands of teachers around the district. Every summer I look at end of year pass rates for our neighboring schools and am disheartened. When I see fellow north region schools such as Palm Beach Lakes and Palm Beach Gardens have dismal pass rates of 11% and 17%, respectfully, I know something needs to change. I believed that if I could share some of the materials that have helped make our school successful (59% pass rate comparatively), it could help their programs as well. To the point of some of the given statements in the report coming from Eva Cwyner and Robin O'Brien, my workbook focused on foundational content, which our current curriculum offering lacks. In my experience, that foundational content is what many of these algebra 1 students need in order to reach the rigor of the standard, thus the supplement was created.

This workbook supplement was created this past summer on my own time, and I had it published. By publishing it on Amazon, it would become easily accessible for educators around the state to benefit, and therefore benefit their learners. My mistake was promoting it within the district and not running it through the appropriate avenues to get it approved. I had not fully educated myself on the School Board Policy and the House Bill as I should have. When I was initially made aware of my violations, I ceased to perform those violations to my understanding of them.

Since this investigation, I have worked, and will continue to work, to better educate myself on School Board and State policies. As stated in the report, my actions were not done out of malice, but to better the education of our student population I've committed myself to the past 7 years.

