



Integrity Insights

Office of Professional Responsibility

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Meet the OPR Staff

Norman "Norm" Epstein, Inspector

Norm has over 30 years of federal investigative experience. He served 15 years as a Special Agent with the Air Force Office of Special Investigations and then another 16 years with the Department of Defense Office of the Inspector General investigating issues of public corruption and major procurement fraud. After his retirement from the federal government in December 2000, Norm continued to serve the federal government as a retained contract investigator conducting personnel security and public integrity investigations for numerous federal agencies. He also served 12 years as an active duty Air Force Officer and then 15 years in the Air Force Reserves, before retiring as a lieutenant colonel. Norm received a B.S. in Psychology from the University of South Carolina and an MBA in Business Management from the University of Dallas.

To contact Norm or other members of the staff of the Office of Professional Responsibility call (972) 925-8850.

Embodying Ethics

Ms. Smart, a hard-working, single mother of three very young children, is a special education teacher's assistant at Marquee Elementary. The entire faculty has looked on in admiration as she struggled and sacrificed for four and one-half years to complete a degree in elementary education while raising her children alone.

Ms. Smart is finally one semester away from graduation and only needs to complete her student teaching experience. This morning, Smart came to you for advice on how to approach the principal. Although she has worked hard to get this degree and is almost done, she can't afford to stop working to do her student teaching. If she could get the principal to agree, her advisor will assign her to Marquee. Staying at the school would make it possible for her to continue to work as a teacher's assistant and meet her student teaching requirement. She wants to know what you think about this idea.

She's a good and reliable employee who works very well with both special education students and those who are not in the special education program. The school might lose her to another school if she does her student teaching elsewhere. What should be done?

1. Go to the principal for her. Ask her to let Ms. Smart student teach during the work day and still get paid as a TA. She deserves a break and is a good employee.
2. Call your principal friend from Lotsa Elementary. Ask him to let Ms. Smart student teach at his school "on paper". She can get credit for the class and still come to work at Marquee. Then she can have the money she needs to survive.
3. Call Student Teaching and Special Initiatives. They can tell you more about how Ms. Smart can apply for an Aide Exemption at her college. The Exemption which might allow her to use her work experience in lieu of doing the student teaching.

See the bottom of page 3 for the answer.

Past and Present Ethical Thinking

In the End, we will remember not the words of our enemies, but the silence of our friends.

Attributed to Martin Luther King, Jr.

A Note from Don Smith

The district recently provided to employees and former employees IRS Forms 1099, Miscellaneous Income. These forms are very similar to IRS Form W-2, Wages and Earnings. The Forms 1099 were provided by the district in order to comply with the requirements of federal law. The district is required to file with the IRS reports on all income received by current and former employees. When employees obtain monies for personal benefit from the district and the receipt of those monies is determined to be unauthorized, then the monies received are considered miscellaneous income to the employee and may be taxable. This income, regardless of its taxability to the employee, must be reported by the district to both the IRS and employee on a Form 1099. The reporting of this income to the employee and the IRS is not a reporting option for the district, it is the law. In all investigations conducted by OPR, where a determination has been made that an employee received unauthorized monies from the district for personal benefit, a report will be submitted to the Superintendent and Chief, Business Services recommending that a Form 1099 be issued in the amount of the unauthorized income. As a good citizen, the district fully complies with all federal and state laws.

Donald R. Smith,
Executive Director
Office of Professional Responsibility

Integrity in the Headlines

Baton Rouge, LA

The head of Gov. Bobby Jindal's transition team said he interviewed Louisiana Board of Ethics Chairman Henry "Hank" Perret Jr. for a top job in the administration in December, the same time the board had a campaign-finance case pending against Jindal.

From the Times-Picayune

History and Ethics

The recent burglary of a former presidential candidate's campaign headquarters is reminiscent of a time when a similar break-in brought a presidency to an end.

Richard Nixon's staff suspected that someone within the group was leaking classified information to the press. The suspicion was confirmed the day after Nixon's daughter's wedding when he opened the Sunday *New York Times* to admire her wedding pictures and was greeted by the first installment of an investigative series on the Defense Department's involvement in Vietnam.

Seven thousand pages of classified information which revealed how several United States presidents had deceived American citizens about the country's involvement in Vietnam had been released to the paper. The classified report detailed how several presidents, starting with Harry Truman, knew that any involvement in Vietnam would last years and require a substantial investment of resources. From 1945 to 1967, these U.S. presidents promised limited involvement in Vietnam while secretly expanding America's role.

Although Richard Nixon, the sitting president, was not mentioned in the report, he was livid. In his mind, the documents had been stolen. He further believed the series discredited the presidency and would lead Americans to lose trust in the government. Nixon called in his top advisors to develop a plan to stop publication of the rest of the series, find out who leaked the information and prevent any other leaks.

The day after the meeting, Monday, the Attorney General, John Mitchell, contacted *The Times* by phone and telegram and warned them to stop publication of the series. On Tuesday Mitchell filed a restraining order against *The Times* and the *Washington Post* which had also picked up the series. The injunction against further publication of the series lasted only 15 days because the U.S. Supreme Court ruled 6 to 3 that the restraints against

both papers could be lifted. The series would not be censored so Nixon became determined to find and punish the person who "leaked" the information.

The Nixon administration did not find out who released the papers

until the "leaker", Daniel Ellsberg, went into hiding. Ellsberg had been hired by Defense Secretary, Robert McNamara, to join a team in writing the history of U.S. involvement in Vietnam. As he conducted the research, Ellsberg recognized a continuous pattern of presidential deception about Vietnam. The deception was never questioned by members of a president's administration because each staff member's moral filter was overridden by personal loyalty to the president. Ellsberg copied and released the report because in his view each of the presidents involved and his subordinates had violated the oath of office and committed fraud.

Once Ellsberg was identified as the leak, the FBI started an intensive manhunt for him. Ellsberg hid for 13 days and spent the time sending the classified report out to other major newspapers. When he turned himself in, Ellsberg was charged with theft, conspiracy and espionage.

Fearing the damage that Ellsberg would do when his case went to court, Nixon and his advisors began a campaign to discredit, or in Nixon's words, "neutralize" him. Charles Colson, a Nixon advisor, enlisted the help of a CIA officer named Howard Hunt. Hunt sent his agents to California to break into the office of Ellsberg's psychiatrist in hopes of finding information that could be used to embarrass him enough that he would be quiet. The team broke into the office and found nothing.

A few months later, Colson hired some Cuban-Americans who were veterans of the Bay of Pigs to break Ellsberg's legs when he attended an antiwar protest rally. The team went to the rally prepared to complete their charge, however, the crowd at the rally was so large the veterans decided they would not be able to escape from the rally without being caught by the protestors. They called the attack off.

Next Nixon and one of his top lieutenants, John Ehrlichman, tried to bribe the federal judge who was to preside over Ellsberg's trial. They invited Judge William M. Byrne to Nixon's San Clemente home and discussed Nixon's desire to make him Director of the FBI. Before he accepted the job, the judge received the case files. Any possibility of his involvement with Nixon and his plan ended when Byrne discovered the nature of the person with whom he was dealing. In this situation, Nixon could do no more.

Lord Acton, a 19th century British historian, observed that "power tends to corrupt, absolute power corrupts absolutely". The Nixon White House, as a study of leadership and culture, points to the truth of his observation. A president who was surrounded by advisors who never questioned his plans or pointed out instances of illogical thinking corrupted the image of the office. The one thing Nixon hoped to preserve, by his actions, the people's trust in government, was lost.



Dallas Independent School District

Ethics, Integrity and You

People tend to believe that signing a friend into a training session they did not attend is no big deal. However, that simple act is a reflection of character **and** falsification of records. Think about it.

A Look at Our Work

As of this month, OPR has closed 230 cases. Full investigations of these cases has resulted in 74 cases in which the individual was cleared of the charges or for which no further action was required.

Making Ethical Decisions



People make ethical decisions every day. However, at times, a situation presents itself that poses a decision-making dilemma. This section will feature common ethical decision-making models that may prove useful to readers when trying to address an ethical dilemma.

The Super Hero test can be used when a simple ethical dilemma presents itself. Determine what your favorite superhero would do in the situation and follow his or her lead.

Training Update

Central staff members, have you completed your 1 hour of mandatory Ethics training? If not, call OPR to determine if space is available in one of the upcoming sessions:

February 26, 2008
March 3, 2008
March 5, 2008
March 18, 2008

Call (972) 925-8849 for more information.

Frequently Asked Questions

Q. Who can I talk to about my results (...of a Criminal Records Check, CRC)? Or can I check the status of my CRC reports?

A. Once a CRC investigation is initiated, the normal first contact is with the employee to verify the accuracy of the information received. If the employee insists the information does not relate to them, it may be necessary to obtain records from the involved law enforcement agency.

Once received, the individual will normally be given an opportunity to explain any discrepancies.

An employee will be given an opportunity during the initial contact to supply any information they desire relating to the CRC "hit". Future annual CRC reports, however, will be a thing of the past with the implementation of biometrics. Reports relating to subsequent arrests will be received by the District as they occur.

Employees are still required, however, to self report an arrest within 3 days of the event occurring. Self reporters will be contacted by OPR personnel and given an opportunity to provide any explanation they wish concerning the arrest.

Dallas ISD Policy You Need to Know

All district employees are entitled to work in an environment that is free of harassment. Verbal or physical conduct based on a person's sex, race, color, religion, or national origin is unlawful when the behavior:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;
2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Otherwise adversely affects an individual's employment opportunities

Behavior of a sexual nature constitutes harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.

Same-sex sexual harassment constitutes sexual harassment.

Any employee who believes he or she was harassed should report the harassment to a supervisor.

To read policy DIA (Legal and Local) visit the Board Policy page on the district's Website.

The district has a "Grow Your Own" program through which teacher assistants and other support staff members can become certified teachers. To be eligible for the program, an employee must work for the district at least one year, have 45 hours of college credit, and be recommended by his or her supervisor. Ms. Smart could apply for this program and may qualify to use her work experience in lieu of student teaching under an Aide Exemption. For more information on the "Grow Your Own" program, contact Human Development.



Dallas Independent School District