Excellence through EthicsTM

Session 7

Debt Management and Mismanagement







Excellence through Ethics

High School Session 7

Debt Management and Mismanagement

Content: Ethics, Managing Personal Debt, Bankruptcy, and Financial Statements

Methods: Groups and Discussion

JA Foundational Pillars: Ethics and Financial Literacy

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Acknowledgements

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Debt Management and Mismanagement

Overview

Students learn the consequences of mismanaging personal debt. They consider various tools for debt management, understand the effects of filing for bankruptcy, and determine ethical solutions to credit over-extension.

Objectives

Students will be able to:

- Analyze the financial statements of individuals with over-extended credit.
- Compare and contrast the effects of Chapter 7 and Chapter 13 bankruptcies.
- Identify alternatives to bankruptcy.
- Recommend ethical solutions to debt problems that consider relief for both the debtor and creditors.

Preparation

Review the activity. Prepare the necessary copies and session materials.

Group work is incorporated into this session. You may consult with the teacher to determine how best to form the groups.

Post Key Terms and definitions in a visible place.

- Ethics: The standards that help determine what is good, right, and proper.
- Bankruptcy: The process of legally declaring someone unable to pay their debts.

Recommended Time

This session typically takes 45 minutes to complete. Ask the teacher to help you keep track of time.

Materials

- Financial Statement: Sample 1 (1 per student)
- Financial Statement: Sample 2 (1 per student)
- Personal Bankruptcy Types (1 per student)
- Alternatives to Bankruptcy (1 per student)
- Pens or pencils (1 per student)

Presentation

Introduction (5 minutes)

Greet the students. Discuss why it is important to have a personal budget: to balance income and expenses with saving.

Ask students what could happen to a person who had no budget or who ignored his or her budget. **Possible answer:** He or she could go into debt.

Ask the class what is wrong with going into or mismanaging debt. Possible answers: We have a responsibility to buy only what we can pay for; we will have to pay interest on what we owe, making it

harder to get out of debt; a bad credit report—one showing excessive debt—will show we cannot be trusted with more credit or a loan; debts may become unmanageable, or unpayable; can affect job prospects, since potential employees often do credit checks and may not hire someone with a poor credit history.

Point out to students that soon they may start to get credit card offers in the mail; perhaps they have received such offers already. A credit card is not a license to spend; you should buy only what you can pay for. Reemphasize the importance of staying within your budget.

Tell students that today they will be looking at one way to solve the problem of unmanageable debt (unpayable debt). It is called bankruptcy, and it has serious consequences for both the person in debt—the debtor—and the creditors to whom he or she owes money. Note that filing for bankruptcy is a legal method an individual can use to either reorganize or completely forgo her or his debt payments.

In the past, persons filing bankruptcy were considered criminals who had swindled their creditors. They were either imprisoned or given severe penalties—penalties that included everything from lowering their social class to public humiliation and beatings. Over time, laws evolved to protect people who, for unfortunate reasons, were simply unable to pay their debts. While the disgrace of bankruptcy has diminished over the ages, the debate and controversy continues.

In 2002, more than a million U.S. households filed for bankruptcy, and the number continues to climb. Proponents for change want stricter laws that hold consumers more accountable for irresponsible and frivolous spending. Opponents of change suggest that financial institutions have marketed ill-advised loans and have only themselves to blame if they have over-extended their customers' credit. Both sides agree that society's attitude about bankruptcy has changed over the years. While it no longer carries the criminal penalties it once did, filing for bankruptcy still imposes a burden on all parties involved and has long-term, negative consequences for those who file. Both sides also agree that there are ethical and unethical reasons for filing for bankruptcy.

Activity

Part One: Over-Extended—Financial Statements (15 minutes)

Tell students that they will conduct an activity in which they will analyze an individual's spending habits, diagnose problems, and recommend corrections. They will discuss the ethical implications of the individual's choices.

Have students work in pairs. Distribute Financial Statement: Samples 1 and 2.

Students can compare and discuss the two statements, or you can select one statement that more accurately reflects the students' socio-economic backgrounds.

Ask students to determine what is wrong with the spending patterns they find on the statement(s). They should recognize that:

- Monthly expenses exceed monthly income.
- Expenditures on entertainment and restaurant meals are too high.
- Credit is over-extended, and monthly credit card payments cover interest only.

Ask students, "How do you think this person got in this predicament? Was the person managing his or her finances in a responsible or irresponsible manner?"

Guide the class discussion towards ethics. Explain that the word **ethics** is defined as **the standards that help determine what is good, right, and proper.** Ask the class if, after reviewing the individual's spending habits, that person made ethical or unethical decisions. Have students clarify and support their opinions. For a moment, have them imagine that the financial statement(s) belongs to someone caring for a sick relative who has exhausted her or his health insurance coverage. Perhaps all or a portion of the credit card debt has been incurred caring for the relative. Does that change students' opinion of the individual's spending habits?

Mention that financial advisors recommend having cash saved equal to six months of living expenses so that if a catastrophic event occurs, you can meet your obligations without going deeply into debt.

Now, ask students to consider the creditors who extended credit to the individual. Ask them what role the creditors played in the debt crisis.

Ask, "What ethical obligations do creditors have when deciding whether they should give someone credit? Is there a point at which they are more responsible than the debtor for the problem of over-extended credit?"

Discuss with students the consequences of debt mismanagement. Point out that creditors who over-extend credit risk not being paid. The old saying, "You can't squeeze blood from a turnip", rings true even today. The debtor, however, risks losing possessions and damaging credit ratings if obligations cannot be met.

Ask, "At what point should a person consider filing for bankruptcy?"

Activity

Part Two: Going Broke—Personal Bankruptcy (15 minutes)

Explain that debtors have an ethical obligation to do everything within their power to repay their creditors. Filing for personal bankruptcy should be viewed as a last resort to settle financial problems. This is a legal procedure that protects the debtor from creditors. There are two types of bankruptcy: Chapter 7 and Chapter 13. Distribute Personal Bankruptcy Types and direct students to read it. Make a specific note to the difference between a secured and unsecured loan.

Organize the class into six groups. Each group will assume one of the following roles:

- The debtor
- The credit card company
- The automobile finance company
- The mortgage company
- The student loan lender
- The electric company.

Each group should discuss the differences between the two types of bankruptcies and the different outcomes each provide.

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Tell each group to select a spokesperson to present the advantages and disadvantages they would encounter by filing Chapter 7 or Chapter 13 bankruptcy.

After each group has reported, guide the discussion towards ethics. Ask students, "Given the feelings of the various groups, what would be the most ethical solution?" Have them discuss which of the two filings would be the best solution for both the debtor and the creditors.

Activity

Part Three: Options—Alternatives to Bankruptcy (5 minutes)

If time permits, continue the discussion by asking students if they can think of any alternatives to bankruptcy that could be a better solution for creditors and debtors. List their suggestions on the board, and ask students to evaluate the feasibility of each alternative.

Distribute the Alternatives to Bankruptcy handout. Have them skim the headings for a debt-management tool they did not think of.

Ask students to give reasons why a particular debt-management tool might benefit their group. Beginning

Summary and Review (5 minutes)

Briefly review the vocabulary introduced in the session.

Ask students to review their handouts and, using all the information, decide the most ethical action the debtor could take—the action that would be fair to both the debtor and the creditors.

Remind students that it is important to have a personal budget to balance income and expenses with saving. Reemphasize the importance of having enough savings to pay six months of living expenses.

Session Outline

Introduction

- Greet the students.
- Review why it is important to have a personal budget.
- What could happen without a budget? What is wrong with unmanageable debt?
- One solution for unmanageable debt is declaring bankruptcy.

Activity

Part One: Over-Extended—Financial Statements

- Distribute Financial Statement: Samples 1 and 2.
- Have students work in pairs to analyze spending patterns and diagnose financial problems.
- Discuss the decisions of the individual with financial problems—were they ethical?
- Discuss the responsibility of the creditor for the debt crisis.
- Discuss the consequences of debt for both the debtor and creditors.

Part Two: Going Broke—Personal Bankruptcy

- Distribute Personal Bankruptcy Types.
- Separate the class into six groups: debtor, credit card company, automobile finance company, mortgage company, student loan lender, and electric company.
- Discuss and compare Chapter 7 and Chapter 13 bankruptcy filings.
- Which filing is fair to both debtor and creditors?

Part Three: Options—Alternatives to Bankruptcy

• Ask the groups to evaluate alternatives to bankruptcy.

Summary and Review

- Briefly review the vocabulary introduced in the session.
- What is the most ethical action the debtor could take?
- Thank the students for their participation.

Financial Statement: Sample 1

Monthly Net Incon	ne		\$2,000.00
Monthly Expenses			Monthly Payment
	Secured Debt	Unsecured Debt	
Apartment Rent			\$700.00
Utilities			100.00
Rental Insurance			100.00
Automobile loan	11,000.00		240.00
Bank Loan		8,000.00	200.00
Communications			125.00
Groceries			180.00
Gasoline			110.00
Clothing			100.00
Entertainment			120.00
Restaurant Meals			75.00
Personal Care			75.00
Bank Credit Card		6,000.00	150.00
Bank Credit Card		5,000.00	140.00
Bank Credit Card		3,000.00	75.00
Store Credit Card	A	4,000.00	90.00
Store Credit Card I	В	4,000.00	100.00
Subtotal:	\$11,000.00	\$30,000.00	
Total Secured an	d Unsecured Debt:	\$41,000.00	\$2,680.00

Financial Statement: Sample 1

Monthly Net Income			\$4,000.00
Monthly Expenses			Monthly Payme
	Secured Debt	Unsecured Debt	
Mortgage	\$180,000.00		\$1,200.00
Condo Fee			225.00
Utilities			100.00
Insurance			125.00
Automobile loan	30,000.00		650.00
College Loan		25,000.00	250.00
Communications			125.00
Groceries			180.00
Gasoline			110.00
Clothing			400.00
Entertainment			300.00
Restaurant Meals			350.00
Personal Care			125.00
Bank Credit Card 1		15,000.00	300.00
Bank Credit Card 2		10,000.00	200.00
Bank Credit Card 3		15,000.00	300.00
Store Credit Card A		8,000.00	180.00
Store Credit Card B		5,000.00	100.00
Subtotal:	\$210,000.00	\$78,000.00	
Total Secured and Unsecu	ured Debt:	\$288,000.00	\$5,220.0

Personal Bankruptcy Types

Personal bankruptcy generally is considered the debt-management tool of last resort because the results are long-lasting and far-reaching. A bankruptcy stays on your credit report for 10 years, making it difficult to acquire credit, a home, life insurance, or even a job. However, it is a legal procedure that offers a fresh start for people who can't satisfy their debts. Individuals who follow the bankruptcy rules receive a discharge—a court order that says they do not have to repay certain debts.

There are two primary types of personal bankruptcy: Chapter 13 and Chapter 7. Each must be filed in federal bankruptcy court. The current fees for seeking bankruptcy relief are \$160, comprised of a \$130 filing fee and a \$30 administrative fee. Attorney fees are additional and can vary widely. The consequences of bankruptcy are significant and require careful consideration.

Chapter 13 allows you—if you have a regular income and limited debt—to keep property, such as a house or car, that you might otherwise lose. In Chapter 13, the court approves a repayment plan that allows you to pay off a default during a period of three to five years, rather than surrender any property.

Chapter 7, known as straight bankruptcy, involves liquidating all assets that are not exempt. Exempt property may include cars, work-related tools, and basic household furnishings. Some property may be sold by a court-appointed trustee or turned over to creditors. You can receive a discharge of your debts under Chapter 7 only once every six years.

Both types of bankruptcy may get rid of unsecured debts and stop foreclosures, repossessions, garnishments, utility shut-offs, and debt collection activities. Both provide exemptions that allow you to keep certain assets, although exemption amounts vary. Personal bankruptcy usually does not erase child support, alimony, fines, taxes, and some student loan obligations. Also, unless you have an acceptable plan to catch up on your debt under Chapter 13, bankruptcy usually does not allow you to keep property when your creditor has a lien on it.

Source: Federal Trade Commission

Alternatives to Bankruptcy

Dealing with debt

Are you having trouble paying your bills? Are you getting notices from creditors? Are your accounts being turned over to debt collectors? Are you worried about losing your home or your car? You're not alone. Many people face financial crises at some time in their lives. Whether the crisis is caused by personal or family illness, the loss of a job, or overspending, it can seem overwhelming. However, your situation doesn't have to go from bad to worse.

If you, or someone you know, are in financial hot water, consider these options: budgeting, credit counseling, or bankruptcy. How do you know which will work best for you? It depends on your level of debt, your level of discipline, and your prospects for the future.

Developing a budget

The first step toward taking control of your financial situation is to do a realistic assessment of how much money you bring in and how much money you spend. Start by listing your income from all sources. Then, list your "fixed" expenses—those that are the same each month, such as your mortgage payment (or your rent), car payment, and insurance premiums. Next, list the expenses that vary, such as entertainment, recreation, and clothing. Writing down all your expenses is a helpful way to track your spending patterns, identify necessities, and prioritize wants. The goal is to make sure you can make ends meet on the basics: housing, food, health care, insurance, and education.

Your public library has information about money-management techniques. Low-cost budget-counseling services, which can help you analyze your finances and develop a budget, are also available in most communities. Contact your local bank or consumer-protection office for information. In addition, many universities, military bases, credit unions, and housing authorities operate nonprofit financial counseling programs.

Contacting your creditors

Contact your creditors immediately if you are having trouble making ends meet. Tell them why it's difficult for you, and try to work out a modified payment plan that reduces your payments to a more manageable level. Don't wait until your accounts have been turned over to a debt collector. At that point, the creditors have given up on you.

Dealing with debt collectors

The Fair Debt Collection Practices Act is a federal law that dictates how and when a debt collector may contact you. A debt collector may not call you before 8 a.m., after 9 p.m., or at work if the collector knows your employer doesn't approve of the calls. Collectors may not harass you, make false statements, or use unfair practices when they try to collect a debt. Debt collectors must honor a written request from you to stop further contact.

Credit counseling

If you aren't disciplined enough to create a workable budget and stick to it, if you can't work out a repayment plan with your creditors, or if you can't keep track of mounting bills, consider contacting a credit-counseling service. Your creditors may be willing to accept reduced payments if you enter into a

debt-repayment plan with a reputable organization. Under these plans, you deposit money each month with the credit-counseling service. Your deposits are used to pay your creditors according to a payment schedule developed by the counselor. As part of the repayment plan, you may have to agree not to apply for—or use—any additional credit while you're participating in the program.

A successful repayment plan requires you to make regular, timely payments and could take 48 months or longer to complete. Ask the credit-counseling service for an estimate of the time it would take you to complete the plan. Some credit-counseling services charge little or nothing for managing the plan; others charge a monthly fee that could add up to a significant charge over time. Some credit counseling services are funded by contributions from creditors.

While a debt-repayment plan can eliminate much of the stress that comes from dealing with creditors and overdue bills, it does not mean you can forget about your debts. You are still responsible for paying any creditors whose debts are not included in the plan. You are responsible for reviewing monthly statements from your creditors to make sure your payments have been received. If your repayment plan depends on your creditors agreeing to lower or eliminate interest, finance charges, or late fees, you are responsible for ensuring these concessions are reflected on your statements.

A debt-repayment plan does not erase your negative credit history. Accurate information about your accounts can stay on your credit report for up to seven years. In addition, your creditors will continue to report information about accounts that are handled through a debt-repayment plan. For example, creditors may report that an account is in financial counseling, that payments have been late or missed altogether, or that there are write-offs and other concessions. A demonstrated pattern of timely payments, however, will help you get credit in the future.

Auto and home loans

Debt-repayment plans usually cover unsecured debt. Your auto and home loan, which are considered secured debt, may not be included. You must continue to make payments to these creditors directly. Most automobile financing agreements allow a creditor to repossess your car any time you're in default. No notice is required. If your car is repossessed, you may have to pay the full balance due on the loan, as well as towing and storage costs, to get it back. If you can't do this, the creditor may sell the car. If you see default approaching, you may be better off selling the car yourself and paying off the debt: You would avoid the added costs of repossession and a negative entry on your credit report.

If you fall behind on your mortgage, contact your lender immediately to avoid foreclosure. Most lenders are willing to work with you if they believe you're acting in good faith and the situation is temporary. Some lenders may reduce or suspend your payments for a short time. When you resume regular payments, you may have to pay an additional amount toward the past-due total. Ask whether additional fees would be assessed for these changes, and calculate how much they total in the long run.

If you and your lender cannot work out a plan, contact a housing counseling agency. Some agencies limit their counseling service to homeowners with Federal Housing Authority (FHA) mortgages, but many offer free help to any homeowner who's having trouble making mortgage payments. Call the local Department of Housing and Urban Development (HUD) in your state, city, or county for help in finding a housing counseling agency near you.

Source: Federal Trade Commission

Welcome to Junior Achievement's

Excellence through Ethics

As a Junior Achievement (JA) volunteer or teacher, you are joining other teachers and volunteers from across the United States in providing students with a unique educational experience. Junior Achievement's *Excellence through Ethics* offers students learning opportunities to share knowledge and information regarding ethics in business. JA strives to show students how business works, and to better evaluate organizations that conduct their operations in the right way.

Excellence through Ethics is designed to equip volunteers and teachers with supplemental, ethics-based activities for use with JA in-class programs for grades four through twelve. All these activities provide students with current and essential information about business ethics.

These activities are designed to reinforce students' knowledge and skills, teach them how to make ethical decisions, assist them in learning to think critically, and help them to be better problem-solvers. All the activities are hands-on, interactive, and group-focused to present the material to students with the best instructional methods.

Within these supplements, you will find sections to help you effectively implement the activities in your volunteer experience. Materials include: (a) an introductory discussion of business ethics, marketplace integrity, and the growing capacity of students for ethical decision-making; (b) activities and student materials that connect to and expand current classroom-based Junior Achievement programs; and (c) a functional glossary of terms relating to a wide spectrum of ethics, quality, service, and social responsibility considerations in business.

Introduction and Overview

- How do I do the right thing in this situation?
- Should I be completely honest, even if it puts others in jeopardy?
- What kind of community do we want to be?
- How do we do what's best for the long term?
- Who should cover the cost of "doing the right thing"?

These are all questions having to do with business ethics. They are valid and necessary questions, and good business people have asked them for generations. They form the backdrop of vital discussions as business, community, and political leaders grapple with significant issues. Many students would ask these questions, even if Junior Achievement hadn't developed this ethics curriculum.

Business Ethics Discussions Are Here To Stay

Business ethics has been in the spotlight for much of the past decade, especially as examples of wrongdoing come to light in the media. New technologies and international competitive pressures cause a steady focus on the question, "Is it possible to be competitively successful in business today and still operate in an honest and ethical manner?" The past decade has seen individuals search for deeper personal meaning in the workplace, which has contributed to lively ethics discussions in the business realm. For these reasons, the discussion of business ethics is not a passing fad; it's here to stay.

Many graduate schools of business have either required ethics coursework or integrated ethics principles throughout all areas of study. That is commendable. We believe this vital area of exposure and instruction also should happen at earlier ages and continue throughout the students' educational journey. Many of today's students haven't had access to a well-rounded education in economics and free enterprise or have come to see these in a very negative light. They have limited awareness of the extent to which good business leaders engage in the challenging exercises of ethical decision-making amid heavy competitive pressures. As students learn the general principles of economics and business, it's critical that these be underpinned with a strong foundation in ethics. This will accentuate the best in American business traditions, while laying the groundwork for students' continued evolution into future generations of leaders.

Integrity in the Marketplace?

Many adults and young people choose to believe that the marketplace is driven only by greed. They view it as bringing out only the worst in human behavior, demoralizing the human spirit, and driving out any sense of idealism. While elements of greed and extreme self-interest among some individuals cannot be denied, solid research has shown time and again that companies with a long-term focus on ethics and a broad consideration of stakeholders' interests are much more profitable than those lacking such a focus.

James A. Autry, in his book *Love and Profit: The Art of Caring Leadership*, said it well: "I do not doubt the presence of greed in the marketplace because I do not doubt the presence of greed in people. But, I also do not doubt the ennobling aspects of work, of the workplace, of the community, of endeavor, of

the marketplace. So I choose to believe that most of the marketplace is driven by people who want to do good work for others and for themselves."

Excellence through Ethics accepts the challenge of educating youth in the basics of economics and business while establishing a positive balance on the side of well-informed, ethical business practice. This may appear to place a heavy burden on Junior Achievement volunteers, who are not trained ethics experts. The following informational pages will not turn you into an ethics expert. That's not what we're striving for here. What students need most is meaningful interaction with people who are willing to engage in a discussion of these vital issues.

Lively Practitioners Rather Than Dry Theorists

This program is more about day-to-day ethics practice than the nuances of ethics theory. Some believe that working in business requires a disconnect from one's personal ethics. We do not believe this is the case. Students need to know that what they learn about fairness and honesty in general also applies to business. While business ethics may address some specific areas of business practice, it's not a separate and distinct specialty to be set apart from the general ethical principles that apply in other areas of life. Young people need to encounter the wisdom of age and experience that volunteers bring to the classroom.

Students' Growing Capacity for Ethical Decision-Making

Excellence through Ethics is designed to foster discussions at the appropriate level for each age group. The curriculum developers have designed the ethics activities with sensitivity to student's mental maturity. At the late elementary and middle-grades levels, students' capacities for ethical reasoning tend toward good personal behavior as determined by adult rules and authority. In relationships, personal trust, loyalty, and respect are of paramount importance. For these students, corporate ethical behavior is viewed in much the same light as their own personal behavior: it's governed by rules.

As students advance into high school, their ethical decision-making moves into the larger arena of social contracts and systems that guide and govern societal and group behavior. Here the rationality and utility of laws are scrutinized, as students become more capable of higher-ordered, principled thinking. Students are increasingly aware of the diversity of values among different cultures and communities. At this level, students' capacities for processing the complex, ethical dilemmas that may be encountered in business are greatly enhanced.

You will gain confidence as you come to realize that conducting a robust, provocative discussion with students is more important than "having the right answer." The activities have been designed to leave room for lively discussion and multiple points of view. Having the courage to share your own experiences is very valuable to students.

You don't have to apologize for the excesses students may see in business. Don't assume responsibility for actions that are not your own, and do not try to defend the indefensible. While accentuating the fact that most businesses operate ethically, it's okay to scrutinize the unethical players in the marketplace who give business in general a bad name.

Continuing Education

Teaching this material to students will no doubt strengthen and enhance your own ethics awareness and continuing education. Some students will challenge your best reasoning capacities. Having your own support network of professional colleagues with whom you can share and discuss some of these issues is very valuable. It's also helpful to seek out colleagues with philosophical views that differ from your own. This serves as a valuable "cross-pollination" function because you will be able to understand and discuss a variety of views with students, as well as share students' perspectives with your colleagues. In this way, everyone learns.

Finally, please be assured that your contributions here have tremendous value to students and will serve to upgrade business ethics in the future. We're dealing with the future generation of leaders in their formative years. We can take pride in the fact that we've had a hand in shaping the very people who will be responsible for business ethics and social responsibility in the future.

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