

October 2011

## 4.007 Whistleblower Policy

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# ANTIOCH UNIVERSITY

Type of Policy <input checked="" type="checkbox"/> <b>University</b> <input type="checkbox"/> <i>Campus</i> <input type="checkbox"/> <i>Department/Unit</i> <input type="checkbox"/> <u>Interim</u>		<b>Whistleblower Protection</b>  <b>Policy 4.007</b>	
<b>Human Resource Policies</b>		Effective date: June 7, 2007	
<b>Policy History:</b>	<b>Approved by:</b>	<b>Resolution</b>	<b>Date</b>
	Board of Governors	06.7.07:6	June 7, 2007
<b>Revised:</b>	Board of Governors	11.6.10:18	November 6, 2010
<b>Revised: (to include contact phone numbers)</b>	Chancellor	N/A	September 6, 2011
<b>Revised: (to include Hotline Email address)</b>	Chancellor	N/A	May 13, 2014
<b>Revised (non-substantive):</b>	Office of University Counsel	N/A	May 12, 2017
<b>Revised (non-substantive):</b>	Office of University Counsel	N/A	April 13, 2018
<b>Responsible Office:</b>	<b>Responsible Administrator:</b>	<b>Contact information:</b>	<b>Applies to:</b>
Office of the University Vice Chancellor of Finance	Chief Financial Officer	937-769-1304	All Employees

## I. Introduction

Antioch University (“AU” or the “University”) has a legal and moral responsibility for the stewardship of its resources and for the public and private support it receives. The University’s policies, operating procedures and internal controls are intended to detect and to prevent or deter misuse of University resources and fraudulent, dishonest or illegal activities by an employee of the University. All employees of the University are encouraged to report suspected misuse of University resources and fraudulent, dishonest or illegal activities by University employees (i.e., to act as a whistleblower), pursuant to the procedures set forth below. It is the policy of the University to investigate all reports of suspected misuse of University resources and fraudulent, dishonest or illegal activities by employees of the University and to protect employees who, in good faith, report those activities to the appropriate University authority. University faculty, staff, students, or volunteers may not retaliate against an individual who has made a protected disclosure

or who has refused to obey an illegal order. It is the intention of the University to take whatever action may be needed to prevent and correct activities that violate this policy.

## **II. Conflicts of Interest**

In order to fully implement this policy, it is required that any employee who has the authority to sign contracts or has responsibility for the financial resources of the University shall adhere to all University policies, including the Conflict of Interest Policy 4.605.

## **III. Definitions**

### **A. Improper Conduct**

This policy is designed to address situations in which an employee reasonably suspects another individual has misused University resources or engaged in other fraudulent, dishonest or illegal conduct in the performance of her/his duties. (Such conduct will be referred to herein as “Improper Conduct”). Examples of Improper Conduct which should be reported include:

1. Forgery or alteration of documents;
2. Unauthorized alteration or manipulation of computer files;
3. Fraudulent financial reporting;
4. Violation of the University’s Conflict of Interest Policy;
5. Theft, misappropriation or misuse of University resources, such as funds, supplies, or other assets for personal gain or other non-University related purpose;
6. Authorizing or receiving compensation for goods not received or services not performed;
7. Authorizing or receiving compensation for hours not worked;
8. Submitting fraudulent expense reports;
9. Any serious violation of University policy or a violation of applicable state or federal laws.

### **B. Protected Disclosure**

When a communicated disclosure is protected, the University will not allow retaliation against the person who has disclosed. Communication is protected when it is about actual or suspected wrongful conduct by a University employee, student, volunteer, agent, or contractor (who is not also the disclosing individual) based on a good faith and reasonable belief that the conduct has both occurred and is wrongful under applicable law and/or University policy. Individuals who are aware of or have reason to suspect wrongful

conduct should report the conduct to:

1. The disclosing individual's supervisor, either verbally or in writing, or
2. Any office listed in this policy under Section IV below, Making a Report, either verbally or in writing, or
3. The Compliance Hotline at 1.866.606.4026 or <https://antiochuniversity.alertline.com/>, which report may be submitted either anonymously or with attribution, and
4. After first communicating about the wrongful conduct to the supervisor, relevant office or Compliance Hotline, an individual may communicate to the appropriate governmental unit, law enforcement office or ethics commission.

### C. Retaliation

Adverse action against individuals because they have made a protected disclosure or have participated in an investigation, proceeding or hearing involving a protected disclosure is retaliation and is prohibited.

## IV. Making a Report

If employees suspect another individual has engaged in improper conduct, they are expected to report it and will be protected against any form of harassment, intimidation, discrimination, or retaliation for making such a report in good faith.

Employees can make a report to their immediate supervisor or to any of the following Antioch University executive employees at any time:

<b>Academic Matters</b>	Vice Chancellor of Academic Affairs	937-769-1890
<b>Financial Matters</b>	Vice Chancellor of Finance	937-769-1304
<b>Employment Matters</b>	Office of Human Resources	937-769-1375
<b>Legal Matters</b>	Office of University Counsel	603-283-2150
<b>Student Matters</b>	Vice Chancellor for Academic Affairs	937-769-1890
<b>All Other Matters</b>	Vice Chancellor of Finance	937-769-1304

Any executive employee to whom a report of such improper conduct is made shall immediately advise the Vice Chancellor of Finance or the Office of University Counsel who shall insure that the report is properly investigated and resolved.

If the report pertains to the actions of the Vice Chancellor/CFO, it can be made by writing or by calling the Chancellor at 937-769-1348. If the report pertains to the Chancellor, it can be made in writing or by calling the Chair of the Audit Committee of the University Board of Governors. Contact information for the current chair may be obtained by writing or calling the

BoG Secretary at 937-769-1345.

Alternatively, any employee may report improper conduct by contacting the University's **Compliance Hotline**. The Antioch University Compliance Hotline allows you to report a concern confidentially or with attribution any time of the day or night. We offer both a toll-free telephone number as well as a web-based form:

<b>COMPLIANCE</b>	<b>Phone:</b>	<b>Online:</b>
<b>HOTLINE</b>	<b>1.866.606.4026</b>	<a href="https://antiochuniversity.alertline.com/">https://antiochuniversity.alertline.com/</a>

The phone line is staffed by trained intake specialists from an independent third party based in the United States. Your report – whether by phone or on line – will trigger an independent investigation and you will be informed of the results of the investigation if you provide your identity.

**V. Investigation**

All relevant matters concerning the improper conduct will be reviewed and analyzed, with documentation of the receipt, investigation, and disposition of the complaint. The Vice Chancellor of Finance or the University Counsel, as appropriate, shall appoint an appropriate employee or other person to conduct or direct the investigation and make recommendations for corrective action, if warranted. In cases where the report alleges improper conduct of the Vice Chancellor of Finance or the University Counsel, the Chancellor shall appoint an appropriate employee or other person to conduct or direct the investigation and make recommendations for corrective action, if warranted. In cases where the report alleges improper conduct of the Chancellor, the Chair of the University Board of Governors shall appoint an appropriate board member or independent investigator to conduct or direct the investigation and make recommendations for corrective action, if warranted. Appropriate corrective action will be taken, if warranted, and the outcome of the investigation will be communicated to the reporting employee and his or her supervisor. Depending on the severity of the alleged improper conduct, investigations may warrant the involvement of auditors and/or attorneys or other professionals retained by the University.

**VI. Whistleblower Protection and Non-Retaliation**

A. AU will protect whistleblowers against retaliation. Whistleblowing complaints will be handled with sensitivity, discretion, and confidentiality to the extent allowed by the circumstances and the law. Generally, this means that whistleblower complaints will only be shared with those who have a need to know so that the University can conduct an effective investigation, determine what action to take based on the results of any such investigation, and in appropriate cases, with law enforcement personnel. While confidentiality cannot be guaranteed, whistleblowers' identity shall not be disclosed unless they agree to be identified, identification is necessary to investigate or respond effectively to the report, identification is required by law, or identification is required in connection with the discipline or legal action resulting from the investigation of the whistleblower's report. Employees of the University shall not retaliate against a whistleblower with the intent

or effect of adversely affecting the terms or conditions of the whistleblower's employment, including but not limited to, threats of physical harm, loss of job, loss of promotion, punitive work assignments, or negative impact on the whistleblower's compensation or fringe benefits.

B. Whistleblowers who believe that they have been retaliated against may file a written complaint with the campus Provost or the Chancellor. Any complaint of retaliation will be promptly investigated and appropriate corrective measures taken if allegations of retaliation are substantiated.

C. This protection from retaliation is not intended to prohibit or limit supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on legitimate non-retaliatory business or performance reasons.

**VII. False Allegations and Good Faith**

Anyone making a protected disclosure or filing a complaint concerning a violation or suspected violation of this policy must act in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the policy. Any employee or volunteer who knowingly or with reckless disregard for the truth gives false information or knowingly makes a false report of wrongful conduct or a subsequent false report of retaliation will be subject to disciplinary action, up to and including termination. Any student who makes false allegations in the non-employment setting will be subject to disciplinary action. Allegations that are not substantiated yet are made in good faith are not subject to disciplinary action.

**VIII. Report to Board of Governors**

The Vice Chancellor of Finance/CFO or University Counsel shall regularly provide to the Audit Committee of the Board of Governors a report of those whistleblower complaints received and the disposition of each.

**IX. Referenced Policies**

<b>Policy 4.605</b>	<b>Employee Conflict of Interest</b>
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