



Integrity Insights

Office of Professional Responsibility

Volume 2, Issue 3

September, 2008

A Note from Don Smith

In early September, Carolyn Hayden-Garner, Payroll Manager for the Dallas ISD, sent out a domain memorandum providing an overview of the requirements for the payroll system. The memorandum provided for, among other things, the required use by all employees of the biometric clock for timekeeping purposes in accordance with policy DK(REGULATION).

Dallas ISD Policy DK(REGULATION) simply states "All employees shall sign in using the biometric clock."

Failure to follow this policy allows for the potential of widespread fraud and abuse by employees of their leave and earnings. Any significant amounts of abuse in this area could be considered theft and the individuals involved ultimately prosecuted.

The legal definition of theft is the unlawful taking the property of another person with the intent to deprive the other person of the property. This definition is much broader than what most people think of as theft. Theft of time occurs when an employee is paid for time which they did not work. Usually this happens through the falsifying of time records.

Examples of this type of fraud would be:

1. Clocking in and then leaving your place of work to run personal errands.
2. Clocking in at a location close to home then driving to your work place at another location.
3. Double-dipping, charging the same hours worked to two different funding sources thus getting paid double for the same time.
4. Intentionally avoiding work during the day so that you may earn overtime.

So is the District within its rights to recommend disciplinary action for these kinds of situations based upon the specific circumstances? Yes. Time theft/timecard falsification is a violation of policy. Theft is something that is virtually always going to result in disciplinary action as soon as it's discovered.

Embodying Ethics

The Terrific Trio, Brian, Mark, and Charlie were always up to mischief, having fun, and making everyone on the staff laugh. Despite all their shenanigans, when it came to educating children, everyone agreed they were some of the best.

Lindo, who worked on the hall with the Trio, often laughed at their antics. He agreed, too, that although they had fun at work, they were good and conscientious employees. They looked out for their students, and they looked out for each other.

Lindo started to have doubts about the group's scruples when he was standing in line at the biometric clock behind Mark last week. Mark clocked in and went to his mailbox. Lindo clocked in next and went to

the counter to talk to the office manager about the procedure for turning in school picture money.

When Lindo turned around, Mark was at the biometric clock logging out. "That's strange", thought Lindo. "I wonder why he clocked in if he was leaving right away."

However, when Lindo took his students to gym, he noticed Mark was still at work. As Lindo walked back to his classroom, he noticed Mark happily teaching a large group of students. As a matter of fact, the group of students was too large. Lindo figured Mark must be team teaching with Charlie or Brian.

Everyday Lindo looked forward to eating lunch with the Trio. It was no different today. But when he got to the table in the lunchroom, only Mark and Brian were there. He wondered where Charlie was, but didn't ask.

The next day, Lindo was in the office when Mark came to work. He watched him clock in, go to his mailbox and clock out again. Then later in the day, he walked past Mark's overly crowded classroom. This time his curiosity got the best of him. He stuck in his head and asked Mark a silly question. One thing he knew after looking in Mark's room was that Mark was holding all of those children without another teacher. Then at lunch, Charlie was missing again.

The next morning, Lindo made sure he was in the office when Mark clocked in. He pretended to talk to another member of the staff as Mark walked to his mailbox and retrieved his mail. Then when Mark went toward the clock again, Lindo got in line behind him.

Lindo looked over Mark's left shoulder as he clocked out and was startled by what he saw. The name of the biometric screen said 'Charlie Burkins'.

That explained so many things that happened over the last few days. Mark had been covering for Charlie by clocking him in and teaching his class. An involuntary 'mmmm' came from Lindo's lips as he realized that once again, the Trio had been looking out for each other.

As he stood in the office trying to think of what he should do, Lindo remembered that Mark was the school's Biometric Clock administrator. He had been the one who had helped everyone put their prints in the clock.

What should Lindo do?

- A. Tell Mark what he suspects and ask him to fix the biometric clock for him, too.
- B. Give Mark a chance to make this right. Tell him about his suspicions and suggest Mark go to the principal to let him or her know what has been going on. Volunteer to go with him.
- C. Go to the principal. Tell him what he saw. Ask him for advice on next steps.
- D. Talk to Mary who works next door. She is the senior member of the faculty and always gives good advice.

See the bottom of the second column of page 2 for the answer.

Dallas ISD Policy You Need to Know

Policy DH(Legal) provides an explanation that should help all employees determine who must self-report if arrested. The policy says, "An employee who is arrested for any felony or any offense involving moral turpitude [see DC(LOCAL)] must report the arrest to the Superintendent of Schools, in writing, within three workdays of the arrest. An employee who is convicted of or receives deferred adjudication for such an offense must also report that event to the Superintendent of Schools, in writing, within three workdays of the event."

You should note the reference in DH(Legal) to another policy, DC(Local). DC(Local) provides help in determining whether an offense actually involves moral turpitude by defining the term "moral turpitude" and listing a few examples as well as some things that are not.

DC(Local) says, "If an employee is arrested for a crime involving moral turpitude, even if it is a misdemeanor, the offense must be reported. "Moral turpitude" is defined as an act of baseness, vileness, or depravity in the private or social duties outside the accepted standards of decency and that shocks the conscience of an ordinary person."

Some examples of moral turpitude include, but are not limited to:

1. Public lewdness
2. Prostitution
3. Theft (in excess of \$500 in value)
4. Swindling

Offenses that do not involve moral turpitude, include but are not limited to:

1. Misdemeanor possession of marijuana.
2. Unlawfully carrying a pistol
3. Disturbing the peace
4. Driving while intoxicated
5. Drunkenness in a public place
6. Gambling
7. Simple assault

DC (Local) can be accessed at [http://www.tasb.org/policy/pol/private/057905/pol.cfm?DisplayPage=DC\(LOCAL\).pdf](http://www.tasb.org/policy/pol/private/057905/pol.cfm?DisplayPage=DC(LOCAL).pdf) while DH(Legal) is found at [http://www.tasb.org/policy/pol/private/057905/pol.cfm?DisplayPage=DH\(LOCAL\).html](http://www.tasb.org/policy/pol/private/057905/pol.cfm?DisplayPage=DH(LOCAL).html)

Past and Present Ethical Thinking

"So live that after the minister has ended his remarks, those present will not think they have attended the wrong funeral."

Anonymous

A Look at Our Work

As of this month, OPR has closed 646 cases. Investigations of these incidents have resulted in 249 cases in which the individual was cleared of the charges or for which no further action was required.

Integrity in the Headlines

Emeryville, CA

After less than one year on the job, the superintendent of California's Emeryville Unified School District resigned for inflating the educational credentials on his resume. The former superintendent, Stephen J. Wesley, falsely claimed he was Dr. Wesley.

From SFGate.com

Detroit, MI

Tatum Bell, a running back who was released by the NFL Detroit Lions, was caught on camera stealing the luggage of the player the Lions brought in to replace him.

From the Yahoo.com.NFL Blog

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.

Coaching Questions That Guide Ethical Decision Making

- What should someone know before they can make an informed decision?
- Who might be affected by the decision that the person makes?
- Who might help the person make the decision?
- What are the person's options/alternatives?
- What are the risks/benefits of each option?
- Why is making this decision difficult for someone?
- What would you do if you were the person making the decision? Why?
- What are the "trade-offs" or compromise decisions that someone might make?
- Why might someone else make a different choice?

From the University of Rochester

Report Fraud, Waste, or Abuse

There are several ways to report fraud, waste, or abuse:

To file a report in person, visit 2909 N. Buckner Boulevard, Room 804.

You may also:

Call: (972) 925-8850 or 800-530-1608

Fax: (972) 794-3568

Email: opr@dallasisd.org

Write us at P.O. Box 181509, Dallas, TX 75218-8509

Visit: <http://www.dallasisd.org/about/integrity>

It is best for Lindo to involve the principal in the resolution of this problem. Lindo can either be a supporter and go with Mark as he reports himself or Lindo can go directly to the principal alone and report this situation. The principal at that point should call the Office of Professional Responsibility (972) 925-8850.

The correct answer can either be B or C. Mark and Brian are committing timecard fraud, and it must be reported.



Dallas Independent School District