



WHISTLEBLOWER POLICY

(as of July 23, 2018)

INTENT OF POLICY

The purpose of this policy is to encourage University employees - and all members of the University community - to report what they, in good faith, believe or suspect to be wrongful conduct; to provide a mechanism for reporting wrongful conduct; and to reinforce the University's non-retaliation policy.

POLICY

All members of the University community are called to maintain the highest standards of ethics and are expected to comply with all federal, state and local laws and regulations as well as with University policies.

The members of the University community are obligated to report to the University any wrongful conduct they witness or have good reason to believe occurred.

The University is committed to protecting an individual from interference with making a protected disclosure of wrongful conduct and prohibits retaliation against any individual who has made a protected disclosure in good faith or who has refused to obey an illegal order.

Upon receiving a report of wrongful conduct, the University will take whatever action may be required to prevent and correct activities that violate this policy.

Allegations that are not made in good faith are not considered a protected disclosure under this policy. The University will not tolerate intentional false reporting or reporting with reckless disregard for the truth.

DEFINITIONS

Wrongful Conduct. A serious violation of University policy; a violation of applicable federal, state or local laws; or the use of University property, resources, or authority for personal gain or other non-University-related purpose except as provided under University policy.

Acting in good faith. Anyone making a protected disclosure or filing a complaint concerning a violation or suspected violation of this policy must be acting in good faith and have reasonable

grounds for believing the information disclosed indicates a violation of the policy and/or applicable law.

Retaliation. Retaliation will not be tolerated against anyone who (i) in good faith reports a suspected violation of a federal or state law or regulation, University policy or other University-related misconduct, or (ii) provides testimony or other evidence or otherwise assists in the University's investigation of such a report. Any individual who has been threatened with or subjected to an adverse employment or academic action based on his or her good faith report of such an alleged violation or misconduct, or on his or her participation in the investigation of such a report, may file a complaint of retaliation with the Director of Campus Safety and Compliance (740-283-6238). An employee who the University determines has engaged in retaliation against an individual based on the individual's good faith report of such an alleged violation or misconduct may be subject to disciplinary action, up to and including termination.

Protected Disclosure. Communication about actual or suspected wrongful conduct engaged in 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.

False allegation. Any employee, student, 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 of employment or dismissal from the University. Allegations that are not substantiated, yet are made in good faith, are not subject to corrective action.

SCOPE

This policy applies to all Franciscan University administrators, faculty, staff, students, volunteers, contractors, consultants and other individuals who work or visit the University campus.

The University has existing policies and procedures for disclosing certain types of violations and Misconduct such as the University's Policy on Discrimination, Harassment, and Sexual Misconduct and Policy on the Protection of Minors. These policies must be used to report any suspected violations and misconduct covered by the respective policies.

REPORTING VIOLATIONS

- A. Individuals should share their questions, concerns, suggestions, or complaints with a University administrator who can address them properly. In many cases, the individual's supervisor is in the best position to address an area of concern. If an individual is not comfortable speaking with the supervisor, or is not satisfied with the supervisor's response, individuals should take their concerns to the offices listed below that will investigate and/or address the concern as appropriate:
- Academic matters – Office of Academic Affairs, 740-283-6228
 - Athletics matters – Department of Athletics, Compliance, 740-283-6522

- Criminal matters – Campus Safety and Compliance, 740-283-6238, or Steubenville Police, 740-282-5353. If it is an emergency call 911.
 - Employment matters – Office of Human Resources, 740-283-6445
 - Financial matters – Office of Business and Finance, 740-283-6223
 - Student matters – Office of Student Life, Student Conduct, 614-283-6234
 - All other matters – Office of Human Resources, 740-283-6445
- B. Supervisors who receive protected disclosures are required to contact the appropriate office listed above.
- C. An alternative method to report concerns is to contact Franciscan University’s Ethics Reporting Hotline via telephone at 844-521-7816 or through the online reporting site: <http://franciscan.ethicspoint.com>.

Protected disclosures may be made on a confidential basis and submitted anonymously per the above instructions. Protected disclosures and investigatory records will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation in accordance with the law and University policy.

RESOURCES

Ohio Whistleblower Protection Law: <http://codes.ohio.gov/orc/4113.52>