



DEPARTMENT OF DEFENSE
EDUCATION ACTIVITY
4040 NORTH FAIRFAX DRIVE
ARLINGTON, VA 22203-1635

MAR 10 2011

MEMORANDUM FOR DEFENSE HOTLINE, INSPECTOR GENERAL, DOD

SUBJECT: Defense Hotline Case 118138

Attached is the Department of Defense Education Activity completion report for the subject referral.

If you have any questions, please contact Ms. Stephanie Waldrop, Acting Chief, Compliance and Assistance at (703) 588-██████.


Marilee Fitzgerald
Acting Director

Attachment:
As stated

Defense Hotline Completion Report
Hotline Referral Number 118138

1. Name of Official Conducting Inquiry: Dr. Christine L. Hill
2. Rank and/or Grade of Official: GS-15
3. Duty Position and Telephone Number: Deputy Chief of Curriculum, 703-588-[REDACTED]
4. Organization: Department of Defense Education Activity (DoDEA)
5. Hotline Control Number: 118138
6. Scope of Inquiry, Findings, Conclusions and Recommendations:

Scope of Inquiry:

On January 18, 2011, William E. Reukauf, Associate Special Counsel, U.S. Office of Special Counsel, Washington, D.C., wrote a letter to The Honorable Robert M. Gates, referring for investigation a whistleblower disclosure that employees at the DoDEA Lakenheath School District in Lakenheath, England, are “engaging in conduct which may constitute a violation of law, rule, regulation, gross mismanagement, and a substantial and specific danger to public safety.”

The Office of Special Counsel (OSC) received these allegations from Mr. Timothy Winey. Currently, Mr. Winey is a second grade teacher at Lakenheath Elementary School. According to the letter from OSC, Mr. Winey, alleges the following:

- Allegation #1: On October 20, 2010, an allegation of child abuse was made against him. Several of his students were interviewed during class period the morning of October 20 in relation to this allegation, and Mr. Winey was not notified of the allegation against him prior to the interviews.
- Allegation #2: School administrators failed to immediately notify the local installation’s Family Advocacy Program (FAP) officer.

The scope of the inquiry included the following:

- Review of Defense Hotline Case Referral 118138
- Review of DoDEA Regulation 2050.9
- Review of DoD Directive 6400.1
- Interviews with school and district leadership
- Transcribing a summary of the interview notes onto “Declaration Under Penalty of Perjury” form provided by DoDEA General Counsel
- Providing interviewees an opportunity for review and edit of summary notes
- Obtaining final signed copies of summary notes.

Separate interviews were conducted with the following individuals:

- District assistant superintendent, [REDACTED] (February 9, 2011)
- District superintendent, [REDACTED] (February 14, 2011)
- School principal, [REDACTED] (February 15, 2011)
- School assistant principal, [REDACTED], (February 16, 2011)

Three of the interviews were conducted by video teleconference and one, with [REDACTED], was conducted telephonically

Findings: The findings for each allegation are as follows:

Allegation 1: Mr. Winey was not notified of the allegation against him prior to the interviews.

- This allegation is not substantiated.
- Neither the DoD Directive 6400.1 nor the DoDEA Regulation 2050.9 requires that the employee be notified prior to interviews or initiating an investigation.

Allegation 2: School administrators failed to immediately notify the local installation’s FAP officer (October 20, 2011).

- This allegation is substantiated as FAP officials were not notified until February 1, 2011. According to the school principal, [REDACTED], she sent her POC at FAP an email on February 1, 2011, and they spoke on February 2, 2011.
- The Lakenheath school and district leadership: [REDACTED], Superintendent; [REDACTED], Assistant Superintendent; [REDACTED], Principal; and [REDACTED], Assistant Principal, failed to notify the local installation’s FAP officer immediately as an official, professional responsibility.
- It is accurate that administration made a judgment call regarding the veracity of the allegations instead of following DoD regulations on how to properly report and address such allegations.
- DoDEA Regulation 2050.0 requires that all DoDEA personnel promptly report all suspected or alleged child abuse to the local FAP officer.

- Upon learning of allegations or suspicions of abuse, DoDEA Regulation 2050.9 requires personnel to immediately contact the local FAP officer to ensure that FAP officials are aware of the allegations.
- The DoDEA Regulation also requires that supervisors determine, after consultation with officials from FAP, and, if appropriate, higher levels of DoDEA, whether an alleged offender is to be temporarily relieved from duty involving contact with children pending further investigation.
- Further, the DoDEA Regulation requires that, prior to notifying the alleged offender of the allegations, the principal should consult with appropriate FAP officials.

Conclusions and Recommendations:

Upon thorough review of interview transcripts and all supporting documentation, it is determined that Allegation #1 is not substantiated and Allegation #2 is substantiated.

School administrators ([REDACTED], [REDACTED]) failed to immediately notify the local installation's FAP officer. In lieu thereof, the school principal, [REDACTED], reported the allegations to the District Superintendent, [REDACTED]. As a safety measure, [REDACTED] sent an experienced investigator from his office to investigate the allegations and they were determined to be unfounded.

The existing DoDEA regulation and DoD Directive, when followed, are adequate protections against alleged child abuse.

7. Cite Criminal or Regulatory Violations Substantiated. School administrators did not follow DoDEA Regulation 2050.9 and DoD Directive 6400.1.

8. Disposition. Appropriate administrative action will be taken with respect to the personnel involved. The action will reflect the seriousness of the offense for failure to follow DoD and DoDEA policy and procedures and that doing so potentially puts students at risk for unreported child abuse. Training will be provided to selected administrators in order to better prepare them to handle allegations of abuse.

9. Specify Security Classification of Information. Unclassified.

10. Indicate the Location of Field Working Papers and Files.

Department of Defense Education Activity
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