



POLICY & PROCEDURE DOCUMENT

NUMBER: 0.2080

DIVISION: General University

TITLE: Fiscal Misconduct Policy

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Approved: February 2, 2015

Authorized by: Administrative Council

I. Purpose and Scope

The purpose of this policy is to promote awareness, to communicate expectations and to establish a mechanism for reporting issues regarding fiscal misconduct. Western Kentucky University ("WKU" or "the University") is committed to the highest ethical and professional standards in all aspects of its operations including the management and stewardship of the University's assets.

The University encourages its employees, students and the general public to promptly report suspected or known fiscal misconduct by WKU or by WKU personnel. This policy establishes a procedure for reporting improper activities, a process for investigating those reported activities and a promise of protecting members of the WKU community who report suspected improper activities from retaliation.

Acts of fiscal misconduct include, but are not limited to:

- Misrepresentation of information on documents
- Forgery or alterations of documents
- Theft of University property
- Misuse, misappropriation or mismanagement of funds, supplies, equipment or other assets
- Falsification of documents
- Any apparent violation of local, State or Federal laws
- Authorizing or receiving payment for services not performed (e.g. hours not worked)

II. Policy

This policy sets forth the procedures for reporting information regarding suspected fiscal misconduct by WKU personnel and protecting those members of the WKU community who, in good faith, report such suspected improper activities.

Employees are encouraged to report any actual or suspected fiscal misconduct by utilizing either of the following mechanisms:

- Notifying the Office of Internal Audit or
- Using the University's ethics / compliance hotline

The University contracts with a third party service provider to operate the ethics / compliance hotline. The hotline is accessible 24 hours a day, seven days a week. The third party service provider offers two anonymous and confidential ways to report suspected misconduct: a toll-free telephone number [1-877-318-9178] or the web site [www.wku.ethicspoint.com].

The ethics / compliance hotline is NOT intended to replace the normal channels for reporting issues related to sexual harassment, assault, discrimination, etc. See the University's policies related to those topics on the University's web site. The hotline is also NOT intended to be used when making suggestions for improvement of WKU business practices or academic programs. In an academic community, resolution through open dialog is a preferred means of addressing such issues.

III. Procedure

A. Reporting and Evaluation of Suspected Fiscal Misconduct

1. Members of the WKU community who have reason to suspect improper activities, should promptly report their suspicions through the Office of Internal Audit or the ethics / compliance hotline. The hotline may be used by any WKU personnel or any person in the public who interacts with WKU. Persons reporting the activities ("reporter") may remain anonymous, may request that their identity not be disclosed to the subject(s) of the report or may identify themselves. Identification of one's self is optional and may assist in enhancing the investigation of the claim(s) being reported.
2. All claims will be reviewed by the Office of Internal Audit along with other appropriate University personnel, if necessary.

B. Protection from Retaliation

1. A good faith assertion by definition is a sincere belief or motive without malice or the desire to defraud others.

The Kentucky Whistleblower Act (KRS 61.101) prohibits interference with or retaliation against a member of the University community who reports suspected improper activity unless the person making the assertion knows, or has reason to believe, the report is false or inaccurate.

Under this WKU Fiscal Misconduct Policy:

- a. No University employee exercising direct or indirect supervisory authority may discharge, threaten, harass or otherwise discriminate against another University employee regarding his/her compensation, terms, conditions, location, or privileges of employment because that employee, or a person acting on behalf of the employee, reports or is about to report a suspected improper activity.
- b. No University employee exercising direct or indirect supervisory authority may discharge, threaten, harass or otherwise discriminate against another University employee regarding his/her compensation, terms, conditions, location, or privileges of employment because that employee has refused to carry out a directive which in fact constitutes a violation of state or federal law, regulation or poses a substantial and specific danger to the public health and safety.
- c. No University employee may threaten, harass or otherwise discriminate against a student, or take intentional adverse academic action against a student, because that student, or a person acting on behalf of the student, reports or is about to report a suspected improper activity.

The protections and of this section extend to any member of the University community who reports any suspected improper activity so long as the assertions are made in good faith. Retaliation against anyone reporting suspected improper activities in good faith is strictly prohibited.

2. A bad faith assertion is the action of intentional or malicious infringement upon someone else's rights.

In the event a false claim is made in bad faith, the whistleblower will be held accountable and appropriate action will be taken. Actions for bad faith assertions will be based on the severity of the assertion and the damage caused to the subject(s) and/or the University. Such action will be handled at the direction of the Board of Regents.

IV. Related Policies

See also:

0.2050 - Institutional Conflict of Interest Policy and Procedures

3.5011 - Code of Ethics

4.8000 - Standards of Conduct