

# REGULATION **MONTGOMERY COUNTY PUBLIC SCHOOLS**

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**Related Entries:** GCA-RA, GJC-RA, GJC-EA, ECC-RA, COB-RA, COB-EA  
**Responsible Office:** Human Resources

## **Reporting and Handling Fraudulent Actions by MCPS Employees, Agents, or Contractors**

### **I. PURPOSE**

To establish responsibilities and outline procedures for notifying responsible school officials, investigating, reporting, and making final disposition of known or suspected instances of fraud, false claims, false statements, bribery, and theft or embezzlement of MCPS funds or property by MCPS employees, agents, or contractors

### **II. GUIDELINES**

This regulation is concerned only with MCPS employees, agents, and contractors. It is not intended to cover improprieties involving students or other parties.

Employees are expected to report any known or suspected improprieties of the type covered by this regulation. The information reported will be considered confidential, and every effort will be made to protect the identity of the person reporting. Under no circumstances, should any staff member or administrator attempt to independently investigate, negotiate, or otherwise resolve such improprieties.

### **III. PROCEDURES**

#### **A. Notification of Responsible Officials**

It is the responsibility of all MCPS employees to be alert to any indications of fraud, false claims, false statements, bribery, and theft or embezzlement involving MCPS funds or property. In the event any such instance is observed, or is suspected, the matter should be reported immediately through existing supervisory channels (preferably in writing, but not necessarily) to the responsible associate or community superintendent who will report the matter to the associate superintendent, Office of Human Resources. If the associate superintendent, Office of Human Resources, determines that a preliminary investigation is needed, the associate superintendent will notify the superintendent, the deputy superintendents and the chief operating officer, and request that the Internal Audit Unit conduct the preliminary investigation

in cooperation with staff from the Office of Human Resources. If after preliminary investigation and consultation with the responsible associate or community superintendent, the supervising internal auditor determines that the evidence available provides a reasonable basis for a full investigation, the supervising internal auditor, acting through the deputy superintendent, Office of Information and Organizational Systems, will recommend to the associate superintendent, Office of Human Resources, that a full investigation should take place. This recommendation shall be in writing and shall explain the nature of the allegation, the persuasiveness of the corroborating evidence, the scope of the additional inquiry to be undertaken, and the approximate time required to complete the investigation.

The associate superintendent, Office of Human Resources, will be responsible for recommending to the superintendent, his/her designee, and the chief operating officer:

- (1) Whether such an investigation should proceed;
- (2) The appropriate status of the person who may be involved, pending completion of the investigation; and
- (3) Procedures to be followed in safeguarding the personal rights of the person involved.

**B. Investigation**

The supervising internal auditor, and the associate superintendent, Office of Human Resources, in cooperation with the responsible deputy superintendent or chief operating officer, and other appropriate officials, are responsible for conducting an investigation to ascertain all relevant facts and circumstances surrounding any known or suspected improprieties. With the approval of the superintendent, the investigators shall consult with law enforcement personnel on any matters that impinge on a criminal investigation.

**C. Reporting and Final Disposition**

Following investigation, an appropriate report setting forth all pertinent facts and circumstances will be prepared by the supervising internal auditor and transmitted through the deputy superintendent, Office of Information and Organizational Systems, to the chief operating officer, who will transmit the report to the superintendent or his/her designee. Based on the findings presented in the investigative report, the superintendent, or his/her designee, will make the final decision on the employee's (or agent's or contractor's) status. If the investigation

supports the suspicion of impropriety, the superintendent, or his/her designee, will take action in accordance with MCPS regulations and Maryland law. If the person suspected of improprieties is found to be innocent, the associate superintendent, Office of Human Resources, is responsible for expunging any references to the incident from the personnel files of that person, and the Department of Communications will issue an appropriate public statement if warranted.

*Regulation History:* New Regulation, October, 1986; revised May 4, 2006.