



Gayle Garbolino-Mojica

County Superintendent of Schools

Board of Education

January 19, 2024

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Area 6

Lynn Oliver
Area 7

Mr. Greg Holt, President
Auburn Union School District
255 Epperle Lane
Auburn, CA 95603

Dear Mr. Holt:

On October 23, 2023 you contacted my office to alert me of a complaint regarding fellow school board trustee Jamie Ross's possible misuse of public funds. Your complaint outlined concerns that Ms. Ross had airline flight credit purchased with the District credit card credited back to her personal account, had extra hotel night stays following the cancellation of the California Latino School Board Association (CLSBA) Conference in Long Beach, California scheduled September 28 – October 1, 2023 and purchased meals for a non-AUSD official.

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*Chief Communications Officer
Superintendent's Office*

Pursuant to Education Code section 1241.5 (b), the county superintendent may review or audit the expenditures and internal controls of any school district in her county if she has reason to believe that fraud, misappropriation of funds, or other illegal fiscal practices have occurred. The county superintendent shall report the findings and recommendation to the governing board of the school district at a regularly scheduled school district board meeting within 45 days of completing the audit. In addition, if the county superintendent determines that there is evidence that fraud or misappropriation of funds has occurred, she shall notify the district board, the State Controller, the State Superintendent of Public Instruction and the local district attorney [Education Code 42638 (b)].

My review of the allegation that Ms. Ross misused public funds for her own personal benefit began on November 6, 2023 when I met with you, Interim Superintendent Michelle Lucci-Garcia, and Senior Director of Internal Business Patricia Kowalski. The audit included reviewing district related communications; receipts associated with the conference; interviews with AUSD support personnel; communications with Southwest Airlines; communications with the California Latino School Board Association President; and an interview with Ms. Ross. Though not included in this audit report, written documentation of the facts presented have been gathered and formed the basis of the findings and recommendations. Should the AUSD Board, Ms. Ross, or other interested parties wish to see the written documentation, those documents can be provided upon formal request.

PCOE notified Ms. Ross of the complaint via email and certified mail on November 15, 2023 and of our desire to speak to her directly regarding these allegations. Ms. Ross did not make herself available to meet with PCOE staff until January 3, 2024 to answer questions related to her travel in September/October 2023. In addition, the certified mail that was addressed to Ms. Ross at her last known residence on Michelle Drive in Auburn on November 15, 2023 was returned to PCOE on January 8, 2024 as "unclaimed".

Facts

- Ms. Ross completed an Auburn Union School District Conference Request Form to attend the CLSBA Unity Conference on July 14, 2023 from September 28, 2023 through October 1, 2023 in Long Beach California. Approximate cost for the conference as outlined by the conference request form is \$2000.00.
- A roundtrip flight on Southwest Airlines was booked on August 31, 2023 via the AUSD credit card for September 27, 2023 and a return of October 1, 2023. The flight landed Wednesday afternoon in Long Beach 23 hours before the President's Welcome Reception.
- Email records show that Ms. Ross provided AUSD staff with her desired flight days and times.
- CLSBA cancelled the unity conference on Friday, September 29, 2023 before 9 a.m. Attendees were told that they could cancel the remaining nights on their hotel room stay without penalty.
- CLSBA sent notification of the cancelled conference to AUSD staff on Friday, September 29, 2023
- Ms. Ross stayed in Long Beach through Sunday, October 1, 2023.
- Interim Superintendent Lucci –Garcia discussed with Ms. Ross explaining that part of her trip to Long Beach would not be considered a district expense.
- On Oct 1, 2023 AUSD was notified by Southwest of a change to the reservation with the return flight cancelled and a credit of \$183.97 credited back to the Southwest Account for Jamie Ross.
- Ms. Ross did not notify the District until Tuesday, October 3, of the cancellation of the CSLBA Conference.
- Ms. Ross used the Southwest flight credit of \$155.00 on November 5, 2023 for a non-school board related flight back to Long Beach. AUSD flight credit of \$28.97 remains in Ms. Ross's Southwest account as of January 12, 2024.
- Auburn Union School District has a Board Policy 9250 Remuneration, Reimbursement and Other Benefits which outlines authorized expenses for travel and what personal expenses for travel.

Findings

1. Ms. Ross misused public funds when a Southwest flight that was purchased with the district credit card on August 31, 2023 (confirmation number 2OLRO6), was changed cancelling the return flight and a flight credit of \$183.97 was issued to the passenger Jamie Ross. In writing via an email to Associate Superintendent Martin Fregoso on December 11, 2023 and in an interview with Assistant Superintendent Dr. Colleen Slattery on January 3, 2024, Ms. Ross claimed that she flew home from Long Beach to Sacramento on Sunday, October 1, 2023. When questioned further, Ms. Ross changed her response that she instead flew from Long Beach to Las Vegas on Sunday, October 1, 2023. PCOE discovered that Ms. Ross subsequently used the AUSD flight credit of \$155.00 on November 5, 2023. When questioned by PCOE, Ms. Ross said that the November 5, 2023 travel was mostly personal but she likes to network with Southern California school board members. AUSD's policy does not provide for school board members to use district resources for such activities. In addition, there is no approved AUSD Travel Form for travel on November 5, 2023, nor a

conference and/or no business related reason for her to travel to Long Beach on November 5, 2023. As of January 12, 2024 \$28.97 of AUSD's flight credit remains in Ms. Ross's Southwest account. Therefore the \$183.97 flight credit is deemed used for a personal expense when it should have been used to return Ms. Ross from Long Beach to Sacramento.

2. Ms. Ross misused public funds by traveling to Long Beach on September 27, 2023 – 23 hours before the beginning of the CLSBA conference on September 28, 2023 which began with a President's Welcome at 5 p.m. Southwest Airlines typically has multiple nonstop flights between Sacramento and Long Beach each day and Ms. Ross could have easily traveled to Long Beach the day of the conference in time for the President's reception at 5 p.m. as indicated by the Conference Request Form. When asked why she flew out 23 hours prior to the beginning of the conference, Ms. Ross explained that the District made those flight arrangements for her. However, written and oral statements by the district point to the fact that Ms. Ross requested to fly out the day before the conference and provided AUSD staff the desired flight day and time.¹
3. Ms. Ross misused public funds by extending her stay in Long Beach Friday, September 29, 2023 through Sunday, October 1, 2023, even though an email was sent to all participants cancelling the conference on Friday, September 29, 2023 at 8:54 a.m. The hotel stated that they would not charge participants for canceling the remainder of their stay if they checked out of the hotel that morning. Ms. Ross stated in her email that the cost of the airline flight "was too pricey to change my flight back last minute". An analysis done by PCOE showed that had Ms. Ross flown back Friday on one of the many flights available, it would have cost the district less money than staying throughout the weekend. Had Ms. Ross returned Friday, September 29, 2023, it would have cost an additional \$140.03 on top of the already purchased flight for a same day flight change (Flight cost \$324 – \$183.97 flight credit = \$140.03 additional cost. The cost of the hotel room to AUSD for her remain in Long Beach for the additional two nights was \$462.48).
4. Ms. Ross misused public funds by purchasing meals for a non-AUSD official. Upon review, the hotel room bill shows room charge for two meals plus a snack. Per Auburn Union School District policy, only meals for trustees, not a guest or family member, are reimbursable.

¹ Though not contained in the original complaint by AUSD, PCOE cannot confirm that Ms. Ross attended the conference before it was cancelled. CLSBA used SCHED as their conference app with the names of the conference attendees posted on the website. Ms. Ross's name does not appear as an attendee of the conference on the website. It is unclear if Ms. Ross's attendance at conference was cancelled prior to traveling to Long Beach, or did not check in for the conference (starting September 28, 2023 at 3 p.m.) or for another unknown/unrelated reason.

Discussion

Auburn Union School District Board Policy 9250 Remuneration, Reimbursement and Other Benefits clearly outlines that Board member shall be reimbursed for actual and necessary expensed when performing authorized services for the district. Authorized purposes may include attendance at educational seminars or conferences, etc. Board Policy 9250 also outlines personal expenses that shall be the responsibility of individual Board members. Personal expenses include the personal portion of any trip, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the Board member on district-related business, etc.

Ms. Ross was clearly personally reimbursed for the cancellation of the return Southwest flight for \$183.97 and used that flight credit for personal, non-district related or approved purposes. It is also clear that Ms. Ross's stay at the hotel on Wednesday, September 27, 2023, and Friday, September 29, 2023 through Sunday, October 1, 2023, meets the definition of a personal expense per Board Policy 9250 since the conference was cancelled and a flight back to Sacramento would have been less expensive than staying for an additional two nights. And lastly, it is clear that Ms. Ross misused public funds when she charged food items for a personal guest/family member to her room and the District's credit card. These facts have substantiated the District's complaint that Ms. Ross did misuse public funds.

Public officials are barred from misusing public funds and are obligated by law to reimburse the district for those funds. Therefore, AUSD shall be reimbursed for all personal expenses. Below is a breakdown of those required reimbursements:

Personal Hotel Accommodations (3 nights):	\$693.72
Personal Food expenses for non-AUSD official	\$ 60.84
Reimbursement of Southwest Flight Credit used 11/5/23	\$183.97
TOTAL:	\$938.53

However, there is still the outstanding issue that once down in Long Beach, it would have been appropriate for AUSD to pay for Ms. Ross's return to Auburn on Friday, September 27, 2023. Since the cost of same day travel from Long Beach to Sacramento is \$324.00, if Ms. Ross can provide receipts of her travel from Long Beach to Sacramento via Las Vegas, it would be appropriate to reduce the above payment for no more than the cost of the same day flight.

Receipt provided for Long Beach -> Las Vegas -> Sacramento <\$324.00>

NET TOTAL: \$614.53

Recommendations

I recommend that Ms. Ross repay immediately to the Auburn Union School District \$938.53 (or if she can provide a receipt of air travel from Long Beach to Sacramento then she needs to reimburse AUSD \$614.53) in one lump payment or monthly installments over prescribed period of time. The AUSD Board should discuss how they plan to monitor the repayment of funds as failure to repay is prohibited by law. In addition, it is recommended that Ms. Ross take a two-hour Ethics course provided by the Fair Political Practices Commission in the next 30 days and provide the district and the Board with documentation of her attendance.

Finally, a violation of state law and public trust by an elected official for misusing public funds is a very serious and damaging charge. I am disappointed that Ms. Ross failed to take this matter seriously by delaying our requests to speak with her in a timely manner and failing to answer some questions in a truthful manner when asked. This type of conduct is unbecoming of an elected school board member and does not represent the morals, values and integrity that is expected of elected school boards members by their constituents when they assume office. The Auburn Union community and greater Placer County deserve better than the actions that Ms. Ross exercised in this matter.

I request that at your next regularly scheduled Board meeting that this report of the findings and recommendations to the Auburn Union School District Governing Board is duly agendized within 45 days of January 19, 2024 and a method to rectify the misuse of funds is acted upon. Since an investigation conducted by my office did find evidence that Ms. Jamie Ross intentionally misused public funds for her own personal benefit, I will be complying with Education Code 1241.5 (b) and 42638 (b) and will in addition to notifying the AUSD board, I am also notifying by this letter, the State Controller, the State Superintendent of Public Instruction and the Placer County District Attorney.

Yours in education,



Gayle Garbolino-Mojica
Placer County Superintendent of Schools

GGM/kc

Cc: Jamie Ross, Trustee Auburn Union School District
Auburn Union School District Trustees
Michelle Lucci-Garcia, Interim Superintendent, Auburn Union School District
Tony Thurmond, State Superintendent of Public Instruction
Malia Cohen, California State Controller
Morgan Gire, Placer County District Attorney