

**U.S. DEPARTMENT OF EDUCATION – OFFICE OF INSPECTOR GENERAL  
WHISTLEBLOWER REPRISAL COMPLAINT FORM**

You should complete this form only if personnel actions were taken (e.g., you were discharged), not taken (e.g., you were not promoted), or threatened against you, or you were otherwise discriminated against, because of your whistleblower disclosure, as described below (please check the applicable boxes):

I was reprimed against in violation of Section 1553 of the American Recovery and Reinvestment Act of 2009 (ARRA). I am an **employee of a non-Federal entity that received ARRA funds** who has been reprimed against for reporting information I reasonably believe evidences gross mismanagement, gross waste, substantial and specific danger to public health or safety, abuse of authority, or violation of law, rule, or regulation, relating to ARRA funds.

I was reprimed against in violation of Section 828 of the National Defense Authorization Act for Fiscal Year 2013 (NDAA). I am an **employee of a U.S. Department of Education contractor, subcontractor, or grantee** (of a contract, subcontract, or grant awarded or modified, or task order entered, on or after July 1, 2013), who has been reprimed against for reporting information I reasonably believe evidences gross mismanagement, a gross waste of funds, an abuse of authority, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation, relating to a Federal contract (including the competition for or negotiation of a contract) or Federal grant. I am bringing this complaint within three years after the date on which the reprisal(s) took place.

I was reprimed against in violation of the Whistleblower Protection Act or other authority protecting Federal employees. I am a **U.S. Department of Education employee, former employee, or applicant for employment** who has been reprimed against for reporting information I reasonably believe evidences any violation of law, rule, or regulation, or gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

All other complaints should be submitted using the OIG Hotline Complaint Form, found at <http://www2.ed.gov/about/offices/list/oig/hotline.html>.

**Submission Instructions**

**Please download this form (select SAVE AS in your browser), complete it and submit by mail or fax.**

Mailing address: U.S. DEPARTMENT OF EDUCATION  
INSPECTOR GENERAL'S HOTLINE  
400 MARYLAND AVENUE, SW  
WASHINGTON, DC 20202-1500

Fax: (202) 245-7047

You may call 1-800-MISUSED if you have any questions.

**If you run out of space answering any of the questions below, please attach additional pages as necessary (please check the box below if you have attached additional information and indicate how many pages).**

I have attached \_\_\_\_ additional pages as part of my complaint.

Please review your complaint and ensure that it is complete and that the listed contact information is accurate. Submitting an incomplete complaint without appropriate contact information may hinder the Office of Inspector General's ability to pursue the complaint, and may result in closure of your complaint without further action.

**Part A:  
Background Information**

1. Your name:

2. Your contact information

a. Mailing address:

b. Email address:

c. Phone number(s):

d. How and when did you first become aware that you could file a complaint with the OIG?

3. Your employer's name:

4. Your employer's relationship to the U.S. Department of Education (for example, grantee, subgrantee, contractor, or subcontractor; and, explain what U.S. Department of Education (ED) funds your employer receives):

5. U.S. Department of Education (ED) funds implicated in your complaint (please check the applicable boxes below, and be as specific as you can):

My complaint concerns the following ARRA funds (please list the name of the program, contract, grant/award #, CFDA #; *please be aware that most ED programs are no longer funded by ARRA; for example, Pell grants under the Higher Education Act have not been ARRA-funded since June 30, 2011*):

My complaint concerns the following contract(s), subcontract(s), or grant(s) awarded or modified, or task order(s) entered, on or after July 1, 2013 (please list the name of the program, contract, grant/award #, CFDA #):

**Part B:**  
**Disclosures and Reprisals**  
Please complete the following for each set of disclosures that resulted in reprisal.

**DISCLOSURE #1**

1. I was reprised against for disclosing the following information:

2. I disclosed this information to the following entities and/or individuals (include the name(s) of the entities/individuals and the dates you disclosed the information to them):

3. This information is evidence of (please check the applicable boxes, and explain why the information is evidence of the wrongdoing you selected):

a.  a violation of a law, rule, or regulation,  related to a Federal grant or contract (including the competition for or negotiation of a contract),  related to ARRA funds

b.  gross mismanagement  of an ED contract or grant,  related to ARRA funds

c.  a gross waste of ED funds,  including ARRA funds

d.  abuse of authority  relating to a Federal contract or grant, or  related to implementation or use of ARRA funds

- e.  a substantial and specific danger to public health or safety relating to a Federal contract or grant, or  
 related to implementation or use of ARRA funds

4. What action occurred, failed to occur, or was threatened because of the disclosure listed above (for example, were you discharged, demoted, or otherwise discriminated against)?

5. When did this action occur?

6. Who was involved in this action (include name(s), title(s), and their relationship to you and explain their role in the action)?

7. Explain why you believe that this action occurred because of the disclosure(s) that you described. *(Be as specific as possible about any dates, locations, names, and positions of all persons mentioned in your explanation. Identify actual and potential witnesses, giving work locations and telephone numbers, if known. Attach a copy of any documents that support your statements.) Please provide, if possible, a copy of the notification of the action and/or decision about the action(s) covered by your complaint.*

**DISCLOSURE #2** (complete only if you were reprimed against for making an additional disclosure)

1. I was reprimed against for disclosing the following information:

2. I disclosed this information to the following entities and/or individuals (include the name(s) of the entities/individuals and the dates you disclosed the information to them):

3. This information is evidence of (please check the applicable boxes, and explain why the information is evidence of the wrongdoing you selected):

a.  a violation of a law, rule, or regulation,  related to a Federal grant or contract (including the competition for or negotiation of a contract),  related to ARRA funds

b.  gross mismanagement  of an ED contract or grant,  related to ARRA funds

c.  a gross waste of ED funds,  including ARRA funds

d.  abuse of authority  relating to a Federal contract or grant, or  related to implementation or use of ARRA funds

e.  a substantial and specific danger to public health or safety relating to a Federal contract or grant, or  related to implementation or use of ARRA funds

4. What action occurred, failed to occur, or was threatened because of the disclosure listed above (for example, were you discharged, demoted, or otherwise discriminated against)?

5. When did this action occur?

6. Who was involved in this action (include name(s), title(s), and their relationship to you and explain their role in the action)?

7. Explain why you believe that this action occurred because of the disclosure(s) that you described. *(Be as specific as possible about any dates, locations, names, and positions of all persons mentioned in your explanation. Identify actual and potential witnesses, giving work locations and telephone numbers, if known. Attach a copy of any documents that support your statements.) Please provide, if possible, a copy of the notification of the action and/or decision about the action(s) covered by your complaint.*

**ADDITIONAL DISCLOSURES** (if you were reprimanded against for making more than two disclosures, please submit the additional disclosures by using the space provided below)

**Part C:  
Other Information**

1. Have you initiated a proceeding in, including submitted a complaint or report to, another Federal or State judicial or administrative body to address the action(s) listed above (include the name(s) of the entities)?

2. What remedy are you asking for?

**Part D:  
Privacy Act Statement**

The Privacy Act of 1974 (5 U.S.C. § 552a) is a Federal law designed to prevent the unauthorized disclosure of your personal information by Federal agencies. The information you provide as part of this complaint and any subsequent investigation will be incorporated into a system of records known as the Investigative Files of the Inspector General ED/OIG, and may be disseminated outside of the Department of Education in accordance with published "routine uses." Please see the Privacy Act Notice attached to this form for information about the circumstances under which the OIG can use or disclose such information under the Privacy Act.

**Part E:  
Consent to Certain Disclosures of Information**

Part E should be completed by covered non-Federal employees only. Please skip this part if you are an employee of the U.S. Department of Education reporting a violation of the Whistleblower Protection Act or other authority protecting Federal employees.

As part of any whistleblower reprisal investigation and proceedings, the U.S. Department of Education may need to disclose information you submit to the Office of Inspector General (OIG) to persons or entities required by law to receive a report of the findings of the OIG investigation in this matter (this includes disclosing such information to your employer). In circumstances where such disclosure is not authorized by a published "routine use," your written consent will be required. Please sign the consent below to ensure that the U.S. Department of Education can disclose necessary information in furtherance of your whistleblower reprisal complaint.

*Consent and Release:* I hereby authorize the U.S. Department of Education to disclose any information I provided to OIG regarding this whistleblower reprisal complaint to persons or entities required to receive a report of the findings of the OIG investigation of this complaint. I understand that this authorization will be in place for the duration of any whistleblower reprisal investigation and proceeding related to this matter. I voluntarily waive any and all rights I may have to privacy and confidentiality pertaining to any information that I provide to the OIG in connection with this matter. I agree to release and hold harmless the U.S. Department of Education, the OIG, and their officers, employees, contractors, agents, and assignees, from any and all claims or damages of any kind arising from or in any way connected to the release or use of any information or record pursuant to this waiver.

I have read the above, understand its content, and voluntarily agree to its terms.

Signature: \_\_\_\_\_

Printed Name:

Date:

## PRIVACY ACT NOTICE

**Information maintained in the Investigative Files of the Inspector General ED/OIG may be disseminated outside of the Department of Education in accordance with the following routine uses:**

1. *Law Enforcement.* Information may be disclosed to any Federal, State, local, or foreign agency or other public authority responsible for enforcing, investigating, or prosecuting violations of law or regulation if that information is relevant to any enforcement, regulatory, investigative or prosecutorial responsibility of the receiving entity.
2. *Disclosure to Obtain Information.* Information may be disclosed to public or private sources to the extent necessary to obtain information from those sources relevant to an OIG investigation, audit, inspection, or other inquiry.
3. *Employment, Employee Benefit, Clearance, Contracting Decisions.*
  - (a) Information may be disclosed to a Federal, State, local or foreign agency maintaining civil, criminal, or other relevant enforcement or other pertinent records, or to another public authority or professional organization, if necessary to obtain information relevant to a Department decision concerning the hiring or retention of an employee or other personnel action, the issuance or retention of a security clearance, the letting of a contract, or the issuance or retention of a license, grant, or other benefit.
  - (b) Information may be disclosed to a Federal, State, local, or foreign agency, other public authority, or professional organization in connection with the hiring or retention of an employee or other personnel action, the issuance or retention of a security clearance, the letting of a contract, or the issuance or retention of a license, grant, or other benefit.
4. *Disclosure in Connection with the Higher Education Act of 1965, as Amended (HEA).* The OIG may disclose information from this system of records as a routine use to facilitate compliance with program requirements to any accrediting agency that is or was recognized by the Secretary of Education pursuant to the HEA; to any educational institution or school that is or was a party to an agreement with the Secretary of Education pursuant to the HEA; to any guaranty agency that is or was a party to an agreement with the Secretary of Education pursuant to the HEA; or to any agency that is or was charged with licensing or legally authorizing the operation of any educational institution or school that was eligible, is currently eligible, or may become eligible to participate in any program of Federal student assistance authorized by the HEA.
5. *Litigation Disclosure.*
  - (a) Disclosure to the Department of Justice. If the disclosure of certain records to the Department of Justice (DOJ) is relevant and necessary to litigation and is compatible with the purpose for which the records were collected, those records may be disclosed. Such a disclosure may be made in the event that one of the parties listed below is involved in the litigation, or has an interest in the litigation: (i) The Department or any component of the Department; (ii) Any employee of the Department in his or her official capacity; (iii) Any employee of the Department in his or her individual capacity where the Department of Justice has agreed to represent the employee or in connection with a request for such representation; or (iv) The United States, where the Department determines that the litigation is likely to affect the Department or any of its components.
  - (b) Other Litigation Disclosure. If disclosure of certain records to a court, adjudicative body before which the Department is authorized to appear, individual or entity designated by the Department or otherwise empowered to resolve disputes, Counsel or other representative, or potential witness is relevant and necessary to litigation and is compatible with the purpose for which the records were collected, those records may be disclosed as a routine use to the court, adjudicative body, individual or entity, Counsel or other representative, or potential witness. Such a disclosure may be made in the event that one of the parties listed below is involved in the litigation, or has an interest in the litigation: (i) The Department, or any component of the Department; (ii) Any employee of the Department in his or her official capacity; (iii) Any employee of the Department in his or her individual capacity where the Department has agreed to represent the employee; or (iv) The United States, where the Department determines that the litigation is likely to affect the Department or any of its components.
6. *Contractors/Consultants.* Information may be disclosed to the employees of any entity or individual with whom or with which the Department contracts for the purpose of performing any functions or analyses that facilitate or are relevant to an OIG investigation, audit, inspection, or other inquiry. Before entering into such a contract, the Department shall require the contractor to maintain Privacy Act safeguards, as required under 5 U.S.C. 552a(m) with respect to the records in the system.
7. *Debarment/Suspension.* Information may be disclosed to another Federal agency considering suspension or debarment action where the information is relevant to the suspension or debarment action. Information may also be disclosed to another agency to gain information in support of the Department's own debarment and suspension actions.
8. *Department of Justice.* Information may be disclosed to the Department of Justice, to the extent necessary for obtaining its advice on any matter relevant to Department of Education programs or operations.
9. *Congress.* Information may be disclosed to a member of Congress from the record of an individual in response to an inquiry from the member made at the written request of that individual. The member's right to the information is no greater than the right of the individual who requested it.
10. *Benefit Program.* Information may be disclosed to any Federal, State, local or foreign agency, or other public authority, if relevant to the prevention or detection of fraud and abuse in benefit programs administered by any agency or public authority.
11. *Overpayment.* Information may be disclosed to any Federal, State, local or foreign agency, or other public authority, if relevant to the collection of debts and overpayments owed to any agency or public authority.
12. *Council of the Inspectors General on Integrity and Efficiency (CIGIE).* The OIG may disclose records as a routine use to members and employees of the CIGIE for the preparation of reports to the President and Congress on the activities of the Inspectors General.
13. *Qualitative Assessment Reviews.* The OIG may disclose records as a routine use to members of the CIGIE, the DOJ, the U.S. Marshals Service, or any Federal agency for the purpose of conducting qualitative assessment reviews of the investigative operations of the Department of Education, Office of Inspector General to ensure that adequate internal safeguards and management procedures are maintained.
14. *Entities Responsible for Oversight of Federal Funds.* The OIG may disclose records as a routine use to the Recovery Accountability and Transparency Board (RATB) or any successor entity, to the Government Accountability and Transparency Board (GATB) or any successor entity, or to any other Federal, State, local, or foreign agency or other entity responsible for coordinating and conducting oversight of Federal funds, in order to prevent fraud, waste, and abuse related to Federal funds, or for assisting in the enforcement, investigation, prosecution, or oversight of violations of administrative, civil, or criminal law or regulation, if that information is relevant to any enforcement, regulatory, investigative, prosecutorial, or oversight responsibility of the Department or of the receiving entity.
15. *Responding to Breach of Data.* The OIG may disclose records from this system to appropriate agencies, entities, and persons when (a) the OIG suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the OIG has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the OIG's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

These routine uses are published in full at 68 Fed. Reg. 38154-58 (June 26, 2003), as amended by 75 Fed. Reg. 33608-10 (June 14, 2010) and 77 Fed. Reg. 50091-92 (August 20, 2012).