

Policy Governing Reporting of Misconduct and Whistleblowing

General Policy

Johnson & Wales University ("JWU") is committed to fostering a culture of compliance with all applicable federal, state, and local laws and regulations, ethical standards, and university policies and procedures (including, without limitation, the Employee Code of Conduct). JWU's continued success in fulfilling its mission requires its employees (including student employees) and students to conduct themselves in accordance with this culture of compliance.

The university's internal controls and operating protocols are intended to prevent or, if not prevent, detect unethical, unlawful, or otherwise improper conduct ("Violations"); however, even the best controls and protocols may not necessarily provide absolute safeguards.

This policy is designed to encourage and enable all members of the JWU community to raise concerns about suspected violations, without fear of retaliation or other negative consequences. Some reports may be protected by "whistleblowing" laws; other reports may not rise to that level but will still be protected under JWU's non-retaliation policy, as described below.

Who Should Report and What to Report

Employees, students, and third parties (defined as including but not limited to contractors, customers, parents, vendors, volunteers, etc.) are encouraged to report all known or suspected violations. Employees have a special duty to recognize and to report all known or suspected violations without unreasonable delay. Doubts about whether to report should be resolved in favor of reporting. That said, this policy is not intended for reports that do not involve violations (such as personal grievances or expressions of opinion on policies). Reports beyond the scope of this policy may be, but need not be, referred to an appropriate university official for review and response.

Examples of violations (of applicable federal, state, and local laws and regulations, ethical standards, and university policies and procedures [including, without limitation, violations of the Employee Code of Conduct]) include but are by no means limited to

- Misappropriation or misuse of university resources or government funds
- Fraudulent financial reporting
- Forgery or alteration of credentials or any other documents
- Academic and research misconduct
- Bribery or theft
- Illegal discrimination
- Sexual harassment (which is a form of illegal discrimination)
- Mistreatment of minors
- Noncompliance with data privacy and confidentiality obligations

How to Report

Employees, students, and third parties may report known or suspected violations to

- Human Resources
- Equity & Compliance Services
- Campus Safety & Security
- Vice Presidents
- Campus Presidents
- Any trusted campus administrator or faculty or staff member (including a supervisor)
- In addition, employees, students, and third parties may make a report using one of the following options (24 hours a day, seven days a week):
 - **Report via Email:** Email jwureport@jwu.edu;
 - **Report Online:** Fill out an online confidential report (preferred method) via the Equity & Compliance Services webpage; or
 - **Report via the JWU Reporting Hotline:** Leave a message by dialing 1-833-JWU-LINE (1-833-598-5463) ("JWU Reporting Hotline").

Reports may be made confidentially or, in the case of an online report or the JWU Reporting Hotline, confidentially and anonymously.

Anyone who receives a report of a known or suspected violation should, in turn, report to Human Resources. Human Resources shall determine

the appropriate additional persons, if any, to notify in order to conduct an appropriate investigation.

Reports should be made as soon as possible. When making a report, the reporter should provide as much relevant detail as possible, indicate whether the report is confidential, and, if comfortable doing so, provide a name and contact information (address, email address, telephone number, etc.) and indicate preferred times and methods of communication. Including details is important, as a meaningful investigation may not be possible if a report is unduly vague or general and follow-up is not feasible (because, for example, the report was made anonymously).

If the reporter submits a confidential report and shares the reporter's identity, JWU will exercise reasonable care to keep the reporter's identity confidential unless

- The reporter agrees to the disclosure,
- Disclosure is necessary to allow the university or law enforcement officials to investigate or respond effectively to the report, in which event disclosures will be limited to those who have a need to know the identity of the reporting individual, or
- Disclosure is required by law or regulation.

To report an emergency, immediately call 911 and, thereafter, if appropriate, your Campus Safety & Security office.

University Review and Investigation

The university will review all reports. On request of the reporter, the university will confirm receipt of the report. If the reporter includes contact information, the university may contact the reporter to request additional information. The university will investigate all reports and will take appropriate corrective action when warranted by the results of the investigation.

Prohibition of Retaliation

JWU prohibits retaliation, including coercion, discrimination, intimidation, or threats against any individual who has made a good faith report (i.e., a report the reporter reasonably believes is true or is likely to be determined to be true upon further investigation) or who has in good faith cooperated as a witness or complainant in the investigation of such a report or in any university proceeding. Any person found to have engaged in retaliation, or to have encouraged others to engage in retaliation, will be subject to disciplinary action up to and including termination of employment or dismissal from the university.

Individuals who reasonably believe they have been subjected to retaliation may file a written complaint with the Office of the General Counsel (OGC) or the vice president of Human Resources.

Prohibition of False Claims

Reporting a knowingly false report is a violation of university policy and may result in disciplinary action up to and including termination of employment or dismissal from the university.

Policy Contact(s)

- Compliance associate or any other member of Equity & Compliance Services
- General Counsel
- Vice President of Human Resources

Policy Owner

- Vice President of Human Resources (email (diane.dambra@jwu.edu))