



Title: Whistleblower Protection Policy; Faculty, Staff and Students

Policy Reference: By-Laws of Benedictine University

Background:

A University demonstrates accountability for its conduct by having in place a mechanism for members of its community to let the University know if they become aware of concerns about how its business is being conducted. A number of federal and state laws provide protection for those “whistleblowers” within an organization who reveal misconduct to those in authority.

Policy Statement:

Benedictine University (“University”) expects its trustees, officers, faculty and staff to advance the University’s mission of an inclusive academic community dedicated to teaching and learning, scholarship and service, truth and justice, as inspired by the Catholic intellectual tradition, the social teaching of the Church, and the principles of wisdom in the Rule of St. Benedict. The University expects its trustees, faculty and staff to conduct their activities in accordance with University policies and procedures and all applicable laws, rules and regulations. The University strongly encourages all trustees, faculty, staff and students to report suspected or actual misconduct by Benedictine employees through channels that the University establishes for such reporting. No University faculty member, administrator, staff member or student may interfere with the good faith reporting of suspected or actual wrongful conduct, and no individual who makes such a good faith report shall be subjected to retaliation, including harassment or any adverse employment, academic or educational consequence, as a result of making a report. Diligent efforts will be made to protect the individual making a complaint from retaliation for his/her good faith activities in the initiation of, or cooperation with an inquiry or investigation of wrongful conduct. The University will not tolerate retaliation and will take whatever action is necessary and appropriate to address a violation of this policy, up to and including dismissal from employment.

Definitions:

- **Misconduct:** Violations of law, rule or regulation; the willful failure to comply with federal or state requirements or University policies or procedures; use of University or research funds, facilities or staff for unauthorized and/or illegal activities; conflicts of interest; and any unethical or dishonest conduct. A non-exhaustive list of misconduct includes:
 - a) Bribes or kickbacks
 - b) Disclosure of confidential information
 - c) Excessive gift(s) from a vendor
 - d) Falsification of time sheets or University records
 - e) Improper financial reporting
 - f) Inappropriate relationships with employees, students or vendors.
 - g) Information security breach
 - h) Misuse of sponsored research funds
 - i) Purchase of personal items with University funds
 - j) Questionable accounting/auditing
 - k) Research misconduct



- l) Sexual or other forms of harassment of, or discrimination against, an employee or student
- m) Shortcomings in regulatory compliance (as an illustration only, improper hazardous waste disposal)
- n) Theft or misappropriation of University assets for personal benefit

Roles and Responsibilities

- All Benedictine University employees are responsible to:
 - Comply with all applicable laws, rules and regulations and University policies and procedures in carrying out his/her duties and responsibilities for the University;
 - Seek guidance about the propriety of any practice under University policies and procedures from his/her supervisor, the Chief Compliance Officer or other University official having compliance responsibility;
 - Report misconduct, regardless of whether the employee is personally involved in the matter, to their immediate supervisor, manager, department chair, dean or director, or the University office or official who has responsibility for overseeing compliance with the particular policy or procedure;
 - Consult with the Director of Human Resources or the Chief Compliance Officer if unsure to whom he/she should make a report or address his/her concerns; and
 - Have a reasonable factual or articulable basis for believing that misconduct has occurred, and include as much specific information as possible to allow for proper assessment of the nature, extent and urgency of the misconduct incident or concern, and participate reasonably in activities (including where applicable any investigation) under this policy.
- Employees may make an anonymous report by contacting the University's Anonymous Reporting Line via telephone at 866-326-2747 or internet at Benedictine University Compliance and Ethics Hotline (www.ben.ethicspoint.com). Reports can be made 24 hours a day/7 days a week. All reports are routed directly to the Chief Compliance Officer for review and then directed to the appropriate University official(s) for follow-up and possible investigation.
- The University is responsible to:
 - Conduct an appropriate and discreet investigation of all reports of misconduct. The details of the investigation will be kept as confidential as feasible, consistent with University policies and applicable federal, state and local laws.
 - Review every report to the hotline. An investigation will be conducted if allegations of unethical or illegal activity are supported by specific information, corroborating evidence, or otherwise have a reasonable factual or articulable basis. Departments within the University that have responsibility for conducting investigations include the following (and may include others, as appropriate): The Provost and V.P. for Academic Affairs, Human Resources, Student Life, Information Technology, the Chief Compliance Officer and Administration and Finance.
 - Involve other departments in investigations based on their areas of oversight, responsibility or expertise.
 - Provide an appropriate and timely response to each report submitted through the hotline.

Office of Administration and Finance - Compliance

- Allegations of misconduct concerning the following are reported to and investigated by the University office/official indicated:
 - Academic fraud or research misconduct – the Department Chairpersons, Deans, the **Associate Provost for Operations**, or the **Provost**.
 - Athletics – **Vice President for Student life**
 - Conflict of interest – the **supervisor, department chair or director**, but, if it concerns supervisory personnel, it should be reported to and investigated by the **dean, or university officer who is responsible for the unit** (See Conflict of Interest Policy for further information)
 - Financial misconduct, inappropriate expenditure(s) of funds including grant funds, any allegation regarding questionable internal controls, accounting practices or auditing matters, – **Chief Compliance Officer**
 - Information Security – **Chief Information Officer**
 - Security or criminal activity – **Campus Police**
 - Sexual or other forms of harassment, discrimination and personnel issues – the employee’s immediate supervisor, **Director of Human Resources, or any other senior University official**
 - Workplace safety and environmental or hazardous materials/hazardous waste – **Emergency Preparedness Manager & Safety Specialist**
- An employee who is unsure to whom he/she should make a report or address his/her concerns should consult with the University’s Chief Compliance Officer.
- An employee who comes forward in good faith with reports or concerns about compliance with University policies or procedures shall not be subject to reprisal or retaliation for making such a report. Any employee who believes that he/she is being retaliated against for making such a report should immediately bring it to the attention of his/her dean or the Provost and V.P. for Academic Affairs (for academic employees) or to the Director of Human Resources (for staff employees) for immediate investigation.

Contacts:

- Nancy Stoecker, Chief Compliance Officer and Legal Counsel (630) 829-6402
- Betsy Rhinesmith, Director of Human Resources (630) 829-6412
- Dr. James E. Payne, Provost and Executive V.P. for Academic Affairs (630) 829-6243
- Dr. David Sonnenberger, Associate Provost (630) 829-6538
- John Jeries, Chief Information Officer (630) 829-6584
- Michi Dubes, Emergency Preparedness Manager/Safety Specialist (630) 829-6364
- Marco Masini, Vice President for Student Life (630) 829-6006
- Derek Ferguson, Chief of Police (630) 829-1101
- Miroslava Krug, V.P. for Administration and Finance & Chief Financial Officer (630) 829-6418



Additional Resources:

Board of Trustees Handbook, 2014-2015

- *Faculty Handbook, 2016-2017*
- *Employee Handbook 2008*
- *Benedictine University Conflicts of Interest Policy*

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Department Responsible: Compliance