



Memorandum

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To: The Honorable Chairperson, Dr. Solomon C. Stinson
and Members, Miami-Dade School Board

From:  Christopher Mazzella, Inspector General

Date: June 8, 2010

Re: North Regional Center Supervisor Arrested in Connection with Fraudulently Obtaining
McKay Scholarship Funds, Ref. IG09-49SB

Attached is a press release relating to the arrest of Deborah Swirsky-Nunez, Instructional Supervisor of Exceptional Student Education, for the North Regional Center. Swirsky-Nunez was arrested today after an investigation by the Miami-Dade County Public Schools Office of the Inspector General (OIG) and the Miami-Dade State Attorney's Office (SAO) uncovered evidence that she had falsified documents and manipulated the system to obtain Florida Department of Education McKay Scholarships for both of her children. She has been charged with three third degree felonies.

The OIG investigation revealed that Swirsky-Nunez, through a series of misrepresentations, manipulated a process that normally takes months and reduced it to a number of days in order to have her children evaluated and qualified to receive McKay Scholarship funds. In addition to manipulating the system, Swirsky-Nunez falsified documents in furtherance of her scheme. Her fraudulent actions resulted in her receiving a McKay Scholarship in the amount of \$7,791 for the 2008-2009 school year for her son, which was used to pay her son's tuition at a prestigious private school in Broward County. Additionally, Swirsky-Nunez' scheme resulted in a McKay Scholarship award of \$11,356 on behalf of her daughter for the 2009-2010 school year, which was also intended to pay for tuition at the same Broward County private school. However, prior to disbursement of the funds for her daughter's scholarship, the School Board received a complaint alleging the fraud and Swirsky-Nunez withdrew her daughter from the scholarship program.

While the criminal investigation has resulted in an arrest, the apparent administrative violations by Swirsky-Nunez and other M-DCPS employees are the subject of a continuing probe and will be reported on by the OIG in a later report. The OIG would like to thank Superintendent Carvalho for his referral of this matter and his ongoing cooperation in this investigation.

Attachment

cc: Mr. Alberto M. Carvalho, Superintendent of Schools, M-DCPS
Mr. Walter J. Harvey, School Board Attorney
Mr. Jose Montes de Oca, Chief Auditor, M-DCPS
Mr. Edward Jordan, Inspector General, Florida Dept. of Education
Ms. Laura Harrison, Director, Scholarship Programs and Home Education
Office of Independent Education and Parental Choice, Florida Dept. of Education



ARREST OF MIAMI-DADE COUNTY PUBLIC SCHOOLS EMPLOYEE

The Office of the Inspector General for Miami-Dade County Public Schools (OIG) announces today the arrest of a Miami-Dade County Public Schools (M-DCPS) employee, Deborah Swirsky-Nunez (Swirsky-Nunez). Based on a referral from the office of the Superintendent, the OIG conducted a joint investigation with the Miami-Dade State Attorney's Office (SAO). Swirsky-Nunez, an M-DCPS employee since 1986, was charged with one count of Organized Scheme to Defraud, a third degree felony, and two counts of Grand Theft, both third degree felonies.

The OIG investigation found that Swirsky-Nunez, through false documents and misrepresentations, manipulated the M-DCPS process to obtain McKay Scholarships from the Florida Department of Education (FDOE) for both of her children in order to reduce the tuition of the private school they attended in Broward County, Florida. The John McKay Scholarship provides parents of public school students with disabilities a variety of options to ensure educational services for their children, including the opportunity to receive state funds to attend a participating private school.

Swirsky-Nunez, who was an Instructional Supervisor for Exceptional Student Education at the North Regional Center, was familiar with the McKay Scholarship process. The investigation revealed that Swirsky-Nunez used her position and friendship with various M-DCPS employees at Dr. Michael Krop Senior High School (Krop) and at regional offices to obtain the necessary evaluations and documentation for her daughter to be awarded a McKay Scholarship. The investigation uncovered that some of that documentation was false and forged. Additionally, Swirsky-Nunez used a false home address to enroll her daughter at Krop for one week in October 2008 and for another week in February 2009. Those two weeks, known as Full-Time Equivalency weeks, are when student enrollment in public schools is counted for funding purposes and for McKay scholarship eligibility. At the time of her enrollment at Krop, her daughter was a sophomore at American Heritage School, a private school in Broward County. At no time was her daughter withdrawn from American Heritage School, where she has continuously attended since 2004. Swirsky-Nunez' scheme resulted in a scholarship award for her daughter in the amount of \$11,356.

The OIG also uncovered that Swirsky-Nunez had similarly used false documentation and obtained the cooperation of M-DCPS employees in order to obtain a McKay scholarship for her son. Her son also attended the American Heritage School in Broward County. For the 2008-2009 school year, Swirsky-Nunez received \$7,791 in McKay Scholarship funds on behalf of her

son, which was then paid to the American Heritage School to partially cover his tuition. However, prior to disbursement of the funds for her daughter's scholarship, the School Board received a complaint alleging the fraud and Swirsky-Nunez withdrew her daughter from the scholarship program.

“It is sad to think that a high ranking public school administrator, an Instructional Supervisor of Exceptional Student Education, would seek to pay her private school bills by using public monies intended to benefit the disabled,” commented State Attorney Katherine Fernandez Rundle. “This is not a singular error of judgment; it is an act of arrogance and greed. It is an act of perceived opportunity and it is a crime. My prosecutors, the Miami-Dade Office of the Inspector General and Miami-Dade Public Schools will all treat this matter with the utmost seriousness.”

In commenting on the arrest, Inspector General Chris Mazzella said that Swirsky-Nunez abused her position of trust by perpetrating this fraud. Mazzella also emphasized that her actions were conspicuously callous as they resulted in her diverting grant money earmarked to help disabled children for her own personal gain. The OIG would like to thank Superintendent Carvalho for his referral of this matter and his ongoing cooperation in this investigation.

Copies of the arrest affidavit are available at the Office of the Inspector General at 19 West Flagler Street, Suite 220, Miami, FL, telephone number (305) 375-1946; or at the Miami-Dade County Public Schools OIG at 1500 Biscayne Blvd., Suite 234K, Miami, FL, telephone number (305) 523-0623; or at the State Attorney's Office, c/o Ed Griffith, 1350 N.W. 12 Avenue, Miami, FL, telephone number (305) 547-0535.