

Teacher guilty in grades scandal | Instructor took bribes from college students

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A former San Diego Mesa College marketing instructor has been convicted of 57 federal charges in a grade-selling scandal that reached halfway across the country.

Darnell L. Hayes, 50, an adjunct professor who taught marketing, business and computer classes at the college, was convicted late Tuesday of conspiracy, 53 counts of mail fraud and three tax charges. He was allowed to remain free until a sentencing set for July 20.

Hayes was accused of taking bribes from 31 students in more than 60 Mesa classes he taught and of helping 34 Middle Eastern students pass examinations he proctored in correspondence courses offered through Ohio University, the University of Oklahoma and Eastern Kentucky University.

Prosecutors said that, although the students did not attend class, perform course work or complete any examinations, Hayes gave the students A or B grades. With proof of attending classes, the foreign students were able to fraudulently maintain their student visas and illegally remain in the United States, prosecutors said.

San Diego Community College District Chancellor Augustine P. Gallego said federal authorities began investigating Hayes and others after college officials notified authorities of suspicious activity.

Hayes was placed on administrative leave in spring 1997, shortly before he was indicted. He stopped working at the college after his adjunct teaching assignment was not renewed, Gallego said.

The key witness against Hayes was Sam Koutchesfahani, who admitted that he took up to \$350,000 in bribes from Middle Eastern students between 1989 and 1995.

Koutchesfahani, who pleaded guilty to tax evasion and fraud, faces a maximum of 10 years in prison at a sentencing set for June 1.

He is hoping for a more lenient sentence because of his help to prosecutors in cases against Hayes and three other teachers and counselors in the grade-selling investigation, which also involved San Diego City College and Palomar College.

Koutchesfahani testified that for students from the Middle East a degree from an American college is prestigious but that some who came to him were having trouble because they could not speak English. Koutchesfahani, an Iranian, said he had been "helping" students by taking tests and writing term papers as far back as 1983.

He estimated that he made between \$2 million and \$3 million giving students fraudulent academic help.

Koutchesfahani's name was previously in the news when his house in Rancho Santa Fe was the scene of the suicides of 39 members of the Heaven's Gate cult. Koutchesfahani and his family now live in the house.

Prosecutors said Hayes collected \$150 from Koutchesfahani for each passing grade he sold and \$50 for each correspondence course exam.

Hayes' lawyer, Michael Crowley, was not available for comment yesterday. He told jurors that Koutchesfahani was the real culprit in the case, saying he was an admitted liar and mastermind of the scheme.

In addition to Koutchesfahani, three teachers and counselors pleaded guilty to federal charges.

Richard Maldonado, a former admission clerk at San Diego City College, pleaded guilty to bribery and tax evasion in October 1995. He admitted issuing fraudulent immigration documents that allowed the foreign students to obtain student visas and attend the college. He is set to be sentenced June 8.

Miguel Menchaca, a former Chicano studies professor at San Diego City College, pleaded guilty in October 1996 to conspiracy to defraud. He was accused of selling passing grades to foreign students through Koutchesfahani. Menchaca was sentenced in February 1997 to eight months behind bars.

Michael King, a counselor and instructor at Palomar College, pleaded guilty to tax evasion for failing to report income from selling passing grades to foreign students. He was sentenced in January 1997 to 10 months in prison.

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