



# United States Department of the Interior

OFFICE OF THE SOLICITOR

Washington, D.C. 20240

November 16, 2009

Ms. Catherine McMullen  
Chief, Disclosure Unit  
United States Office of Special Counsel  
Suite 218  
1730 M Street, N.W.  
Washington, DC 20036-4531

RE: OSC-DI-09-0428

Dear Ms. McMullen:

Pursuant to your email request of November 13, 2009 requesting that DOI's response which was initially submitted via email on November 6, 2009, be on official letterhead, I am resubmitting the following information from DOIU employees Lynn McPheeters and Mr. Foye in response to your requests. In addition, I did additional follow-up with the OIG investigator as well as DAU. Since I attached the electronic versions of the documents referenced below with my email to you of November 6, 2009, I have not included those with this letter. Please advise if you also want us to provide the hard copies of these documents. I have inserted the responsive information following your questions (in bold and italics) below along with updated information that I received from DAU's General Counsel, Timothy Wray (703-805-5403):

***OSC Question #1: First, there are several references to "administrative action" taken with respect to the DOI GAMIP interns deemed through the investigation to have shared questions and answers. What specific "administrative actions" were taken? Please be specific with respect to each intern and, if applicable, provide appropriate documentation effecting the actions.***

After completing an IG investigation on Ms. President's allegations, Special Investigator Steve Shillingford advised Ms. McPheeters and Mr. Foye that in his questioning of the interns, Rodney Brooks, Rodney Walters, Aseia Chaudry, and Chris Henshaw admitted they may have cheated based on their sharing of notes and information that could be used on the online tests. One intern who was questioned, Ms. Alfredia Allen, never admitted cheating. After meeting with the Special Investigator, Rodney Brooks, Rodney Walters, Aseia Chaudry, Chris Henshaw, and Alfredia Allen each came separately to Mr. Foye's office. Each intern, with the exception of Alfredia Allen, admitted that they had shared answers and information that could be used on the online tests and apologized for not being completely truthful. They also told Mr. Foye that LaRone President had also received information that could be used on the online test from Chris Henshaw. Mr. Foye counseled each intern on what constitutes cheating and the expectations of each intern regarding the Standards of Ethical Conduct. They were told that any future

misconduct or breach of ethical standards could result in disciplinary action or termination from the program and federal service. Documentation of the counseling session was placed in each intern's folder. The counseling letters are attached to the November 6, 2009 email sent to you.

**OSC Question #2: *Second, according to your letter, "DAU has amended its policy to clearly prohibit sharing on-line open-book test questions and answers." Please provide a copy of the policy as modified designed to prevent a recurrence of the improper activities in question.***

DAU already has an academic policy which prohibits sharing of answers. What they are in the process of doing is making this policy to apply to non-DOD DAU students. The original November 6, 2009 email contained electronic copies of an email from Robert L. Daugherty, the Dean of DAU to this effect that I received from the OIG investigator on November 6, 2009. I also emailed Mr. Daugherty and requested a status update. He was out of the office but stated that he would get back to me on Monday. Instead of Mr. Daugherty, I received a call from Timothy Wray, DAU's general counsel, who forwarded to me an electronic copy of DAU's academic policy. He was unable to confirm whether or not DAU had changed their "welcome" letters to reflect their academic policy to non-DOD students.



DAU Email to Shillingford.pdf email from Shillingford re DAU policy.pdf Email from Daugherty re DAU policy.pdf

**OSC Question #3: *Third, according to your letter, "DOI has drafted its own new academic policy." While we understand the policy is still undergoing review, could you please provide a copy of the draft policy? Further, once a policy regarding academic integrity is adopted, would you please forward a copy of the policy to our office for our files.***



GAMIP Academic Policy\_July 2009\_update\_DRAFT.pdf

The policy is proceeding through the Departmental clearance process. If you have any further questions, please let me know.

Very truly,



Deborah S. Charette  
Assistant Solicitor  
Branch of Personnel Litigation and Civil Rights  
Division of General Law  
Office of the Solicitor  
U.S. Department of the Interior  
202-208-6848 (v)  
202-208-3230 (fax)



"Daugherty, Robert"  
<Robert.Daugherty@dau.mil>


To <Steven\_Shillingford@doioig.gov>

cc

08/03/2009 04:42 PM

bcc

Subject RE: Defense Acquisition University on-line test

History:  This message has been replied to.

Steve...

Our DAU Academic Directive states the following:

" (5) Academic Integrity. Absolute integrity is expected of every DAU student in all academic undertakings. Integrity entails a firm adherence to a set of values, and the values most essential to an academic community are grounded on the concept of honesty with respect to the intellectual efforts of oneself and others. Academic integrity is expected not only in formal coursework situations, but in all university relationships and interactions connected to the educational process, including the use of university resources.

(a) A DAU student's submission of work for academic credit indicates that the work is the student's own. All outside assistance and citations should be acknowledged, and the student's academic position truthfully reported at all times. In addition, DAU students have a right to expect academic integrity from each of their peers. Students shall not: Misrepresent his or her work. Fraudulently or unfairly advance his or her academic position. Be a party to another student's failure to maintain academic integrity. Violate the principle of academic integrity in any other manner.

(b) The following actions are examples of activities that violate the Student Academic Policy and subject their participants to actions under this policy (this is not a comprehensive list):  
Knowingly representing the work of others (from any source) as one's own. Using, obtaining, or providing unauthorized assistance on examinations, papers, or any other academic work. Fabricating data in support of research or field work. Forging a signature to certify completion of a course assignment or a recommendation. Misrepresenting one's academic accomplishments. Viewing, removing or copying any examination materials or any portions thereof by any means, including electronically.

(c) Specific Guidelines for Courses. All submitted work will be the result of a student's own individual effort unless otherwise directed. Representing another's work as one's own is plagiarism and a violation of academic integrity. If materials are taken from published sources, the student must clearly and completely cite the source of such materials.

1. Examinations. No DAU student may take an examination for another student nor provide assistance to another student.  
2. Course Assignments. Students are encouraged to discuss the content of a course and to help each other to master it, but no student should receive help in doing a course assignment unless specifically provided guidance that the assignment is a group exercise."

Additionally, we are modifying the welcome letters for all courses (distance learning and classroom) to state similar policy.

Hope this helps.

Bob

Robert L. Daugherty  
Robert L. Daugherty  
Dean  
Capital and Northeast Region  
Defense Acquisition University  
Ft Belvoir, Virginia  
Office: 703-805-3687  
BB: 703-229-2003  
robert.daugherty@dau.mil

-----Original Message-----

From: Steven\_Shillingford@doioig.gov [mailto:Steven\_Shillingford@doioig.gov]

Sent: Monday, August 03, 2009 2:05 PM

To: Daugherty, Robert

Subject: Defense Acquisition University on-line test

Hi Bob,

I hope this email finds you well. Just a follow up to the investigate I conducted a few months ago. When we last spoke, I advised you of several DOI university intern students that shared defense acquisition university on-line test material. You indicated DAU might be drafting some new policy to address the situation.

I'm emailing you to find out if anything was drafted and if I could get a copy of any policy changes. DOI university is in the process or has already addressed the problem.

Thanks in advance for your help

Steve



**Steven  
Shillingford/WDC/OIG/DOI@  
OIG**

11/06/2009 08:18 AM

To Deborah Charette/HQ/SOL/DOI@SOL  
cc  
bcc  
Subject DAU

Good Morning Deb,

I got your call from yesterday. Attached to this email is a PDF of an email I had with Mr. Robert Daugherty who was at the time the Dean of Defense Acquisition University, Capital and Northeast Region. I'm not sure if he is still in the same position.

We had discussed by phone the fact that non-DOD students did not technically fall under the same rules as DOD DAU students. So, Mr. Daugherty said they were going to modify the welcome letters to non-DOD DAU students to reflect similar policy as it applies to DOD DAU students. I don't know if in fact they (DOD DAU) followed through.

Hope this helps and if you have any questions please call.

Steve



DAU E mail.PDF



**Steven A. Shillingford**  
**Investigator**  
**Program Integrity Division**  
**U.S. Department of the Interior**  
**Office of Inspector General**  
**1849 C Street, N.W.**  
**Washington, D.C. 20240**  
**Office: (202)208-5686**  
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**e mail: Steven\_Shillingford@doioig.gov**



"Daugherty, Robert"  
<Robert.Daugherty@dau.mil>  
11/06/2009 11:05 AM

To: Deborah Charette/HQ/SOL/DOI@SOL  
cc  
bcc  
Subject: Re: DAU academic policy

Unfortunately I am out of the office today. I can do something on monday for you.

**From:** Deborah.Charette@sol.doi.gov  
**To:** Daugherty, Robert  
**Sent:** Fri Nov 06 08:48:13 2009  
**Subject:** DAU academic policy

Good morning Mr. Daugherty:

I got your name from Mr. Shillingford of our OIG's office. By way of introduction, I am an attorney in the Solicitor's Office at the U.S. Department of the Interior and currently trying to respond to some followup questions from the Office of Special Counsel regarding DAU's academic policy as it relates to cheating by non-DOD students.

As you may recall, Mr. Shillingford was doing an investigation into some allegations of cheating by the DOI interns who were taking DAU classes as part of their internship requirements. He was conducting the investigation as a result of a referral from the Office of Special Counsel to do so. OSC has had some followup questions regarding DAU's policies.

Steve forwarded to me an email this am, in which you indicated to him, in an August 3, 2009 email, that the "welcome" letters to interns (non DOD) would be modified to reflect the DAU's policy on activities which violate DAU's academic policy. I was wondering if you all had, in fact, modified your letters and if so, if you could forward a copy to me so that I could provide it to the Office of Special Counsel in response to their inquiry.

The information is due back to OSC today and I am sorry for the rush, but I didn't get the information to follow up on until this am. Your prompt assistance is very much appreciated!

Deborah S. Charette  
Assistant Solicitor  
Branch of Personnel Litigation and Civil Rights  
Division of General Law  
Office of the Solicitor  
U.S. Department of the Interior  
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DEPARTMENT OF THE INTERIOR UNIVERSITY

Intern Programs

# Academic Policy

INTERN Programs Academic Policy

Version/Modification Log:

<b>Date</b>	<b>Version No.</b>	<b>Summary of Modification</b>
07/19/09	1.0	Original draft
07/31/09	1.1	Review and Changes
08/04/09	1.2	Review and Changes
08/05/09	1.3	Review and Changes



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## **1.0 PURPOSE**

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The purpose of this document is to state the academic policies governing interns participating in the Department of the Interior University Intern Programs. The policies cited in this directive are intended to establish a minimum standard of conduct to uphold the ethical and moral values of DOI University.

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## **2.0 INTRODUCTION**

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DOI University has established a reputation for excellence based on respect for knowledge and maintaining standards for intellectual honesty.

### **2.1 Expectation**

Interns are expected to meet the highest standards of personal, ethical, and moral conduct. These standards require personal and professional integrity and honesty. A learning environment where the discovery, advancement, and communication of knowledge is valued can only be achieved when there is a commitment to these standards. The Department of the Interior University (DOIU) encourages interns who have an issue or concern with the learning environment to discuss it with the Intern Program Manager. Interns who feel their issue is not resolved satisfactorily may go to the Department of the Interior University Intern Programs Branch Chief.

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## **3.0 POLICY GUIDELINES**

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### **3.1 Standards of Conduct**

#### **3.1.1 Arrival and Departure for Formal Training**

Interns must arrive on-time to training classes and are expected to remain in class for the duration of the training. Arrangements for departure must be made to ensure that there is full attendance for the training course or program. Specific information such as course dates, hours, and class locations are provided during the intern program orientation and in an e-mail sent to each intern before a class begins. The intern program manager must be informed in the event of late arrival or early departure.

### **3.1.2 Attendance and Absenteeism**

Interns are expected to fully attend and participate in all training courses and programs. DOIU recognizes that there may be instances when attendance issues and absenteeism are unavoidable. Accordingly:

- The intern shall request permission from the intern program manager in advance of a planned absence or within one hour of the normal start time of the work day. Absences will be excused only for valid reasons such as illness or family emergency.
- Interns will not receive credit for completing a class when cumulative absences exceed 10% of instructional time. In the event of an excused absence, interns will be permitted to reschedule the class.
- Interns who miss 10% or more of instructional class time will be required to complete supplemental work or repeat the course in order to receive a certificate of completion. If an intern does not complete the prescribed supplemental work, no credit will be awarded for any part of the course. This could result in the intern not completing the program requirements.
- When weather-related absence affects attendance at a training course, the instructor of that course, in consultation with the intern program manager, will determine the appropriate course of action, which can range from make-up work to rescheduling the course.
- In the rare case where an absence from a training course is excused, interns are responsible for accurately reporting leave taken to the intern program manager.

### **3.1.3 Classroom Etiquette**

Interns are expected to behave in a professional manner at all times. This includes, but is not limited to:

- Respecting diverse thoughts and opinions of other class participants.
- Abiding by professional standards and courtesy when interacting with faculty, guests, and other interns.
- Being prepared to fully participate in all training activities and events.

- Arriving on-time, returning promptly from breaks, and staying until the class day ends.
- Turning off cell phones and Blackberrys and using them only on breaks or before/after class.

### **3.1.4 Attire**

Unless otherwise noted in a welcome letter or e-mail, interns should wear business casual attire. Appropriate business casual attire for men is dress slacks, shirts with collars, and dress shoes/loafers. For women, dress slacks and blouses, dresses, and dress shoes/sandals are appropriate.

Shorts, flip flop sandals, athletic shoes, tank tops, jeans, and athletic sweat suits are examples of inappropriate attire, unless specified in advance by the instructor of the course for specific class events.

### **3.1.5 Academic Integrity**

Academic integrity is essential to success. Honesty, integrity, and respect for an individual's intellectual efforts and/or intellectual property form the cornerstone of the basic values of a learning organization. Interns are expected to adhere to and demonstrate these values in all academic undertakings.

Academic integrity is expected not only in formal coursework situations, but in all professional relationships and interactions connected to the educational process, including the use of all DOIU resources and all courses taken through external training and education providers.

Interns are expected to avoid academic dishonesty and misconduct in all its forms, such as cheating, plagiarism, fabrication or falsification, and other violations of academic standards of conduct.

The following are examples of academic violations that are subject to disciplinary action under this policy:

#### **1) Cheating**

Cheating is a form of dishonesty where an intern or student uses unauthorized materials or receives unauthorized assistance during an exam or other academic exercise. Examples of cheating include:

- Copying from another person's work during an examination or while completing an assignment either during an on-site course, or an on-line course.

- Allowing someone to copy from you during an examination or while completing an assignment either during an on-site course, or an on-line course.
- Using unauthorized materials during an examination or while completing an assignment either during an on-site course, or an on-line course.
- Collaborating on an examination or assignment without authorization either during an on-site course, or an on-line course.
- Taking an examination or completing an assignment for another or permitting another to take an examination or to complete an assignment for you either in an on-site course, or an on-line course.

## 2) Plagiarism

Plagiarism is the unauthorized use or close imitation of the language and thoughts of another and the representation of them as one's own original work. When an intern submits an examination or class assignment under their name, they are indicating that the submission is their own original work.

When information gained through reading and/or research is not common knowledge among students in the course, it must be acknowledged and appropriate credit given to the source.

## 3) Fabrication or Falsification

This is a form of dishonesty where one invents or distorts the origin or content of information used as authority. Examples include:

- Citing a source that does not exist.
- Attributing to a source ideas and information that are not included in the source.
- Citing a source for a proposition that it does not support.
- Citing a source in a bibliography when the source was neither consulted nor cited in the body of the paper.
- Intentionally distorting the meaning or applicability of data.

- Inventing data or statistical results to support conclusions.
- Fabricate data in support of research or field work.

#### 4) Other Academic Policy Violations

An intern shall not:

- Remove or copy any examination materials or any portions thereof by any means, including electronically.
- Take an examination for another intern or provide assistance to another intern on an examination.
- Fraudulently or unfairly advance his or her academic position.
- Be a party to another intern's failure to maintain academic integrity.
- Forge a signature to certify completion of a course assignment or a recommendation.
- Unfairly advance one's academic position by hoarding or deliberately damaging reference materials.
- Misrepresent one's academic accomplishments.

#### **3.1.6 Course Assignments**

Interns are encouraged to discuss the content of a course and to help each other with the mastery of the learning objectives, but no intern should receive help in completing a course assignment unless specifically told that the assignment is a group exercise.

#### **3.1.7 Principles for Computer Use and Network Systems**

The use of computers and network systems must follow the established IT policies for security and ethical behavior. Use of a computer and network system that is shared by many users imposes certain additional obligations. While rules are built into computer and network systems, such restrictions cannot eliminate the opportunity for the perusal of the work or resources of others. Interns are responsible for their actions and to maintain personal and professional integrity at all times.

Standards of behavior include, but are not limited to:

- Respect for the privacy of other users' information, even when that information is not securely protected.
- Respect for the ownership of proprietary software. For example, making or using unauthorized copies of such software, even when that software is not protected against copying, is inappropriate and violates this policy.
- Respect for the finite capacity of the system and limitation of use so as not to interfere unreasonably with other users.
- Respect for the procedures established to manage the use of the system.
- Respect for the appropriateness of the site.

### **3.1.8 Academic Freedom and Non-Attribution**

DOIU supports a policy of academic freedom and encourages discretionary debate on any subject or topic related to the course content. In order to ensure this academic freedom, DOIU maintains a non-attribution policy. The objective is to enable interns, students, instructors, and guest speakers to express their views freely and without possible attribution or embarrassment.

In keeping with this policy, specific statements or remarks shall not be attributed to specific speakers (by name or other identifying comments) unless specifically allowed by the speaker.

Guest speakers, faculty, interns, and students are encouraged to state their opinions, support of, or criticism of any topic and/or subject under discussion during a training course or event. While the content of the discussion is governed by the academic freedom policy, interns must demonstrate courtesy, respect, and professionalism for the views of the speaker. Derogatory, acrimonious, and judgmental comments and actions will not be tolerated in any circumstance.

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### **3.2 Mastery Standards**

Interns must meet the prescribed mastery standards to successfully complete a course. The specific criteria for course mastery will be provided to the interns in advance of course commencement. An intern who fails to achieve the accepted level of mastery will

not receive credit for the course and will have a one-on-one conference with the intern program manager to discuss an alternative course of action.

### 3.3 Reasonable Accommodation

DOI University is committed to providing reasonable accommodations to interns who require special assistance. Interns with special needs must notify the intern program manager of the needed accommodation when registering for a course. If no request is identified during the registration process, DOIU cannot assume responsibility for the timely arrangement of the accommodation and may not be able to fulfill the request.

All technology enabled learning offered through DOI University will be 508 compliant.

For courses conducted at a contractor's site, the contractor is responsible for providing appropriate accommodations.

## 4.0 PROCEDURES FOR VIOLATION OF ACADEMIC POLICY

### 4.1 Intern Responsibilities

#### 4.1.1 Jurisdiction and Penalties

The policies of the academic institution delivering the courses and/or programs shall be the governing policy for all interns enrolled in the learning event. The authority to determine whether a specific action shall be treated as a violation of this Academic Policy lies with the Intern Programs Branch Chief and the President, DOI University. Interns who violate this Academic Policy may be subject to any of the following penalties:

- An oral or written warning.
- Requiring work affected by the Academic Policy violation to be redone to a satisfactory level.
- Removal from the course based on the recommendation of the academic institution.
- Suspension or dismissal from the program if program requirements cannot be met due to the academic violation.

- Disciplinary actions taken against the intern by the academic institution.
- Interns may also be subject to penalties under federal laws.

#### **4.1.2 Responsibility for Reporting**

Interns discovering a suspected violation should report the violation to the intern program manager immediately or as soon as possible.

#### **4.1.3 Procedure for Reporting Violations**

Upon learning of a violation, the Intern Programs Branch Chief and the President, DOIU may conduct an investigation of the allegations and will follow the procedures below:

- 1) If upon review of an allegation, including discussions with those interns involved, the Intern Programs Branch Chief believes that the Academic Policy may have been violated, the intern program manager shall inform the intern of the allegation and discuss the reporting procedures for academic violations.
- 2) If the intern admits the academic violation, the Intern Programs Branch Chief and the President, DOI University will inform the academic institution of the violation and consult with them on the appropriate penalties. In the case of less severe misconduct, the Intern Programs Branch Chief in consultation with the President, DOI University, will determine the appropriate penalty according to this policy.
- 3) If the intern asserts innocence, the Intern Programs Branch Chief may dismiss the allegation or conduct further investigations in order to substantiate the facts.
- 4) If upon further investigation, the Program Manager determines that there is sufficient information to substantiate the allegation, the Intern Programs Branch Chief will:
  - a. Provide the intern a Letter of Allegation of Violation of DOIU's Academic Policy containing:
    - i. A description of the allegation and a summary of the facts known to the Program Manager.
    - ii. A timeframe for the intern to provide a written response.



- iii. Procedures to follow to request an extension of response time.
  - b. If the intern fails to provide a response, the Intern Programs Branch Chief may consult with Human Resources to identify next steps to address situation.
  - c. The intern program manager will investigate as required to resolve inconsistent issues or document reasons the issue(s) cannot be resolved.
- 5) In the event the intern is found to be in violation of the standards of conduct, the Intern Programs Branch Chief will consult with Human Resources and to create a decision letter which includes the violation, a summary of the facts, and the resultant actions that will be taken. This decision letter will be provided to the intern, the intern program manager, and the President, DOI University and Human Resources.
- 6) Interns who fail to successfully complete course requirements will follow the academic policies of the academic institution.

#### **4.1.4 Review/Appeal**

The intern may seek an appeal of the Intern Programs Branch Chief decision from the President, DOIU, if the intern:

- 1) Believes the procedure was improper or unfair, OR
- 2) Asserts that additional, relevant evidence has become available, OR
- 3) Contests the findings, OR
- 4) Believes the penalty was excessive or inappropriate for the offense.

Upon hearing the appeal of the intern, and in consideration of the findings and recommendations of the Intern Programs Branch Chief, the President, DOIU may overturn, amend, or affirm the decision.

The decision of the President, DOIU is final and will be provided in writing to the intern, the intern's on-site supervisor, the Intern Program Manager and the Intern Programs Branch Chief.

INTERN Programs Academic Policy

\_\_\_\_\_  
Robert L. Foye  
Intern Programs Branch Chief  
Department of the Interior University

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lynn McPheeters  
President, DOIU

\_\_\_\_\_  
Date