

# Reporting Suspected University- related Misconduct/ Noncompliance and Protection from Retaliation

**Responsible Office:**  
Department of Assurance  
Services  
Integrity and Compliance  
Office

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## POLICY STATEMENT AND PURPOSE

Virginia Commonwealth University is committed to supporting and promoting an ethical culture of compliance and accountability that encourages all University members to conduct University business with honesty and integrity. All members of the university community are responsible for conducting university business in an ethical, honest, and lawful manner. VCU expects and encourages university members to make good faith reports of suspected matters of university-related misconduct and noncompliance, as defined in this Policy.

Retaliation against university members for making good faith reports or for participating in an investigation of potential misconduct or noncompliance is strictly prohibited. The university, by authority of the President and Board of Visitors, will take all reasonable and necessary actions to protect university members filing good faith reports from retaliation. Disciplinary action resulting from self-reported misconduct is not considered to be an act of retaliation.

University members are expected to make good faith reports as outlined in the Procedures for Reporting Compliance Concerns. Any university member who knowingly makes a false report or provides false information during an investigation may be subject to disciplinary action in accordance with applicable university policies and procedures, the Commonwealth of Virginia Standards of Conduct, and State statutes.

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## WHO SHOULD READ THIS POLICY

All university members are responsible for reading this policy and familiarizing themselves with its contents and provisions.

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## RELATED DOCUMENTS

VCU Rules and Procedures Section III.A.2-3 & III.A.10  
University Policy on Administrative and Professional Faculty  
VCU Promotion and Tenure Policy  
VCU Academic Rights and Responsibilities  
State Policy 1.60, Standards of Conduct  
Executive Order 12: State Employee Fraud, Waste, and Abuse Hotline

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## CONTACTS

VCU Integrity and Compliance officially interprets this policy and shall revise or eliminate any or all parts as necessary to meet the changing needs of Virginia Commonwealth University. The Integrity and Compliance Office is responsible for obtaining approval for any revisions as required by the VCU Policy and Procedures for Creating and Establishing University Policy through the appropriate governance structures. Please direct policy questions to the VCU Integrity and Compliance Office.

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## DEFINITIONS

### **Good Faith Report**

A good faith report is a disclosure to an appropriate university official of suspected university-related misconduct or noncompliance. To report in good faith requires that the person making the report has reasonable cause to believe the reported information is true and that the report is made without malice or

the intent to deceive or harm others or disrupt university operations.

### **False Report**

A false report is an intentionally false or deceptive representation of the facts supporting an accusation of university-related misconduct or noncompliance, made with malice or with the intent to deceive or harm others or disrupt university operations.

### **Retaliation**

Retaliation is an adverse employment action or credible threat of an adverse employment action undertaken in response to an employee's good faith disclosure of matters of university-related misconduct or noncompliance or taken because of one's participation in an investigation. Adverse employment actions are those which have a tangible impact on the terms and conditions of one's employment. It does not include the university's decision to investigate a good faith report.

### **University-Related Misconduct/Noncompliance**

University-related Misconduct/Noncompliance includes the violation of or failure to comply with applicable local, state, and federal laws or university regulations, policies or procedures.

### **University Member(s)**

For the purpose of this policy, university member(s) include all faculty, staff, student employees, contractors and agents of Virginia Commonwealth University.

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## PROCEDURES

The purpose of these procedures is to support existing university policies by providing a structured process to facilitate the reporting of university-related misconduct and noncompliance and to alleviate concerns related to retaliation for making such reports. The following options are available to university members, who are expected to make good faith reports concerning possible violations of any applicable policy, law, or regulation. Students not employed by VCU should utilize the reporting procedures outlined in the Student Handbook and Resource Guide located at:

[http://www.students.vcu.edu/docs/2011\\_12\\_vcu\\_insider.pdf](http://www.students.vcu.edu/docs/2011_12_vcu_insider.pdf).

## **Reporting Compliance Concerns to Supervisors**

Generally, reports of university-related misconduct or noncompliance normally should be raised first within the individual's school or department or with an appropriate administrator within a similar administrative unit. Schools and departments usually are most familiar with the issues and personnel involved and, therefore, may be best suited to address a concern.

## **Reporting through Central Offices**

In some cases, an individual may feel uncomfortable making a report at the school or department or other similar administrative unit level due to the nature of the subject matter or because of other legitimate considerations that suggest an alternative reporting process is more appropriate. In such instances, the individual may raise concerns through a central university office. Examples include:

- Human Resources (employee misconduct)
- Office of Equal Employment Opportunity and Affirmative Action Services (discrimination)
- Procurement (improper receiving of gifts, improper use of university purchasing or travel cards)
- Athletics (NCAA violations)
- Department of Assurance Services (potential fraud)
- Office of the Provost (noncompliance with academic regulations)

Additionally, individuals may contact the Integrity and Compliance Office directly by calling the University Compliance Officer at 804-828-3976, by mailing correspondence addressed to P.O. Box 842503, or in person at 918 West Franklin Street.

## **The VCU Helpline**

Individuals reluctant to report university-related misconduct or noncompliance directly through university administrative offices are encouraged to use the VCU Helpline, which is administered by a third-party vendor. All VCU Helpline calls or online reports are anonymous and confidential and will be reviewed by the Integrity and Compliance Office and addressed appropriately.

The VCU Helpline is available to assist any member of the Virginia Commonwealth University community with questions or concerns

regarding laws, regulations, university policies, procedures and acceptable business practices.

The VCU Helpline is operated 24 hours a day, 365 days a year and can be reached by using the secure Web Reporting System located at: [www.vcuhelpline.com](http://www.vcuhelpline.com) or by calling 1-888-242-6022 toll-free. Use of both the website and telephone is anonymous and confidential.

### **University Ombudsperson**

VCU's faculty/staff ombudsperson provides confidential, neutral, and informal dispute resolution services for VCU's faculty, staff and postdoctoral trainees. The office is available to assist university members who seek guidance with the resolution of academic or administrative issues and disputes, and, therefore, is another resource for those who may want to discuss noncompliance issues prior to or in conjunction with making a report. Ombudsperson services supplement, but do not replace, other administrative processes at the university. The office works to facilitate communication and assist parties in reaching mutually acceptable agreements in order to find fair and equitable resolutions to concerns that arise at the university.

All conversations and written materials are confidential unless the visitor to the office provides specific permission to discuss the issue with others. The only exception to maintaining such confidentiality is when the ombudsperson has determined that an imminent threat of serious harm exists to the person making the report or others. Contact information for the ombudsperson is available at: [www.provost.vcu.edu/ombuds/](http://www.provost.vcu.edu/ombuds/).

### **State Employee Fraud, Waste, and Abuse Hotline**

The State Employee Hotline provides State employees and the public an opportunity to report significant instances of fraud, waste or abuse anonymously by calling the toll-free hotline number at 1-800-723-1615.

The Hotline is available from 8:15 a.m. to 5:00 p.m., Monday through Friday, except state holidays. For more information, please visit the Virginia Department of Accounts at [www.doa.virginia.gov/DSIA/Fraud\\_and\\_Abuse\\_Hotline.cfm](http://www.doa.virginia.gov/DSIA/Fraud_and_Abuse_Hotline.cfm).

## **Reporting Retaliation Concerns**

Individuals who feel they have been subjected to acts of retaliation, as defined by this policy, may file a written or verbal complaint with the Integrity and Compliance Office or, alternatively, may file a report through the VCU Helpline. The Integrity and Compliance Office initially shall be responsible, based on the contents of the allegation, for conducting an investigation and/or contacting the appropriate university offices for review and disposition of the report.