

GRANT ACCOUNTABILITY AND TRANSPARENCY ACT (GATA)

Employee Reporting Procedures and Regulations

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Overview

The Grant Accountability and Transparency Act (GATA) requires recipients of grant awards to report any violation of federal criminal law that involves fraud, bribery, or gratuity violations.

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Objectives

- ❖ To promote efficient business and financial practices.
- ❖ To encourage dependable financial reporting.
- ❖ To aid in compliance with State law and Board policies.
- ❖ To prevent loss from third parties, employee actions, employee errors, fraud, waste, and abuse.



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Responsibilities of your Employer

- Your Employer must take appropriate measures to prevent fraud, waste, and abuse.
- Refer to Fraud, Waste and Abuse Awareness Program in place (and follow the reporting procedures) if you suspect fraud, waste, or abuse.

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Should I Report?

- An Employer encourages employees to keep an eye out for situations that may meet the definition of fraud, waste, and/or abuse, and make reports in a timely manner.
- Employees who make reports of any wrongdoing such as fraud, or violations of the law are protected from retaliation in accordance with the Whistleblower Act (740 ILCS 174/).



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Fraud

Fraud can be defined as:

- Fraudulent financial reporting.
- “Misappropriation of assets.”
- Corruption (bribery and other illegal acts).



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Examples of Fraud

- Stealing money, improper use of employer credit cards or writing checks from the employer to buy personal items.
- Altering or forging documents, such as employee time sheets, checks, contracts, electronic files, expense reimbursement paperwork, bids, or other financial documents.
- General impropriety in the reporting of cash or financial transactions.
- Accepting or seeking anything of material value from contractors, vendors, etc.
- Working with others to manipulate internal controls (policies and procedures). Falsifying information in grant applications or contract proposals.

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District Enforcement for Fraud

- Staff members that are found to have engaged in fraud, waste, or abuse will be subject to discipline, up to and including termination.
- The District will also seek to recover any assets that may have been obtained by the employee.

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Legal Enforcement for Fraud

Persons that are found guilty of fraud can face a variety of criminal charges that include:

- **Theft** (In dealing with grants, this could include someone stealing financial records or personal information to aid in committing other crimes)
- **Embezzlement** (taking money from an employer)
- **Larceny** (unlawful taking of someone else's personal property)

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Waste

Waste can be defined as

The act of using or expending resources carelessly, extravagantly, or to no purpose.



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Examples of Waste

- Buying overpriced equipment.
- Buying unnecessary equipment or supplies.
- Paying someone money for hours that were not worked.



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Abuse

Abuse can be defined as:

Any behavior that is deficient or improper compared to the behavior that a prudent person would consider reasonable and necessary operational practice given the context.



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Examples of Abuse

- Manipulating someone to falsify documents.
- Misuse of authority for personal gain.
- Performing personal tasks during working hours and/or on government equipment.

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How to File a Report

Employees who suspect fraud, waste, and/or abuse should take the following steps to report the issue

1. Make a report (oral or written). This report will be made to Administration.
2. List the facts supporting your suspicion.
3. Include everyone involved, describe what happened, when it happened, and include evidence. Oral reports are followed up in writing by either the employee or Administration.

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How to File a Report...cont'd

4. The report may be filed anonymously if the staff member does not wish to identify themselves as the reporter.
5. If the report concerns alleged misconduct by administration, the report may either be made to the Complaint Manager whom is identified in Board Policy, who will notify the Board President, or the report can be made directly to the Board President.
6. Any evidence of fraud, waste, and/or abuse must be presented to Administration or designee (or designated Complaint Manager or Board President, if the report concerns Administration) charged with investigating the suspected fraud, waste, or abuse.

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Things to Remember...

- The employee that suspects fraud, waste, and/or abuse ***should not make attempts to investigate*** the situation, but instead report it to the appropriate person as soon as possible after being made aware.
- It is ***unacceptable*** to file a report knowing it is false.
If you file a false report, you can be found guilty of a misdemeanor, or felony, and face possible jail time, as well as fines. Your employer may also render consequences for false reporting.

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Source

2018 Policy Reference Education Subscription Service
Illinois Association of School Boards
(30 ILCS 708/) Grant Accountability and
Transparency Act