COMPLIANCE PROGRAM

Non-Retaliation Policy

Effective Date: January 1, 2010
Revised:

POLICY STATEMENT

Retaliation against members of the college community who make good faith reports regarding potential College-related violations of laws, regulations or College policies is prohibited, and violators may be subject to disciplinary action.

PURPOSE OF POLICY

The purpose of this policy is to ensure that all employees and students comply with all applicable College policies, federal, state and local laws and regulations prohibiting retaliation, and promotes the fair treatment of members of the college community who make good-faith reports of potential College-related violations of laws, regulations or College policies.

SCOPE OF POLICY

This policy is applicable to Faculty, Staff and Students.

POLICY AND PROCEDURES

The College is committed to conducting its affairs honestly, ethically and in compliance with all applicable laws, regulations, statutes, policies and procedures. Members of the College community are encouraged to report good faith concerns about College-related violations of laws, regulations, statutes, or College policies and procedures. Attempts to resolve any such concerns normally should be made by initially contacting your appropriate Supervisor, Manager, Dean or the Provost. If you are, for any reason, uncomfortable with doing so, reports may be made directly to the Associate Vice President of Human Resources, the Office of Ethics and Compliance or the Chief Audit Officer. You may also report your concern anonymously through the College’s toll free, 24 hour EthicsLine at 888-299-9540. Although the College encourages employees to report concerns to their immediate Supervisor or Manager, there are times when an employee may feel it is necessary to report a concern.
of wrongdoing outside of the traditional reporting mechanism.

The College has adopted a Whistleblower policy that applies even if your concern is reported to your Supervisor or Manager. The Whistleblower Policy allows allegations to be made outside of the immediate area that the suspected employee is associated with and allows for a degree of confidentiality for the reporting person, if necessary. Reports also may be made to relevant external entities or governmental agencies responsible for the enforcement of laws containing non-retaliation provisions.

Retaliation against a member of the College community for making a good faith report of potential College-related legal or policy violations are prohibited and will not be tolerated. The College will review complaints of retaliation and any attempted or actual retaliatory action covered under this policy may subject the violator to disciplinary action up to and including termination of employment.

It is our policy to comply with all applicable laws that protect employees against unlawful discrimination or retaliation as a result of their lawfully reporting information regarding or their participation in investigations involving institutional fraud or other violations of federal law by the institution or any of its employees.

Reports that are knowingly false, made with malicious intent, or with reckless disregard for, or willful ignorance of facts that would disprove the allegation made are not good faith reports, are prohibited by this policy, and may be subject the violator to disciplinary action up to and including termination of employment.

Retaliation includes, but is not limited to any adverse job action taken because of a retaliatory motive. For example, an employee shall not be subject to disciplinary or retaliatory action by the College or any of its employees or agents as a result of the employee:

1. disclosing information to the College or to a government or law enforcement agency where the employee has reasonable cause to believe that the information discloses a violation or possible violation of College policy, federal or state law or regulation;
2. providing information, causing information to be provided, filing, causing to be filed; testifying, participating in a proceeding filed or about to be filed, or otherwise assisting in an investigation or proceeding regarding any conduct that the employee reasonably believes involves a violation of:
   • federal criminal law relating to grants related fraud, mail fraud, bank fraud, or wire fraud, or;
   • any provision of federal law relating to fraud against the institution;
3. providing information or assistance to an investigation being conducted by a federal regulatory agency, a member of Congress, or a person at the institution with supervisory or similar authority over the employee; or

4. reporting suspected violations of the College’s Standards of Conduct and Ethics Statement or other violation of institutional policy.

The College does not intend this policy to protect employees who violate the confidentiality of any applicable lawyer-client privilege to which the College may be entitled under statute or common law principles; or to protect employees who violate their confidentiality obligations with regard to information about the College.

The Associate Vice President of Human Resources is responsible for administering this policy. In conjunction with the Office of Ethics and Compliance and the Chief Audit Officer, the Associate Vice President of Human Resources is responsible for receiving, collecting, reviewing, processing and resolving concerns and reports by employees and others on the matters described above and other similar matters.

If it is determined that an employee has experienced any improper employment action in violation of this policy, appropriate corrective action will be taken.