

Whistleblower Protection and Investigation Policy

Tuskegee University

I. Policy Statement

Every Tuskegee Board member, officer, faculty member, staff employee, contract employee, temporary or term employee, student volunteer, consultant, and vendor (each a "Covered Person") is required to comply with the laws, regulations, and policies governing or relating to the operation and functioning of the university, including all such requirements concerning the use of university resources (regardless of whether the resources are from a source that is public or private). Tuskegee's internal controls and operating procedures are intended to detect, prevent and deter improper activities. However, violations of laws, regulations, policies and procedures may occur (see "Definitions"). The University has a responsibility to investigate and report allegations of suspected improper activities to appropriate parties and identify the actions taken by the University in response. The purpose of this p

IV. Definitions

1. The following definitions apply to this policy:

A. University Resources

For purposes of this policy, the term "University resources" includes but is not limited to

1. University funds, including grant funds;
2. Cash and other assets, whether tangible or intangible;
3. Real or personal property;
4. Receivables and other rights or claims against third parties;
5. Intellectual property rights;
6. University personnel and of any non-university entity billing the University for its effort;
7. Facilities and the rights to use of University facilities;
8. Tuskegee's name, likeness, logo, or seal;
9. University documents and records, including but not limited to personnel records, grant, contract, and research records, financial records, payroll records, bank records, donor records, electronic mail messages and other internal communications, and student records.

B. Improper Activities

"Improper activity" means an activity by a Covered Person that directly or indirectly relates to Tuskegee, whether or not that activity is within the scope of his or her employment, and that (1) a violation of any University business process or policy, (2) a violation of any state or federal law or regulation, including, but not limited to, corruption, malfeasance, bribery, theft or diversion of University property, a fraudulent claim, fraud, coercion, conversion, unauthorized the diversion or receipt of Tuskegee donor assets, or willful omission to perform a duty, (3) or (is economically wasteful, involves misconduct, gross misconduct, incompetency, or inefficiency.

C. Protected Disclosure

A "protected disclosure" means a good faith communication, including a communication based on, or when carrying out, job duties, that discloses or demonstrates an intention to disclose information that may evidence (1) an improper activity or, (2) a condition that may significantly threaten the health or safety of employees or the public if the disclosure or intention to disclose

E. Designated University Official (DUO)

The person designated by the Office of the President as the official with primary responsibility to receive reports of allegations of suspected improper activities as of the date of this Policy, the Designated University Official for receipt of complaints under this policy, the Chief Audit Executive. The University will provide notice to the University community in the event of a change to the DUO.

V. Whistleblower Policy

1. Reporting Allegations of Suspected Improper Activities

A. Filing a Report

- a) Any Covered Person may report allegations of suspected improper activities to the DUO or through the Whistleblower Hotline. Employees may also report allegations of improper activities to their supervisor. Allegations of suspected improper activities may be reported anonymously.
- b) Reports of allegations of suspected improper activities may be made orally or in writing, although the University encourages reports to be made in writing to assure a clear understanding of the issues raised. Such reports should be factual rather than speculative or conclusory, and contain as much specific information as possible to allow for an accurate assessment of the suspected activity.
- c) If the alleged improper activity involves the DUO, the report should be made to the DUO's supervisor, the University's General Counsel or the Whistleblower Hotline. If the alleged improper activity involves the President, the report should be made to the DUO or the Whistleblower Hotline.
- d) When a person reports allegations of suspected improper activities to an appropriate authority, the report is known as a protected disclosure.
- e) All University employees in supervisory roles must be receptive to oral or written communications alleging suspected improper activities and must report such

- a) The matter is the result of a significant internal control or policy deficiency;
- b) The matter is likely to receive media or other public attention;
- c) The matter involves the misuse of University resources or creates exposure to potentially significant liability;
- d) The allegations

interview anonymous whistleblowers, it may be more difficult to evaluate the credibility of the allegations and, therefore, such allegations may be less likely to cause an investigation to be initiated.

5. Whistleblowers are “reporting parties,” not investigators. They are not to conduct investigative activities unless requested by investigative University personnel
6. A whistleblower’s right to protection from retaliation does not include immunity for complicity in the matters that are the subject of the allegations or an ensuing investigation.
7. Whistleblowers will be notified of the disposition of their report absent overriding legal or public interest reasons.

F. Anonymous Reporting System

1. The University has implemented an anonymous reporting system, provided by Lighthouse Services, to enhance communication and empower individuals to promote safety, security, and ethical behavior. This anonymous, confidential system can be used to report situations, events, or actions by individuals or groups that an individual believes constitute improper or inappropriate conduct. 1.6(u)10.8(r)

C. The Whistleblower Committee's responsibilities will include:

1. Assisting the DUO in assuring that the proper investigative channels are utilized according to appropriate expertise and resources,
2. Assuring that all appropriate administrative officials are notified of the allegations as appropriate and necessary,
3. Assuring appropriate reporting occurs to the Office of the President through a written communication and, in conjunction with General Counsel, to funding and regulatory agencies, and with the assistance of Human Resources, to whistleblowers and others as necessary or provided by this policy,
4. Assisting the DUO in ensuring appropriate resources and expertise are utilized to ensure timely and thorough review of reports of alleged or suspected improper activities,
5. Ensuring that there are no conflicts of interest on the part of any party involved in investigations,
6. Coordinating and facilitating communications across investigative channels as necessary to ensure appropriate sharing of information,
7. Assisting the DUO in monitoring significant elements and progress of investigations,
8. Coordinating and facilitating in an advisory capacity the corrective and remedial action that may be initiated and considered of disciplinary procedures,
9. Assisting the DUO in documenting all steps and actions taken during the investigation process; and