



PRESS RELEASE

State of Iowa Citizens' Aide/Ombudsman

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Citizens' Aide/Ombudsman
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Investigation of Earlham Community School District Employee's Private Use of a School Vehicle

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DES MOINES – An Earlham School District secretary and superintendent violated Iowa law when the secretary was allowed to drive a school vehicle indefinitely on personal business, a report from the Iowa Ombudsman concluded today.

The superintendent imposed no limitations on the secretary's use of the vehicle and asked for mileage reimbursement only after the secretary had totaled the car in an accident. The secretary drove the vehicle over 1,000 miles in 27 days, including on weekends and to run personal errands.

The Iowa Constitution and state law generally prohibit government employees from using public property for private purposes, to the public's detriment. Ombudsman Ruth Cooperrider acknowledged there are a few statutory exceptions, but none apply to this situation.

An attorney representing the school district argued that the school district benefited from the arrangement because the secretary would have otherwise been unable to get to work, as her vehicle had broken down. Cooperrider discounted that argument. "Commuting to and from work is a standard expectation of any employee, and we fail to see how (her) commute serves any unique public purpose to justify her use of a school vehicle," the report said.

The attorney also contended that the district actually benefitted financially from the arrangement after it received a generous insurance payout and reimbursement from the secretary. Cooperrider said that does not negate the fact that the secretary's use of the vehicle was for purely private purposes.

The district's school board discussed the issue privately and settled the matter by instructing the superintendent to discipline the secretary as he saw fit. The Ombudsman disagreed with the Board's handling of the controversy and recommended that the Board assume direct responsibility for disciplining both employees.

The Ombudsman is also referring the matter to the Madison County Attorney to determine if any criminal charges are appropriate.

The Ombudsman's report is available online at: www.legis.iowa.gov/Ombudsman.