WRONGFUL CONDUCT REPORTING POLICY

Westminster College encourages all students, staff, faculty, and volunteers to report suspected or actual misconduct or wrongdoing so that the college can take prompt, corrective action. Individuals who make these reports in good faith are engaging in protected activity and the college is committed to protecting them from retaliation for doing so or for refusing to follow an illegal order. Individuals who self-disclose their own wrongdoing are not protected by this policy nor are individuals who make allegations of wrongful conduct they know to be false.

Definition of Terms

1. wrongful conduct – a serious violation of college policy; a violation of applicable city, county, state or federal laws; or, the use of college property, resources, or authority for personal gain or other purposes unrelated to the college.

2. protected disclosure – an oral or written communication made in good faith about actual or suspected wrongful conduct by a student, staff, faculty, volunteer, agent, or contractor of the college and reported to the suspected wrongdoer’s supervisor, the office of general counsel, or via the college’s anonymous online reporting process at https://www.westminstercollege.edu/apps/forms/index.cfm?form=339.

3. acting in good faith – when a person has reasonable grounds to believe that the conduct reported has or will occur and that the conduct is wrongful, as defined in this policy.

4. false allegation – when a person knowingly or with reckless disregard for the truth provides false information about acts of either wrongful conduct or retaliation.

5. retaliation – when a person who has made a protected disclosure suffers ridicule, harassment or adverse employment consequences as a direct result of making that disclosure.

Reporting Wrongful Conduct

1. When possible, individuals are encouraged to raise questions, concerns, suggestions or complaints with their supervisors. Often, this can be the best way to resolve the issues because the supervisor will be able to provide guidance and information.

2. An individual may report wrongful conduct to general counsel. Individuals are encouraged to contact general counsel, especially if they are uncomfortable speaking with their supervisor for any reason, the concern involves the supervisor or another college administrator, or the issue was not adequately addressed despite earlier report(s).

3. If an individual wishes to make a protected disclosure without disclosing his or her identity, he or she can complete the online reporting form located: https://www.westminstercollege.edu/apps/forms/index.cfm?form=339

4. In the event an individual makes a report of wrongful conduct that cannot be substantiated, but he or she made the report in good faith, the individual will not be subjected to disciplinary action.
Responding to Reports of Wrongful Conduct

1. When a college administrator or supervisor receives a report of alleged wrongful conduct, he or she must immediately inform the appropriate office.

2. Once the appropriate office receives the information, the office will, within ten days, notify the disclosing individual (if that person’s identity is known) to acknowledge receipt of the information. All reports will be promptly investigated and corrective action taken if warranted.

3. If general counsel receives a report of alleged wrongful conduct, he or she will immediately begin an investigation. All reports will be promptly investigated and corrective action taken if warranted.

4. If the reporting individual uses the college’s anonymous online reporting address, the message will be sent directly to the chair of the audit committee of the board of trustees, who will then determine the best way for the investigation to be conducted. Although the chair will be unable to report back to the reporting individual if he or she remains anonymous, all reports will be promptly investigated and corrective action taken if warranted.

5. Reports and investigatory records will be kept confidential to the extent possible and consistent with the necessity to conduct an effective investigation. The extent of any investigation and action taken as a result will be determined by the wrongful conduct alleged.

Misuse of Reporting Policy

1. If an employee makes a false allegation of wrongful conduct, that employee will be subject to disciplinary action, up to and including termination.

2. Any employee who retaliates against an individual for making a protected disclosure will be subject to disciplinary action, up to and including termination.

3. Any employee of the college who falsely claims to have been subjected to retaliation for making a protected disclosure will be subject to disciplinary action, up to and including termination.

4. Any student who retaliates against an individual for making a protected disclosure will be subject to judicial action pursuant to the student disciplinary code, up to and including suspension and/or expulsion.

5. If a student makes a false allegation of wrongdoing or retaliation, the student will be subject to judicial action pursuant to the student disciplinary code, up to and including suspension and/or expulsion.