April 19, 2004

Members of the Legislative Audit Committee:

On March 29, 2004, the District Attorney of the 33rd Judicial District in Llano, Texas, obtained a guilty plea for Tampering with Governmental Record from Andrew Jack Patton, former superintendent of the Llano Independent School District (Llano ISD). Mr. Patton was guilty of falsifying annual student attendance records for Llano ISD. Mr. Patton also admitted guilt for 15 unadjudicated offenses, which included making false representations to the Office of the Attorney General (OAG).

The State Auditor’s Office Special Investigations Unit determined that Mr. Patton falsified information in a letter to the OAG to obtain $995,000 in Limited Maintenance Tax Notes for Llano ISD. The Texas Education Code allows school districts to issue Limited Maintenance Tax Notes to pay maintenance expenses. Districts secure these notes with liens on any of their available funds. While these notes do not have to be approved by voters and are not guaranteed by the State, the Education Code requires them to be certified by the OAG. The OAG’s decision to certify the notes is based solely on the information provided by the school districts. Without accurate information from school districts, the OAG cannot make informed decisions regarding the issuing of Limited Maintenance Tax Notes and may approve bonds or notes that the district does not have the ability to repay or may be forced to repay out of other available funds, which could include state funds. Mr. Patton gave false information regarding Llano ISD’s use of the proposed notes and its ability to repay the notes.

The offense of Tampering with Governmental Record is a third-degree felony. The 15 unadjudicated offenses, including falsifying information to the OAG, were also considered in determining Mr. Patton’s sentence. He was sentenced to five years deferred adjudication and was ordered to pay a $5,000 fine and court costs. He permanently surrendered all licenses and certifications that allow him to work as superintendent, administrator, or teacher in any public or private school in Texas or any other state.

If you have any questions, please contact Matthew Samuelson, Senior Investigator, or John Weber, Manager, Special Investigations Unit, at (512) 936-9500.

Sincerely,

Lawrence F. Alwin, CPA
State Auditor

cc: The Honorable Sam Oatman, District Attorney, 33rd Judicial District