

# AZUSA PACIFIC UNIVERSITY

## POLICIES AND PROCEDURES

<b>Title:</b>	Whistleblower Policy
<b>Policy Number:</b>	PO2007012
<b>Replacing Policy Number:</b>	No prior policy
<b>Effective Date:</b>	October 23, 2007
<b>Date of Last Amendment:</b>	November 16, 2012
<b>Issuing Authority:</b>	Office of the President
<b>Responsible Office:</b>	Office of the General Counsel

### Policy Statement

This policy governs both the reporting and investigation of allegations of suspected improper or unlawful activities and the protection of whistleblowers from retaliation. It describes the procedures for investigating known or suspected illegal activities or violation of University policy with respect to conflicts of interest, financial reporting or management of University resources and addressing complaints of retaliation for raising such issues.

### Reason for Policy

Azusa Pacific University has a responsibility for the stewardship of University resources and the public and private support that enables it to pursue its mission. The University's internal controls and operating procedures are intended to detect and to prevent or deter improper activities. However, intentional and unintentional violations of laws, regulations, policies and procedures may occur and may constitute unlawful activities. The University has a responsibility to investigate and report to appropriate parties allegations of suspected improper activities, and to protect those employees who, in good faith, report these activities to the appropriate authority.

### Policy

A University employee may not: (1) retaliate against an employee or applicant for employment who has made a protected disclosure or who has refused to obey an illegal order, nor (2) directly or indirectly use or attempt to use the official authority or influence of his or her position

for the purpose of interfering with the right of an applicant or an employee to make a protected disclosure to the University. It is the intention of the University to take whatever action may be needed to prevent and correct activities that violate this policy.

## **Procedure**

### **A. Filing a Report of Suspected Improper Activities**

1. Any person may report allegations of suspected improper activities, which includes any illegal behavior, any violation of University policy with respect to conflicts of interest, financial reporting, management of University resources, or any acts of retaliation in violation of this Policy (“Improper Activities”). Knowledge or suspicion of Improper Activities may originate from academic personnel, staff or administrators carrying out their assigned duties, internal or external auditors, law enforcement, regulatory agencies, and customers, vendors, students, employee or student applicants, or other third parties. All University employees with knowledge or suspicion of Improper Activities must report that knowledge or suspicion in accordance with the terms of this Policy.

2 Allegations of suspected Improper Activities should be made in writing and dated so as to assure a clear understanding of the issues raised, but may be made orally. Such allegations should be reported promptly and directly to the Office of the General Counsel. Such reports should be factual and contain as much specific information as possible.

3. If the reporting party prefers not to report the allegations directly to the Office of the General Counsel, allegations of suspected Improper Activities may be reported by calling the following Hotline: 800-716-9007 or by accessing the following Website: MySafeCampus.com. The reporting party may elect either to report anonymously or to identify himself or herself so that both MySafeCampus.com and the Office of the General Counsel will have the name and contact information of the reporting party, or so that only MySafeCampus.com will have the information. All reports to the Hotline or Website will be reviewed by the Office of the General Counsel.

4. While reports should be made to the Office of the General Counsel, or to the hotline or website, if a report is made to any employee of the University, that employee must promptly report the allegations and

provide any documentation received to the Office of the General Counsel.

5. When a person reports allegations of suspected Improper Activities to an appropriate authority, or to the hotline or website, as stated in this Policy, the report is known as a *protected disclosure*. University employees and applicants for employment who make a protected disclosure are protected from retaliation.

#### B. Protection from Retaliation

Any employee who believes he or she has been (1) subjected to or affected by retaliatory conduct for reporting suspected Improper Activities, or (2) for refusing to engage in activity that would result in a violation of law, should report such conduct to the Office of the General Counsel. Any employee who receives such a report, or who otherwise is aware of retaliatory conduct, is required to advise the General Counsel of any such report or knowledge of retaliatory conduct.

#### C. Investigating Reports of Improper Activities, including Reports of Retaliation

Upon receipt of a report of any suspected Improper Activity, the Office of the General Counsel will promptly and directly contact the reporting party, if known. Where appropriate, internal complaints will be investigated promptly (if sufficient information has been provided to allow an investigation to be conducted) and with discretion, and all information obtained will be handled on a “need to know” basis. To the extent practicable, investigations of suspected Improper Activities will adhere to the following procedures: (1) potential witnesses will be identified and separately interviewed; (2) the identity of the reporting party will be disclosed only where necessary, if known; (3) all relevant documents will be gathered and preserved; (4) two interviewers will be present for all witness interviews; (5) all witnesses interviewed will be reminded of this Policy; and (6) the reporting party will be contacted periodically to ensure no retaliatory actions have been taken against them. Any employee who refuses to cooperate with any investigation or the foregoing procedures will be subject to disciplinary sanctions, including potentially termination.

At the conclusion of an investigation, as appropriate, remedial and/or disciplinary action will be taken where the allegations are verified and/or otherwise substantiated.

#### D. Other Remedies and Appropriate Agencies

In addition to the internal complaint process set forth above, any Employee who has information concerning allegedly unlawful conduct may contact the appropriate government agency or call the California State Attorney General Hotline.