



ADMINISTRATIVE COMMUNICATIONS SYSTEM U.S. DEPARTMENT OF EDUCATION

DEPARTMENTAL DIRECTIVE

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Inspector General

Procedures for Handling Office of Inspector General Hotline Referrals

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For technical questions regarding this document, please contact the Special Agent in Charge of Headquarters Operations at (202) 245-6900.

Supersedes OIG: 1-103 Procedures for Handling Office of Inspector General Hotline Referrals, dated 10/29/2007.

I. Purpose

This directive sets forth U.S. Department of Education (ED) policies and procedures for responses to Hotline complaints referred to ED Principal Officers by the Office of Inspector General (OIG). It provides general guidelines for addressing the various types of complaints referred to Principal Officers for review and action.

II. Authority

Under the Inspector General Act, 5 U.S.C. app. 3 § 7 (the IG Act), the Office of Inspector General (OIG) is authorized to receive and investigate complaints or information concerning possible violations of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to public health and safety. The IG Act prohibits reprisal against ED employees who make complaints or provide information to the OIG. It also provides that their identities will be kept confidential unless employees consent to disclosure of their identity or the OIG determines that disclosure is unavoidable during the course of an investigation.

III. Applicability

This directive applies to all ED offices.

IV. Definitions

- A. Principal Officer means the official in charge of an organization designated as a Principal Office (PO) as defined in B.
- B. Principal Office, for the purpose of this directive, is an organization headed by an Assistant Secretary or equivalent.
- C. Complaint means an allegation of possible wrongdoing involving ED's programs or operations reported to the OIG Hotline (Hotline).

V. Responsibilities

- A. Principal Officers are responsible for:
 - 1. Reviewing complaints referred to their offices by the OIG;
 - 2. Taking necessary actions on any findings; and
 - 3. Timely informing the OIG's Assistant Inspector General for Investigations (AIGI) what actions were taken.

Note: Principal Officers are also responsible for promptly reporting to the OIG any apparent criminal violations disclosed during the review. Criminal acts include, but are not limited to: embezzlement, bribery, solicitation of bribes, fraud against the Government, and conspiracy to commit any of these acts. Upon disclosure to the OIG of such information, the Principal Officer should take no further action in the matter other than in coordination with the OIG.

- B. The Special Agent in Charge of Headquarters Operations is responsible for the Hotline's timely handling (receipt, screening, and disposition) of complaints received through the Hotline.

VI. Procedures and Requirements

A. Hotline Reporting Procedures

The Hotline is available as a direct line of communication with OIG for anyone making an allegation of possible wrongdoing involving ED's programs or operations. The preferred method of reporting allegations to the OIG is by completing an on-line form found at the Office of Inspector General Homepage, www.ed.gov/about/offices/list/oig/index and submitting it via the OIG's Internet website. The website accepts complaints 24 hours a day, 7 days a week. Complaints can also be sent via US mail to the following address: U.S. Department of Education, OIG Hotline, 400 Maryland Avenue, SW, 8th Floor-PCP, Washington, DC 20202-1500, or by fax at 202-245-7047. The Hotline may also be reached by dialing toll free 1-800-647-8733 (1-800-MISUSED) or local (202) 245-6911, Mondays and Wednesdays between the hours of 9:00 AM and 11:00 AM, and Tuesdays and Thursdays between the hours of 1:00 PM and 3:00 PM, Eastern time.

B. Complaint Referral

Complaints that will not result in an OIG audit, investigation, or inspection are referred to the appropriate Principal Officer for review and any necessary action. The OIG shall refer all pertinent facts, with the exception of the complainant's identity, unless the complainant consents to disclosure of his or her identity (assuming the complainant is not anonymous). Information concerning ED employees or other sensitive matters will be labeled "Eyes Only" (meaning referral must be opened by addressee only).

1. Within 45 calendar days of the OIG referral, the Principal Officer will notify the AIGI of the status of any review of the referral. The OIG may grant extensions to the 45-day response period if requested. The Principal Officer need not notify the AIGI if the referral was sent to the Principal

Officer for information only. Otherwise, Principal Officer's responses should explain what action was taken or why no action was taken.

2. Upon completion of the Principal Officer's review and/or initiation/completion of any action(s), the Principal Officer will provide a memorandum to the AIGI describing any findings and any action(s) taken. If the Principal Officer determines that no action is warranted, he/she will return the complaint to the AIGI with a memorandum explaining the reason(s) for such determination.

C. Review by Principal Officer/Principal Office

The OIG does not define the limits and parameters of a Principal Officer's action. Review effort and action depend largely on the nature and the degree of the alleged impropriety. Generally, there are three categories of complaints referred to Principal Officers.

1. Employee Misconduct

- a. Appropriate conduct of employees on the job (for example, time and attendance, use of resources and materials, and overall job performance) is a basic responsibility of employees and their first-line supervisors. Alleged employee wrongdoing in these areas generally will be referred to the Principal Officer for appropriate action.
- b. If the supervisor's review of the allegations discloses that the allegation is true, then it is the supervisor's responsibility to take appropriate corrective and/or disciplinary action, unless criminal violations are uncovered, which require referral to OIG.

See Personnel Manual Instruction 751-1 for policies and guidelines for disciplinary actions.

2. Impropriety by Program Participants

Allegations concerning non-Federal individuals or organizations that participate in ED programs, or otherwise receive ED funding, may be referred to the appropriate Principal Officer or PO for programmatic/compliance review. If the allegation is found to be true, the Principal Officer will take appropriate administrative action, unless potential criminal violations are identified, which require referral to OIG.

3. Administration and Procedures

At times, the OIG receives complaints about ED procedures or practices that, in the complainant's opinion, could be improved or abolished. These types of complaints will be referred for consideration by appropriate program or administrative officials.