



# Department of Justice

United States Attorney Robert Pitman  
Western District of Texas

FOR IMMEDIATE RELEASE  
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## **FORMER E.P.I.S.D. SUPERINTENDENT GARCIA SENTENCED TO FEDERAL PRISON**

In El Paso today, 57-year-old Lorenzo Garcia, former Superintendent of the El Paso Independent School District (EPISD), was sentenced to 42 months in federal prison and ordered to pay \$180,000 restitution for scheming to defraud EPISD and the federal government announced **United States Attorney Robert Pitman, Federal Bureau of Investigation Special Agent in Charge Mark Morgan and U.S. Department of Education Inspector General Kathleen S. Tighe.**

“Dr. Garcia abused the trust of the citizens of El Paso. He illegally manipulated state and federal education statistics, abandoning his duty to properly educate all EPISD students. He shamefully turned his time and attention to fraudulently obtaining performance based bonuses for himself. Today, he was held accountable for this breach of trust,” stated United States Attorney Robert Pitman.

On June 13, 2012, Garcia pleaded guilty to Count one of a four-count Indictment and to a single count Information, each charging conspiracy to commit mail fraud. By pleading guilty to Count One of the Indictment, Garcia admitted that he and others conspired to defraud EPISD from February 2006 until March 11, 2007, by securing a \$450,000 sole source contract under false pretenses. Furthermore, Garcia admitted that he had provided \$5,000 in "startup" money to a woman with whom he had a personal relationship, for her consulting firm called IRA. In 2006, Garcia, in order to facilitate his personal relationship with her, by providing an opportunity for her to travel to El Paso to be with him, convinced the woman to fraudulently submit an affidavit and letter claiming she was the sole source for certain educational products and services. Garcia also admitted that he circumvented the normal EPISD contract process and spearheaded this sole source contract with IRA while failing to disclose to the EPISD Board of Trustees his personal relationship to the owner as well as his personal financial interest in IRA. As a result of Garcia's efforts, in August 2006, IRA received two checks from EPISD in the amount of \$180,000 each, though there was never a signed contract between EPISD and IRA. In March 2007, after the woman tried repeatedly to end their relationship and became engaged to another, Garcia directed an EPISD administrator to terminate the IRA contract.

Garcia also pleaded guilty to the Information, thus to directing staffers to manipulate state and federal mandated annual reporting statistics in order to keep EPISD compliant with requirements of the No Children Left Behind Act. According to court documents, Garcia's contract with EPISD stipulated that he would receive annual performance bonuses if the District achieved one or more District-wide Board-approved goals on the Texas Assessment of Knowledge and Skills (TAKS) Test and/or other state or federal student performance accountability measure(s) including Federal Adequate Yearly Progress (AYP) standards for accountability.

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Garcia admitted that in order to achieve his contractual bonuses, he caused material, fraudulent misrepresentations regarding EPISD's accountability to be submitted to the Texas Education Agency and the U.S. Department of Education in order to make it appear as though the District was meeting and exceeding AYP. Garcia, admittedly manipulated EPISD data by implementing a reclassification program designed to evade 10th grade testing and accountability requirements. Essentially, Garcia directed others to reclassify students' grade levels from the 10<sup>th</sup> grade to either the 9<sup>th</sup> grade or 11<sup>th</sup> grade, using partial course credits; require that all transfer students from Mexico be placed in 9th grade, no matter whether they had sufficient credits for the 10th grade year; change passing grades to failing grades in an effort to prevent qualified students from taking the 10th grade TAKS test; and, implement course credit recovery programs to help intentionally held-back students catch up prior to graduation.

“The education of our children is one of the most important obligations of our community. The actions of Lorenzo Garcia were a direct contradiction of our community's commitment to foster the aspirations of our students. Ours is a community of integrity, of character, and of initiative. ‘Character counts’ is an ideal that children will learn through the example of those in our community and it is the FBI’s responsibility to safeguard it,” stated FBI Special Agent in Charge Mark Morgan.

Kathleen S. Tighe, The Inspector General of the U.S. Department of Education stated, “The sentence today demonstrates our commitment to holding educators who commit fraud at the expense of children accountable for their crimes. I applaud the success of our special agents, working with our partners in law enforcement, in bringing the defendant to justice.”

During sentencing, United States District Judge David Briones ordered that Garcia, who had previously been on bond, be taken into federal custody immediately to begin serving his prison term.

Assistant United States Attorneys Debra Kanof and Jose Luis Gonzalez prosecuted this case on behalf of the Government.

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