

THE JOINT STAFF
WASHINGTON, DC



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MEMORANDUM FOR: DIRECTOR, JOINT FORCE DEVELOPMENT

SUBJECT: Preliminary Inquiry

1. In response to reference (a), Attachments (1) through (42) are forwarded. As directed, I have conducted a preliminary inquiry into the syllabus, curriculum, and course review/approval process for the "Perspectives on Islam and Islamic Radicalism" course (Elective 5812) taught at the Joint Forces Staff College (JFSC). All reasonably available evidence has been collected and all directives set forth in reference (a) have been satisfied.

2. Executive Summary. Due to an institutional failure to provide effective oversight of elective courses generally and a series of misjudgments by individuals, the JFSC's "Perspectives on Islam and Islamic Radicalism" course (Elective 5812) did not include necessary course content on U.S. counterterrorism strategy, including U.S. policy on countering violent extremism (CVE); relied almost exclusively on outside guest lecturers, several of whom provided a negative perspective on various aspects of Islam; and did not include an academically rigorous metric or assessment tool to evaluate student learning. In an effort to remedy the lack of an effective assessment tool, the Elective Lead, LTC Dooley, developed and inserted into the "Perspectives" elective a highly flawed "Counter-Jihad Operational Design Model" brief which contained deliberately extreme hypotheticals intended to provoke student analysis and debate. The extreme hypotheticals used in the model were contrary to U.S./DoD policy, and, taken at face value, propose a position that is contrary to both the course objectives and our professional values. The model is not academically sound and should not be used again in any form. JFSC did take appropriate action to review and respond to complaints about the "Perspectives" elective that were raised by a student in March 2012, but lacked a sufficient sense of urgency in initiating corrective actions given the sensitivity of the subject matter. I recommend that the "Perspectives" elective not be offered again until it is significantly re-designed and greater oversight is provided to ensure accomplishment of course objectives.

3. Findings. Based on my assessment of all the evidence set forth in attachments (2) through (42), I make the following findings:

a. JFSC Response to the November 2011 Joint Staff Action. A miscommunication between the National Defense University (NDU) and JFSC regarding the scope of the action and a lack of effective coordination by the JFSC's Dean, Directorate of Academic Affairs (D,DAA) resulted in JFSC not conducting an internal review of the "Perspectives on Islam and Islamic Radicalism" elective (#5812) (hereinafter "Perspectives" elective) in response to the November 2011 Joint Staff action number SJS 11-04328, "/O/ Screening Process for Countering Violent Extremism (CVE) Trainers and Speakers". Although the National Defense University's (NDU's) Deputy Vice President for Academic Affairs, Dr. Brenda Roth, forwarded the Joint Staff action (with attachments) to the JFSC's D,DAA, Dr. Linda McCluney, on 17 November 2011 (Attachments 11, 21), Dr. Roth's forwarding e-mail stated that the action was already overdue and that "a few bullets on how each component vets speakers and chooses materials and presentations is all that I need". Upon receiving Dr. Roth's e-mail, Dr. McCluney delegated the task of responding for JFSC to Dr. Ken Pisel, JFSC's Chief of Educational Technology (Attachments 12-13). Dr. McCluney gave verbal guidance to Dr. Pisel to respond to the action by informing NDU of the JFSC's general process for obtaining outside guest speakers, but she did not forward the documents contained in the Joint Staff action to Dr. Pisel or to the JFSC's Office of the Commandant (Attachments 6-7, 13). Based on the verbal guidance from Dr. McCluney, Dr. Pisel provided NDU with a very brief JFSC response on 18 November 2011 which was limited solely to JFSC's general process for obtaining outside guest speakers (Attachments 13, 22). Dr. Pisel did not know that the Joint Staff action was actually focused on CVE training when he submitted the response to NDU (Attachment 13). According to both the JFSC Chief of Staff (COS) and the Curriculum Director of the JFSC's Joint and Combined Warfighting School (JCWS), they also did not receive the documents within the November 2011 Joint Staff action, which highlighted recent negative media attention received by the FBI's CVE training program and requested a specific review of current processes used to vet CVE trainers and guest speakers (Attachments 6-7). I find that the lack of effective communication between NDU and JFSC regarding the scope of the action and the lack of effective coordination of the Joint Staff action by the JFSC's D,DAA, Dr. McCluney, contributed JFSC's lack of oversight of the "Perspectives" elective during the late fall of 2011 and early 2012. If the JFSC's Office of the Commandant and/or the Director, JCWS had seen the actual documents within the Joint Staff tasker, they might have been alerted to the problems the FBI had had with using Mr. Stephen Coughlin and Mr. John Guandolo as guest lecturers in their CVE training program, and an effective review could also have led JFSC to examine the October 2011 guidance and best practices on CVE training issued by the U.S. Department of Homeland Security (Attachment 36). This failure of internal coordination resulted in a missed opportunity to alert the JFSC's Office of the Commandant and Director,

JCWS to these issues, and is the reason why the JFSC failed to conduct a timely review of the "Perspectives" elective in November 2011.

b. Intent of Course at Inception. For historical context, from 2004 through the 2006 syllabus, the course content of the JFSC's "Perspectives" elective was consistent with the CJCS's 2005 Joint Professional Military Education (JPME) Special Areas of Emphasis (SAE) guidance on Countering Ideological Support to Terrorism (CIST) (which later became known as Countering Violent Extremism (CVE)) (Attachments 14, 17, 41). The 2006 syllabus for the "Perspectives" elective included specific lessons on the history of Islam; guest lectures by Regent University's Dr. Joe Kickasola on "Rationales for Moderation or Violence in Islamic Politics", and by the Pew Forum's Dr. Pauletta Otis on "Violence in Religion and Women in Islam"; and a final, four hour, faculty-guided discussion on both the content of the previous guest lectures and on student research papers that had been assigned as part of the course (Attachment 14, reference (f)). This 2006 syllabus set forth a balanced academic approach to meet the 2005 JPME SAE guidance on CIST, which was to provide JPME students with "an awareness of the culture, customs, language and philosophy" adhered to by violent Islamic extremists in order to more effectively counter their extremist ideology (Attachment 41).

c. Revised CJCS Special Area of Emphasis (SAE) Guidance. From 2007 to 2010, the "Perspectives" elective maintained essentially the same course syllabus and lesson objectives and came to rely entirely on outside guest lecturers to present the course material (Attachments 4-8, 14). However, by 2010 the CJCS's SAE guidance on CVE had evolved to become more extensive than the 2005 SAE guidance on CIST. In addition to providing JPME students with the "history and basic elements of militant Islamic ideology", the 2010 SAE guidance states that JPME students should "have an understanding of the principal framework of U.S. Government counterterrorism (CT) strategy, including CVE"; should be challenged to "investigate the five elements of the DoD's role in CVE (security, information operations, humanitarian assistance, military-to-military contacts, and conduct of operations)"; and should be familiar with the National Implementation Plan (NIP) for U.S. CT strategy, with its four pillars (protect and defend the homeland, attack terrorist capabilities, CVE, and prevent terrorist acquisition of WMD) (Attachments 33-35, 42). I find that the JFSC's "Perspectives" elective did not incorporate this additional, updated SAE guidance on CVE in 2011-2012. Although the March 2012 syllabus for the "Perspectives" elective does contain a quote from the June 2011 U.S. National Strategy for Combating Terrorism (Attachment 16), the lessons described in the syllabus (introduction and history of Islam, Islamic culture, Islamic Jihad, Islamic Law, the voice of moderate Islam, and configuring an operational approach to the problem) do not include specific content on the U.S. CT strategy, including U.S. CVE policy (Attachment 2);

the five elements of DoD's role in CVE; or the NIP for U.S. CT strategy. Such fundamental content on U.S. CT and CVE policy must be included in any CVE-driven course like the "Perspectives" elective.

d. Use of Outside Guest Lecturers. By 2010, the elective faculty responsible for the JFSC's "Perspectives" elective had come to rely almost exclusively on outside guest lecturers- especially guest lecturers that had been used by JFSC in the past and were reliably available- in order to cover the course content (Attachments 4-8, 14). Reasons for this over-reliance on guest lecturers included the lack of academic expertise on Islam within the resident JFSC faculty; the "tyranny of the schedule", i.e., the perceived need to offer the "Perspectives" elective at JFSC four times per year without interruption; and the fact that any new guest lecturers were required to be "vetted" first by speaking to JFSC faculty at a JFSC faculty development session, thereby increasing the time required to add them to the course lineup. In my opinion, an over-reliance on outside guest speakers is not a sound academic approach, because it leaves coverage of course objectives essentially to chance (outside speakers will say whatever they want and are not bound to cover course objectives), and because it is difficult to measure or assess student learning in a course that is simply a "guest lecture series". Additionally, it appears that with the exception of Dr. David Fautua, the outside guest lecturers used in the "Perspectives" elective during 2011-2012 (Mr. Stephen Coughlin, Mr. John Guandolo, Dr. Shireen Burki, and Mr. Vern Liebl), who accounted for at least five of the eight total course lessons, all presented a largely negative perspective regarding various aspects of Islam (Attachments 3-8, 14). As noted above, this significant imbalance in perspective offered by the guest lecturers resulted in a failure to present SAE-required material on U.S. CT strategy and CVE policy that is essential to any professional DoD course on CVE. In essence, the "Perspectives" elective course content stayed right where the outside guest instructors led it, and the selection and use of guest instructors drove the course content, which contributed to the failure to incorporate essential SAE-required material. To their credit, the 2011-2012 faculty for the "Perspectives" elective did recognize that the lineup of already-vetted guest lecturers (which they had inherited from their predecessors when they took over the course) was out of balance, and they attempted to address this imbalance by adding Dr. Zuhdi Jasser to the lineup as a more "moderate" perspective on Islam; unfortunately, they were unsuccessful in getting Dr. Jasser to speak (Attachments 4-8, 14). Even if they had gotten Dr. Jasser, in my view the "Perspectives" elective still needed specific, faculty-facilitated discussions immediately following each guest lecture to allow students to analyze and debate the material in the context of U.S. and DoD policy, as well as a metric/student assessment tool (such as a research paper) at the end of the course to allow instructors to evaluate student learning.

e. The "Counter-Jihad Operational Design Model". The 2011-2012 Elective Lead and Lesson Developer for the "Perspectives" elective, LTC Matthew A. Dooley, U.S. Army, recognized in late 2010 that the course lacked a metric/assessment tool for evaluation of student learning, and in response, LTC Dooley developed a new, final lesson for the course that he called a "Counter-Jihad Operational Design Model" (hereinafter "the model") (Attachments 4-8, 14). The model was presented in a series of powerpoint slides that LTC Dooley intended to be provocative and extreme, in order to stimulate student discussion and analysis of all previous course lessons (Attachments 4-8, 14). A significant weakness in this academic approach was that the slides LTC Dooley developed to explain the model, particularly in the initial version 11 of the model dated July 2011 (Attachment 18), failed to include any content on U.S. CT strategy or U.S. CVE policy, and did include a number of deliberately extreme hypotheticals that were contrary to U.S. CVE policy, contrary to U.S./DoD core values, and negative toward Islam (Attachments 28-30). While I find that LTC Dooley did not intend to imply any actual U.S./DoD support for these extreme hypotheticals, which were intended solely to provoke student discussion (see especially LTC Dooley's instructor's notes at Attachment 19), in my view it was very poor judgment to include such extreme hypotheticals within the course, to place these extreme hypotheticals on powerpoint slides, and to distribute such slides to the students on a CD-DVD without a much stronger and more explicit written disclaimer that the model was intentionally extreme, was contrary to U.S./DoD policy, and was intended solely to stimulate in-class discussion, and without including specific content on U.S. and DoD CT and CVE policy. In response to course critiques submitted by "Perspectives" elective students during 2011, LTC Dooley did modify the initial version 11 model several times, and by JCWS Class 12-1 some of the most extreme hypotheticals had been or were being deleted from the model, prior to the complaint raised by Col Cade in February-March 2012 (Attachments 2, 4-8, 14, 20). Nevertheless, when viewed in conjunction with the "Perspectives" elective's imbalance in outside guest lecturers, most of whom offered a negative perspective on various aspects of Islam, the "Counter-Jihad Operational Design Model" appears to put the course well outside the CJCS's JPME SAE guidance on CVE and can easily be taken out of context to imply a message that is contrary to both the course objectives and our professional values. I do not believe that this model is academically sound or effective as a metric/assessment tool and it should not be continued in any form.

f. Distribution of Course Materials on CD-DVDs. I find that LTC Dooley and LtCol Lawrence McKnelly, U.S. Marine Corps, who was also an elective faculty team member for the "Perspectives" elective, exercised poor judgment in November 2011 when they failed to personally review all the briefs, articles, and other electronic files stored on the course's archive faculty portal site before downloading all the archived course materials to

CD-DVDs and mass distributing CD-DVDs to students in Classes 11-4 and 12-1 (Attachments 4-5). While I believe that LTC Dooley and LtCol McKnelly's intent was simply to provide students with read-aheads, and that the archived electronic files consisted almost entirely of legacy materials that had been previously provided to the "Perspectives" faculty by outside guest lecturers, some of the materials were clearly inappropriate for use or distribution, such as a video clip entitled "Watch Before This is Banned" which was contained in a sub-folder associated with materials provided by a guest lecturer, Mr. John Guandolo (Attachment 15). I accept the statements of both LTC Dooley and LtCol McKnelly (Attachments 4-5) that they never used the "Watch Before This is Banned" file in the classroom and that they did not even know it was on the CD-DVD; however, it was their responsibility to screen any such electronic files carefully before providing them to students on CD-DVDs, particularly when the CD-DVDs are marked with the NDU and JFSC logos. The CD-DVDs distributed to students in Classes 11-4 and 12-1 also contained the outdated initial version 11 of LTC Dooley's "Counter-Jihad Operational Design Model" (Attachments 15, 18), even though the model had since been modified to delete some of the extreme hypotheticals. In my opinion, creation of such CD-DVDs with extensive historical files/data from outside guest lecturers does not contribute to student learning- any required readings for the "Perspectives" elective should have been on U.S. CT strategy and CVE policy to offer a counterpoint to the perspectives offered by the outside guest lecturers. The JFSC Commandant has already addressed the issue of distribution of course materials on CD-DVDs by issuing JFSC Policy Memorandum 12-04, "Distribution of Curriculum CDs or DVDs" dated 27 April 2012, which states that JFSC faculty may only produce and distribute course reference CD-DVDs with "approved reading materials and lesson guides for student use" and may only do so with the specific permission of their School Directors (Attachment 32). I believe this will be sufficient to prevent recurrence of this issue.

g. Academic Freedom and Non-attribution Policies. I find that LTC Dooley misunderstood current policies on academic freedom and non-attribution, and that this misunderstanding contributed to his decision to include deliberately extreme hypotheticals that were contrary to U.S./DoD policy and core values within the initial version 11 of his "Counter-Jihad Operational Design Model". CJCS Officer Professional Military Education Policy (OPMEP) defines academic freedom broadly as "freedom to pursue and teach relevant knowledge and to discuss it freely . . . without interference, as from school or public officials" (Attachment 14, reference (i)), and NDU's 2008 Faculty Handbook states that academic freedom means faculty must be free to discuss subjects from all viewpoints in their classrooms; that no subject or issue is considered taboo; and that developing, updating, or adjusting course content is the responsibility of teachers, completely free from "political interference" by elected or

appointed officials (Attachment 37). NDU's 2008 Faculty Handbook also states that academic freedom is enhanced by an accompanying policy of non-attribution, which means that presentations offered and discussions held "are conducted in strict confidence", and that NDU "assures that nothing will be attributed to speakers directly or indirectly without their express permission" (Attachment 37). I find that LTC Dooley understood these broad policy statements to mean that his use of extreme hypotheticals in the initial version 11 of his "Counter-Jihad Operational Design Model" was "within academic freedom", and that "non-attribution" applied to him as a JFSC faculty member, just as it did to outside guest lecturers (Attachment 4). In fact, however, LTC Dooley's understanding of these policies was both incomplete and incorrect. While OPMEP and NDU policies on academic freedom do afford faculty wide latitude to present course materials in the classroom as they see fit, NDU's policy also properly recognizes that academic freedom is not divorced from responsibility (Attachment 37). Responsibility means that faculty members must exercise sound judgment, objectivity, and professionalism in their use and transmission of knowledge, and that military faculty members must adhere to the unique requirements of their status as commissioned officers, such as adherence to the Uniform Code of Military Justice (UCMJ) and to U.S./DoD core values (Attachments 37-39). Responsibility also means that faculty members must present students with the essential content of a subject matter that professional standards would require to be presented (Attachments 37-40). As the American Association of University Professors (AAUP) stated in a 2007 report on "Freedom in the Classroom", within a particular subject matter there are certain "... facts, theories, and models ... that are so intrinsically intertwined with the current state of a discipline that it would be unprofessional to slight or ignore them. One cannot now teach biology without reference to evolution [and] one cannot teach particle physics without reference to quantum theory" (Attachment 40). In this case, LTC Dooley failed in his responsibility to ensure that the "Perspectives" elective included essential content on CVE, i.e., U.S. CT strategy, including CVE; the five elements of DoD's role in CVE; and the NIP for U.S. CT strategy, and without such essential content the "Perspectives" elective was neither objective nor professional. I also find that NDU's current policy on non-attribution is intended to allow outside guest lecturers the freedom to speak candidly, and to allow students and faculty to present and debate their personal opinions in the classroom without fear that such personal opinions will be attributed to them. Non-attribution does not mean, as LTC Dooley believed, that faculty presentations of basic course content, particularly powerpoint slides that are released to students on a CD-DVD, are somehow immune from curriculum oversight; if it did, then the entire JPME II core curriculum at the JFSC would arguably be under a non-attribution "cone of silence", which is simply not correct. In view of LTC Dooley's misunderstanding of these policies, re-training of the entire JFSC military faculty is warranted to ensure they have a complete

and correct understanding of both academic freedom and non-attribution and their own responsibilities under these policies.

h. Course Oversight. I find that there was insufficient oversight by the Director, JCWS and the JCWS Curriculum Director of the "Perspectives" elective's course content during late 2010 to early 2012. Although the syllabus and course content for the "Perspectives" elective were reviewed and approved by the JFSC Academic Board when the course first began in 2004 (Attachments 12, 14), it appears that following initial approval, the "Perspectives" elective was left to run on auto-pilot and all subsequent modifications to course presentations and content were left to the discretion of the elective faculty (Attachments 6-8, 14). Reasons for this lack of oversight include:

1. JFSC's curriculum development policy (PD-8) allows elective faculty to modify elective course curricula provided that the modification is minor and does not alter the intent of the lesson (Attachment 14, reference (b)). LTC Dooley relied on this JFSC policy when he developed and inserted the "Counter-Jihad Operational Design Model" into the "Perspectives" elective, because he did not believe that adding this new lesson altered the intent of the course (Attachment 4). In retrospect, however, I believe that the insertion of a model with such extreme hypotheticals was a significant course change that should have been reviewed and approved, at a minimum, by the JCWS Curriculum Director and the Director, JCWS. Indeed, given the sensitivities involved in teaching CVE, course materials and presentations for the "Perspectives" elective should be reviewed and approved by the JFSC Commandant;

2. The JFSC's main focus is, of necessity, the development and execution of the JPME II core curriculum, which consists of approximately 271 hours of instruction (Attachments 6-8, 14). JFSC senior leaders acknowledged that since execution of the core curriculum four times per year is "more than a full time job", they simply do not devote as much oversight to the 42 different elective courses offered at JFSC (Attachments 6-8, 14);

3. The fact that based on internal JFSC review of student post-course critiques, the vast majority (80-90%) of student feedback on the "Perspectives" elective was deemed to be positive convinced both the elective faculty and the JFSC senior leaders that the course content and presentations were on target (Attachments 4-8, 14). However, my own review of the "positive" student comments (Attachment 14, reference (h)) caused me to be concerned that some students may actually have taken the wrong message from the "Perspectives" elective. For example, one "positive" comment from JCWS Class 11-3 stated that the student liked

the "variety of speakers that independently confirmed and complimented each other's factual data about the true intent of Islam", and one "positive" comment from JCWS 11-4 stated that the student liked the fact that the "Perspectives" elective provided "blunt, unflinching truth, not worried about political correctness" (Attachment 14, reference (h)). In my view, such "positive" comments may indicate that students actually bought into the negative view of Islam presented by outside guest lecturers and that students may have come away believing that Islam itself is the problem vice the distortion of Islam by violent extremists. Rather than course vindication, such comments may indicate that the "Perspectives" elective actually failed to meet the CJCS's objectives as set forth in the SAE guidance on CVE, and validates the need for additional faculty-led discussions with students following outside guest lectures to ensure that course content is adequately analyzed and debated; and

4. The JFSC experienced substantial turmoil in its senior leadership positions during 2010 to early 2012, including the unplanned loss of a JFSC Chief of Staff (COS) and the departure of the JFSC Dean of Academic Affairs (Attachments 6-7, 14). This personnel turbulence, particularly the need to replace the COS from within JFSC's senior staff, resulted in a "daisy chain" in which four different individuals served as Interim or Acting Director, JCWS within one year (Attachments 6-7, 14). This does not excuse the lack of oversight of the "Perspectives" elective, but it does help explain why oversight of an individual elective course was not a top priority for the JFSC senior leadership during this period.

i. JFSC Response to Student Complaint. I find that there were no specific student complaints in 2011 about course content in the "Perspectives" elective other than general comments submitted by some students in post-course critiques. A March 2012 assessment by the JFSC's Institutional Research, Accreditation and Assessment Division (IRAAD) of student post-course critiques from the four "Perspectives" elective classes offered in 2011 showed that the majority of students felt that the elective met course objectives and supported the JFSC's mission, and that student comments reflected the controversial nature of the course, with many students saying the elective was a huge success and others identifying the course as being too one-sided (Attachment 14, reference (h)). This student feedback failed to raise any "red flags" and in fact convinced the elective faculty and JFSC senior leaders that the course content was probably about right (Attachments 4-8, 14). I find that the first specific student complaint about course content in the "Perspectives" elective was the complaint raised by Col David Cade, U.S. Air Force in early March 2012 during JCWS Class 12-1 (Attachments 3-9, 14). Col Cade raised specific concerns to the JFSC senior leadership- including the COS, D,DAA, and Director, JCWS- about

using outside guest lecturers like Mr. Stephen Coughlin and Mr. John Guandolo in the "Perspectives" elective, especially in light of the negative media attention that Coughlin/Guandolo had received in the fall of 2011 due to training they gave to the FBI (Attachments 3, 6-8, 14, 24, 26). Col Cade also raised specific concerns regarding the extreme hypotheticals used by LTC Dooley in the initial version 11 of his "Counter-Jihad Operational Design Model" dated July 2011, and about the fact that this model had been distributed to students on a CD-DVD (Attachments 3, 6-8, 12, 14, 24, 26). I find that JFSC did take appropriate actions to review and re-assess the "Perspectives" elective after receiving Col Cade's complaint, but that the JFSC's response, while appropriate, lacked a sufficient sense of urgency. Appropriate responsive actions taken by JFSC included directing the elective faculty to re-assess both the course content and the balance of outside guest lecturers (JFSC senior leaders were informed by the elective faculty that the "Counter-Jihad Operational Design Model" had already been modified several times to remove extreme hypotheticals and that more moderate guest lecturers were actively being sought to add to the lineup); directing IRAAD to re-assess the elective by reviewing all student post-course critiques from calendar year 2011; directing the Acting Director, JCWS to review the course content again with a view toward re-evaluating the course at a future JFSC Academic Board; and finally by briefing the JFSC Commandant on 17 April 2012, which resulted in the Commandant directing a review of the academic credentials of all outside guest lecturers, further removal of inflammatory material from the "Counter-Jihad Operational Design Model", evaluation of Imam Bashar as a potential moderate guest lecturer, and attendance by the Commandant and/or the Director, JCWS at all class sessions for the elective (Attachments 4-8, 12, 14, 24-26). These JFSC responsive actions were ongoing when the decision was made to suspend the elective pending the results of this preliminary inquiry. While I find that these JFSC actions were appropriate, I believe that they should have been carried out with a greater sense of urgency given the sensitivity of the subject and the fact that the model and other course materials had been distributed on CD-DVDs. I believe JFSC's more deliberate response was due in part to the fact that "Perspectives" was only a single elective within a much larger curriculum, and that JFSC senior leaders were not yet fully aware of either the past controversy surrounding Coughlin/Guandolo or the risk that CD-DVDs might go public despite any non-attribution policy.

4. Recommendations. In view of the foregoing findings regarding the JFSC's Perspectives on Islam and Islamic Radicalism course, I recommend:

a. That the "Perspectives on Islam and Islamic Radicalism" elective (#5812) not be offered again until it is significantly re-designed and greater oversight is provided to ensure accomplishment of course objectives. I believe that the course should be retained within the JFSC curriculum,

because senior military leaders still need to develop an understanding of the principal framework of U.S. CT strategy, including CVE, as they continue to combat Al-Qaida and its affiliates. However, the course should not be offered again without re-design and oversight. Specific recommendations for course re-design and greater oversight are as follows:

1. That specific course content be added to cover the principal framework of U.S. CT strategy, including CVE; the five elements of the DoD's role in CVE (security, information operations, humanitarian assistance, military-to-military contacts, and conduct of operations); and the National Implementation Plan (NIP) for U.S. CT strategy, with its four pillars (protect and defend the homeland, attack terrorist capabilities, CVE, and prevent terrorist acquisition of WMD);
 2. That reliance on outside guest lecturers be reduced as much as possible; that all outside guest lecturers for the course be re-vetted by the Director, JCWS for approval by the JFSC Commandant to ensure that they have appropriate credentials/subject matter expertise relevant to U.S. CT strategy and CVE; that the lineup of guest lecturers be balanced so as not to offer solely a negative view of various aspects of Islam; and that all guest lectures be followed immediately by robust, faculty-facilitated discussions to allow students to analyze and debate the material using an established baseline of knowledge of U.S. and DoD policy;
 3. That use of the "Counter-Jihad Operational Design Model" be discontinued, and that a different metric/student assessment tool (such as a research paper) be added to the course to allow instructors to evaluate student learning; and
 4. That regular oversight of course content and execution be provided by the JFSC Commandant; COS; Director, JCWS; and JCWS Curriculum Director to ensure accomplishment of course objectives. Annual reviews of the CJCS SAE guidance on CVE should also be conducted by the Director, JCWS and reported to the JFSC Commandant to ensure course content is and remains consistent with that guidance. While normally the faculty team is responsible for reviewing course content for consistency with CJCS SAE guidance, the "Perspectives" elective requires additional oversight by JFSC senior leaders due to the unique sensitivity of the subject matter.
- b. That JFSC's curriculum development policy (PD-8) be revised to provide greater clarity regarding authority to make specified levels of curriculum changes and the permitted scope of those curriculum changes or modifications. The current PD-8 guidance which states that Lesson Developers may make curriculum changes "that do not alter the intent of

the lesson", and that modifications that "are not considered major by the School Director" need not go to the JFSC Academic Board for review are subject to misinterpretation, since PD-8 contains no criteria on what constitutes "altering the intent of the lesson" or what types of curriculum changes are considered to be "major". The need for greater clarity on authority to make curriculum changes is especially true for elective courses, since JFSC considers elective faculty to be Course Directors and Lesson Developers as well.

c. That the Joint Staff Director, Joint Force Development (DJ7) consider recommending to CJCS that the OPMEP definition of academic freedom (CJCSI 1800.01D, Glossary) be revised to include language on the obligation of faculty members to practice responsible academic freedom, and that JFSC conduct re-training on current NDU and JFSC academic freedom policies to ensure that all military faculty members understand the concept of responsible academic freedom (i.e., that faculty members must exercise sound judgment, objectivity, and professionalism in their use and transmission of knowledge; that military faculty members must adhere to the unique requirements of their status as commissioned officers, such as adherence to the Uniform Code of Military Justice (UCMJ) and to U.S./DoD core values; and that faculty members must present students with the essential content of a subject matter that professional standards would require to be presented). In addition, I recommend that JFSC conduct re-training on non-attribution to ensure that all military faculty members understand that JFSC faculty presentations of required course content on powerpoint slides are indeed attributable to the JFSC.

d. That JFSC improve its oversight of all elective courses, including elective course content and procedures for vetting/approval of outside guest lecturers. Recommend JFSC consider establishment of a specific "Curriculum Director-Electives" position to oversee the curriculum development of all elective courses, rather than dual-hatting the JCWS Curriculum Director with this responsibility.

e. That JFSC establish formal guidance for internal coordination of all Joint Staff actions received, to ensure that such actions will be coordinated with all appropriate JFSC offices with equities in the action. For example, any Joint Staff actions received by the JFSC's Dean of Academic Affairs directly from NDU should be routed to the JFSC Commandant's Office to ensure appropriate internal coordination in developing the JFSC response.

f. That LTC Dooley be removed as the Elective Lead and Lesson Developer for the "Perspectives" elective, and that he be assigned to other duties within JFSC until his PCS transfer to his next operational assignment (LTC Dooley will have served 22 months at JFSC in August 2012). I further recommend that LTC Dooley receive a formal counseling from the

Commandant of the JFSC. LTC Dooley admitted to using very poor judgment in his decision to use extreme hypotheticals in his "Counter-Jihad Operational Design Model" that were contrary to U.S. and DoD policy and values. LTC Dooley's stated intent was to use the extreme hypotheticals as a teaching tool to get students to analyze and debate the model. I believe LTC Dooley's statements that he did not in any way advocate or imply a personal or U.S./DoD advocacy of those extreme positions. LTC Dooley's intent was to improve the quality of instruction by inserting an assessment tool (albeit one he now understands was extremely flawed) into an elective course that was otherwise simply a guest lecture series. LTC Dooley then committed a second error in judgment by failing to personally review all electronic files that LtCol McKnelly downloaded from the archive portal site before these files were distributed to students on a CD-DVD. In contrast to these two lapses in judgment, LTC Dooley's performance has otherwise been superb: he is one of the most highly regarded military instructors within the JPME II core curriculum at JFSC, and as a combat-experienced armored cavalry officer LTC Dooley has been selected as an unslated principal on the command list. I have also considered that LTC Dooley reported to the JFSC as an instructor only four weeks after finishing JPME II himself (and having taken the same CVE elective as a student), and as an elective instructor was given little oversight, direction and guidance from his JCWS and JFSC senior leaders. I believe that LTC Dooley fully understands the judgment errors he made, and, if allowed, would continue to serve honorably having learned some very hard lessons.


FREDERICK S. RUDESHEIM
Major General, U.S. Army
Investigating Officer

References:

- a. DJ7 Memo, "Preliminary Inquiry" dated 23 April 2012

Attachments:

1. Appointing Order
2. Additional Findings of Fact
3. Summary of Interview with Col David Cade
4. Summary of Interview with LTC Matthew Dooley

5. Summary of Interview with LtCol Lawrence McKnelly
6. Summary of Interview with Mr. David DiOrto
7. Summary of Interview with Mr. Fred Kienle
8. Summary of Interview with CAPT Joseph Jerauld
9. Summary of Interview with Chaplain Robbie Scott
10. Summary of Interview with CAPT Tony Califano
11. Summary of Interview with Dr. Brenda Roth
12. Summary of Interview with Dr. Linda McCluney
13. Summary of Interview with Dr. Kenneth Pisel
14. JFSC Self-Assessment: Perspectives on Islam and Islamic Radicalism Elective 5812 (with references (a)-(m))
15. JFSC DVD Containing Archived Electronic Files for Perspectives on Islam and Islamic Radicalism Elective 5812
16. March 2012 Syllabus and Lesson Guide for Perspectives on Islam and Islamic Radicalism Elective 5812
17. 2004-2012 Rosters for Perspectives on Islam and Islamic Radicalism Elective 5812
18. Version 11 of LTC Dooley's Counter-Jihad Operational Design Brief (July 2011) (with notes pages)
19. LTC Dooley's Instructor's Notes to Accompany the Counter-Jihad Operational Design Brief
20. Version 16 of LTC Dooley's Counter-Jihad Operational Design Brief (April 2012)
21. E-mail from Dr. Brenda Roth (NDU) dated 17 November 2011 (with JSAP attachment)
22. E-mail from Dr. Kenneth Pisel (JFSC) dated 18 November 2011
23. National Defense University's 2 December 2011 Response to Joint Staff Action # SJS 11-04328

24. E-mails between Col Cade and Mr. Fred Kienle (JFSC) dated 8, 13, and 14 March 2012
25. E-mails between Mr. David Diorio (JFSC) and Mr. Fred Kienle (JFSC) dated 16 April 2012
26. E-mails between Col Cade and JFSC Senior Leaders dated 13 March and 16 and 18 April 2012
27. E-mails between Col Cade and LTC Whitehead (OUSD(P)) dated 19 April 2012
28. LTC Whitehead (OUSD(P)) Info Memo dated 20 April 2012
29. Joint Staff J7 Info Paper dated 23 April 2012
30. Joint Staff Public Affairs Guidance for Suspension of the Elective Course on Islam at JFSC and Review of Professional Military Education (PME) Courses dated 23 April 2012
31. CJCS Memo CM-0098-12, "Review of Military Education and Training Curriculum" dated 24 April 2012
32. Commandant, JFSC Memo, "Policy Memorandum 12-04, Distribution of Curriculum CDs or DVDs" dated 27 April 2012
33. U.S. National Strategy for Counterterrorism dated June 2011
34. U.S. National Strategy for Empowering Local Partners to Prevent Violent Extremism in the U.S. dated August 2011
35. Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the U.S. dated December 2011
36. U.S. Department of Homeland Security, "Countering Violent Extremism (CVE) Training Guidance and Best Practices" dated October 2011
37. National Defense University Policy on Academic Freedom (NDU Faculty Handbook) dated 19 November 2008
38. Middle States Commission on Higher Education, Accreditation Requirement on Academic Freedom (2006)
39. Excerpt on Academic Freedom from U.S. House Subcommittee on Oversight and Investigations, Committee on Armed Services Report dated April 2010

40. American Association of University Professors (AAUP) Article, "Freedom in the Classroom" (2007)

41. Excerpt on Countering Ideological Support for Terrorism (CIST) from 2005 Joint Professional Military Education (JPME) Special Areas of Emphasis (SAEs)

42. Excerpt on Countering Violent Extremism (CVE) from 2010 Joint Professional Military Education (JPME) Special Areas of Emphasis (SAEs)

PRELIMINARY INQUIRY INTO THE JFSC'S PERSPECTIVES ON ISLAM AND ISLAMIC
RADICALISM COURSE

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