



ADMINISTRATIVE COMMUNICATIONS SYSTEM

UNITED STATES DEPARTMENT OF EDUCATION

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Document Changing: OIG:1-102, *Cooperation with and Reporting to the Office of Inspector General*, dated 11/13/2003

Summary: This directive establishes the U.S. Department of Education (Department) policy for cooperating with the Office of Inspector General (OIG). It also sets forth procedures for reporting instances of suspected wrongdoing to the OIG.

Pen and Ink Changes: The following pen and ink changes have been made.

<i>Page</i>	<i>Section</i>	<i>Changed</i>	<i>To</i>
All	Date	11/13/2003	06/17/2005
1	Superseding Information	Information described above	Information described above
1	Technical questions	For technical questions on this document, please contact Michael Deshields on 202-205-9744.	For technical questions on this document, please contact Michael Deshields via email or on 202-245-7058.
5	Contact information	Various contact information phone number changes	Various contact information phone number changes



ADMINISTRATIVE
COMMUNICATIONS SYSTEM
U.S. DEPARTMENT OF EDUCATION

DEPARTMENTAL DIRECTIVE

OIG:1-102

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Distribution:
All Department of Education Employees

Approved by: _____ /s/ (11/13/2003)
John P. Higgins, Jr.
Inspector General

Cooperation With and Reporting to the Office of Inspector General

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For technical questions on this document, please contact Michael Deshields via [email](#) or on 202-245-7058.

Supersedes OIG:1-102, Cooperation with and Reporting to the Office of Inspector General, dated 11/13/2003.

I. Purpose

This directive establishes the U.S. Department of Education (Department) policy for cooperating with the Office of Inspector General (OIG). It also sets forth procedures for reporting instances of suspected wrongdoing to the OIG.

II. Policy

It is the policy of the Department to eliminate fraud, waste, abuse, mismanagement or criminal violations in the Department's programs and operations.

III. Authorization

The OIG was established under the Inspector General Act of 1978 as amended, 5 U.S.C. App. 3, and by the Department of Education Organization Act of 1979 (Public Law 96-88). These acts provide for an independent organization whose primary responsibilities include the prevention and detection of fraud, waste, abuse, and mismanagement in the administration of Department programs and other operations.

IV. Applicability

This directive applies to all Department employees, contractors, grantees, boards, and commissions.

V. Definitions

A. Administrative Offenses by Department Employees. Offenses that are administrative in nature generally do not come under the purview of the OIG and should be handled directly by supervisors. Examples of administrative offenses are:

1. Chronic or habitual tardiness;
2. Inappropriate use of Government computers (e.g., surfing prohibited web sites, excessive use of the Internet);
3. Misuse of sick leave;
4. Unauthorized use of alcoholic beverages;
5. Reporting for duty while intoxicated or under the influence of intoxicants;
6. Insubordination (refusal to obey orders, insolence and similar behaviors);
7. Absence without leave (any leave from duty that has not been authorized in accordance with the leave instructions and for which pay must be denied);

8. Fighting, threatening, intimidating, or other disruptive behavior.
9. Employee indebtedness, to the extent that such either reflects adversely on the government or affects the employee's performance on the job; and
10. Discrimination prohibited by law or regulation.

B. Criminal Violations. Criminal violations include but are not limited to illegal drug use, possession or distribution of illegal drugs on Department property, embezzlement, bribery, solicitation of bribes, fraud against the government, theft, failure to pay student aid refunds, child pornography, or conspiracy to commit any of the foregoing acts.

VI. Responsibilities

A. Employees

1. Criminal Violations. Any Department employee having information indicating a possible criminal violation by an Department employee or program participant (e.g., contractor, grantee, or consultant) must bring this information to the immediate attention of the nearest OIG/Investigation Services (IS) office (see Section VII) or the OIG Hotline (see Section VII).
2. Fraud, Waste, Abuse, or Mismanagement. Any Department employee having information indicating fraud, waste, abuse, or mismanagement involving Department programs and operations should bring this information to the immediate attention of the nearest OIG/IS office or the OIG Hotline. Appropriate information would include that pertaining to fraud, waste, abuse, or mismanagement by another employee in the performance of his/her official duties or by any person or entity who receives or administers Department funds (e.g., contractors, grantees, or consultants).
3. Other Matters. Any Department employee having information regarding mismanagement, administrative offenses, or other violations of law, regulation, contract, agreement, or procedures on the part of another employee or a Department program participant should report this information to a supervisory official. In addition, or alternatively, any Department employee may bring allegations of such matters directly to the attention of the OIG if:
 - a. The employee fears reprisal;
 - b. The employee has reported the matter to supervisory officials, but believes that the matter has not been adequately resolved; or
 - c. The employee chooses to do so.

4. All Department employees are required to:
 - a. Comply with all official requests for information, documents, and records from representatives of the Inspector General; and
 - b. Keep in confidence all inquiries made by the OIG when requested to do so except insofar as they may seek counsel concerning personal involvement. Employees are permitted to have an attorney or union representative present when they are being interviewed by the OIG.

B. Department Supervisors

1. Supervisors will:
 - a. Initially handle any Administrative Offenses with the assistance of the Office of Management's (OM) Human Resources Services;
 - b. Ensure that subordinates are aware of the Department's policy as outlined in this directive; and
 - c. Comply with all official requests and keep in confidence all inquiries made by the OIG.
2. Supervisors will not:
 - a. Direct any other Department employee to refrain from providing assistance or furnishing information, either upon request or voluntarily, to the OIG; or
 - b. Threaten employees with, nor subject them to, any form of reprisal for providing information to OIG, or for reporting or stating an intention to report allegations of wrongdoing to OIG. However, after consultation with OIG and OM's Human Resources Services, supervisors may initiate appropriate disciplinary action against an employee who reports, or who openly states an intention to report, an allegation while knowing it to be false, or with willful disregard for its truth or falsity.

- C. Office of Inspector General. The OIG will investigate allegations within its purview made by Department employees regarding fraud, waste, abuse, mismanagement and criminal violations involving anyone in the Department or any individual or organization receiving Department funds through grants or contracts. Investigations can result in referrals of cases to the Department of Justice for criminal prosecution or civil action, or to Department management officials for administrative action.

In accordance with section 7(b) of the Inspector General Act of 1978, as amended, the OIG shall not, after receipt of a complaint or information from an Department employee, disclose the identity of the employee without the consent of the employee unless the Inspector General determines such disclosure is unavoidable during the course of an investigation. Any identifying information is confidential source material, and OIG employees must not disclose such information except to other OIG employees who have a need to know in connection with their official duties.

The Whistleblower Protection Act of 1989, as amended, strengthened and improved protection for the rights of Federal employees to prevent reprisals and to help eliminate wrongdoing within the Government.

VII. Reporting Procedures

A. Reporting Fraud, Waste, Abuse, Mismanagement or Criminal Violations. All employees may report allegations to OIG by contacting:

1. The nearest OIG/IS office telephone number:

<u>Office</u>	<u>(Area Code)</u>	<u>Telephone</u>
Boston, MA	(617)	223-9301
New York, NY	(212)	264-8442
Philadelphia, PA	(215)	656-6900
Atlanta, GA	(404)	562-6460
Chicago, IL	(312)	353-7891
Dallas, TX	(214)	661-9530
Kansas City, MO	(816)	268-0530
Long Beach/Los Angeles, CA	(562)	980-4141
Washington, DC Field Office	(202)	245-6918

2. The OIG's Hotline: The OIG Hotline toll-free number is 1-800-647-8733 (1-800-MISUSED). A Hotline Operations Specialist answers calls between 9:00 a.m. and 4:00 p.m. Eastern Standard Time, Monday – Friday. TDD/TYY users can use the Federal Relay Service at 1-800-877-8339. Complainants can also submit complaints to the Hotline by e-mail (oig.hotline@ed.gov), fax machine (202-245-7047), 24 hours a day and seven days a week, or by writing to the following address:

U.S. Department of Education
 Inspector General Hotline
 400 Maryland Avenue, SW
 Washington, D.C. 20202-1500

B. Reporting Other Matters. The OIG Hotline is maintained to facilitate the reporting of allegations involving fraud, waste, abuse, mismanagement or criminal violations in Department programs and operations. Except as provided

in Section VI.A.3, it is not intended to be used for reporting complaints related to administrative offenses and work place disputes, or for consumer, personnel or equal employment opportunity issues. The Department has a variety of consumer information and customer complaint mechanisms separate from the OIG Hotline.

- C. Confidentiality and Anonymity. The identity of employees who report allegations to OIG will be kept confidential as provided in Section VI.C. Anonymous reports are accepted; however, anonymous reports may limit OIG's ability to act on the report.