

**BAYLOR UNIVERSITY
WHISTLEBLOWER POLICY
BU-PP 037**

Baylor University encourages all members of the university community (including faculty, staff, students, contractors, and volunteers), acting in good faith, to report suspected or actual wrongful conduct. The university is committed to protecting individuals from interference with making a protected disclosure and from retaliation for having made a protected disclosure or for having refused to follow an illegal instruction as defined in this policy.

University faculty, staff, students, or volunteers may not retaliate against an individual who has made a protected disclosure or who has refused to follow an illegal instruction. University faculty, staff, students, or volunteers may not directly or indirectly use or attempt to use their official authority or influence of their positions or offices for the purpose of interfering with the right of an individual to make a protected disclosure to the individual's immediate supervisor or other appropriate administrator or supervisor within the operating unit, or other appropriate university official about matters within the scope of this policy.

It is the intention of the university to take whatever action may be needed to prevent and correct activities that violate this policy.

I. Definitions

A. Wrongful conduct.

A serious violation of university policy; a violation of applicable state and federal 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.

B. Protected disclosure.

Communication about actual or suspected wrongful conduct engaged in by a university faculty member, staff member, student, volunteer, 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 university policy and/or applicable law. 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, either verbally or in writing, or
3. The EthicsPoint hotline
(https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=6771 or toll free (866) 384-4277), or

4. The appropriate governmental unit, law enforcement office, or ethics commission after first providing a written communication about the wrongful conduct to the appropriate university administrator as identified in Section IV.

C. Retaliation.

Adverse action against an individual because she or he has made a protected disclosure or has participated in an investigation, proceeding, or hearing involving a protected disclosure.

II. Intent of Policy

A. This policy is intended to protect any individual who makes a protected disclosure. More specifically it:

1. encourages individuals to make a protected disclosure so that prompt corrective action can be taken by the university,
2. informs individuals how to make a protected disclosure,
3. protects individuals from retaliation for having made a protected disclosure (individuals who self-report their own misconduct are not afforded protection by this policy), and
4. provides individuals who believe they have been subject to retaliation or false allegations a fair process to seek relief from these acts.

B. Any communication that is both unsubstantiated and made with reckless disregard or with knowledge of its falsity is not protected by this policy. This policy is also intended to protect individuals against false allegations of wrongful misconduct.

C. Nothing in this policy is intended to interfere with legitimate employment decisions.

III. Regulations

A. 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.

B. False allegation.

Any faculty member, staff member, 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 may be subject to disciplinary action, up to and including termination. Any student who makes false allegations in the non-employment

setting may be subject to judicial action. Allegations that are not substantiated, but are made in good faith, are not subject to corrective action.

C. Retaliation.

No individual who makes a protected disclosure will suffer retaliation. Any faculty member or staff member who retaliates against any individual who makes a protected disclosure is subject to discipline up to and including termination. Any student who retaliates against any individual who makes a protected disclosure is subject to discipline under the university's disciplinary procedures. This Whistleblower Policy is intended to encourage and enable members of the Baylor community to raise serious concerns within the university prior to seeking resolution outside the university. Legitimate employment decisions by the university are not retaliation.

D. Confidentiality.

Protected disclosures may be made on a confidential basis to the offices listed in Section IV below. Protected disclosures and investigatory records will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation and applicable state and federal law.

E. Handling Protected Disclosures.

The offices (listed in Section IV below) receiving the protected disclosure will attempt to notify the disclosing individual (if her or his identity is known) and acknowledge receipt of the report of a violation or suspected violation within ten working days for most issues and within 24 hours for alleged criminal or environmental violations. All reports will be promptly investigated within 45 calendar days and appropriate corrective action will be taken if warranted by the investigation.

IV. Reporting Violations

A. Individuals should share their questions, concerns, suggestions, or complaints with a university administrator who can address them properly. In many cases a faculty member or staff member's supervisor is in the best position to address an area of concern. If an individual is not comfortable speaking with a supervisor, or is not satisfied with the supervisor's response, the individual should take her or his concern to the offices listed below that will investigate and/or address the concern, as appropriate.

1. Academic matters – Office of Academic Integrity
2. Athletics matters – Athletics Department, Office of Compliance
3. Criminal matters – Baylor Police Department
4. Employment matters – Human Resources

5. Financial matters – Office of Internal Audit
6. Legal matters – Office of General Counsel
7. Research matters – Office of Sponsored Programs
8. Student matters – All matters involving students, in the non-student-employment setting, not covered by the offices listed above – Judicial Affairs Office
9. All other matters – Office of Internal Audit

B. Supervisors who receive protected disclosures are required to contact the appropriate office listed above.

C. An alternative method to report any concern is to contact EthicsPoint via the university's website (https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=6771) or toll free (866) 384-4277.