

SUBJECT: Reporting Misconduct and Protection from Retaliation	Effective Date: 9/3/2014	Policy Number: 2-700	
	Supersedes:	Page 1	Of 6
	Responsible Authority: Chief Compliance and Ethics Officer		

APPLICABILITY/ACCOUNTABILITY

This policy applies to all members of the university community, including individuals and companies that conduct business with the university.

POLICY STATEMENT

The University of Central Florida is committed to a culture of integrity, compliance, and accountability that encourages the highest standards of ethical behavior. Members of the university community are therefore expected to conduct all university activities and business in an honest, ethical, and lawful manner. When members of the university community become aware of or have reason to suspect university activities and business are not conducted according to these expectations, UCF expects and encourages members of the university community to make good faith reports of suspected misconduct.

Because the university expects all reports of misconduct to be made in good faith, an employee who knowingly makes a false report or provides false information during an investigation may be subject to disciplinary action up to and including termination.

Retaliation against anyone who, in good faith, reports misconduct, or who participates in an investigation of misconduct, is strictly prohibited. The university will take all reasonable and necessary actions to protect members of the university community who have filed good faith reports of misconduct. Disciplinary action resulting from self-reported misconduct is not considered to be an act of retaliation.

DEFINITIONS

Good Faith Report. A report of suspected misconduct made without malice to a supervisor, through central or administrative offices, to the UCF IntegrityLine, or directly to the University Compliance, Ethics, and Risk Office. For a report to be made in good faith, the reporting person should have reasonable cause to believe that the reported information is true.

Misconduct. Any violation of law, regulation, statute, UCF regulation, policy, procedure, guideline, and/or standard of conduct, whether intentional or inadvertent.

Retaliation. An adverse or credible threat of an adverse employment action taken against an employee as a result of submitting a good faith report of misconduct, or participating in a misconduct investigation. Types of retaliation can include dismissal from employment, demotion, loss of salary or benefits, transfer or reassignment, denial of an earned promotion, and unwarranted written notice or negative performance review. Less obvious forms of retaliation can include excluding the employee from meetings, withholding critical information necessary for the employee to perform his or her job, publicly ridiculing the employee, or allowing the employee's peers to create an atmosphere that is not conducive for the employee to perform well. A causal relationship between good faith participation in the reporting or investigation of misconduct and an adverse action is needed to demonstrate retaliation has occurred.

PROCEDURES

The following options for making good faith reports of misconduct are available to members of the university community. Students not employed by UCF should use the resources available from the Student Development and Enrollment Services division, a list of resources are available at <http://www.sdes.ucf.edu/> (both options are available to students employed by UCF).

I. When to Report

Individuals, who in good faith believe that a violation of law, regulation, statute, UCF regulation, policy, procedure, guideline, and/or standard of conduct has occurred, or will occur, are expected and encouraged to promptly make a report of such suspected misconduct. Individuals do not need to have details of the law or policy to suspect misconduct. It is better to report the suspected misconduct than to remain silent.

II. Where to Report - Options

Individuals may choose to report suspected misconduct to their supervisors, through central or administrative offices, to the UCF IntegrityLine, or directly to the University Compliance, Ethics, and Risk Office. Details on each are provided below. Note that these reporting channels should not be used for reporting emergencies. Emergencies should be reported using 911.

1. Supervisors

Reports of suspected misconduct should normally be raised first with an individual's supervisor, or appropriate college, department, or unit administrator. Colleges and departments usually are most familiar with the issues and personnel involved and, therefore, may be best suited to address a concern. Supervisors receiving reports of potential fraud should contact University Audit for guidance and investigation.

2. Central Offices

In some cases, an individual may feel uncomfortable raising a report of misconduct at the college 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 may be more appropriate. In such instances, the individual may report suspected misconduct through a central university office having specialized expertise relating to the concern, such as:

- Office of the Provost (noncompliance with academic regulations)
- Human Resources (A&P, USPS, and OPS employee relations issues)
- Faculty Relations (faculty, including adjunct faculty noncompliance)
- University Audit (potential fraud and internal control issues)
- Athletics Compliance (NCAA violations)
- Research Ethics and Compliance (falsification, fabrication, plagiarism in research)
- Office of Equal Opportunity and Affirmative Action, Title IX coordinator (discrimination, sexual harassment)

3. University Compliance, Ethics, and Risk Office

Individuals may also report suspected misconduct by contacting the University Compliance, Ethics, and Risk Office directly by calling the chief compliance and ethics officer at 407-823-6263, by email to complianceandethics@ucf.edu, by mail to 4365 Andromeda Loop N., MH 328, Orlando, Florida, 32816, or in person at Millican Hall #328.

4. UCF IntegrityLine

Individuals reluctant to report suspected misconduct directly to their supervisors or through university administrative or central offices are encouraged to use the UCF IntegrityLine. The UCF IntegrityLine is administered by a third-party vendor, NAVEX Global, and offers individuals the option to report anonymously.

The IntegrityLine is operated 24 hours a day, 365 days a year, and can be reached by using the secure Web Reporting System located at: www.ucfintegrityline.com, or by calling 1-855-877-6049 toll-free. IntegrityLine reports will be processed by EthicsPoint and sent to the University Compliance, Ethics, and Risk Office to address appropriately.

Reporting Child Abuse, Neglect, and Abandonment

Florida Statutes require any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected to report such knowledge or suspicion to the Department of Children and Families (DCF), regardless of where it occurs.

In addition, Florida Statutes and Board of Governors Regulation, requires the UCF Police Department and certain administrators (president, provost, senior/executive vice presidents, vice presidents, associate vice presidents, associate/vice provosts, deans, chief of police, equal opportunity programs director, intercollegiate athletics director, internal audit director, Title IX coordinator, and university compliance officer) upon receiving information from faculty, staff, or other institutional employees of known or suspected child abuse, abandonment, or neglect committed on university property, or during a university-sponsored event or function to report such knowledge or suspicion to the Department of Children and Families (DCF).

The law further prohibits UCF administrators from knowingly and willfully preventing another person from reporting such activity.

Report to the Department of Children and Families (DCF) by:

- Fax 1-800-914-0004 (Form available at <http://www.dcf.state.fl.us/programs/abuse/docs/faxreport.pdf>)
- Web <https://reportabuse.dcf.state.fl.us/>
- Florida Abuse Hotline 1-800-96ABUSE (1-800-962-2873)
(Or TDD: 1-800-453-5145)

If a child is in imminent danger, dial 911 first and then report to DCF.

Ombuds Office

The University Ombuds Office, an informal, independent, confidential, neutral office that offers assistance and impartial advice regarding concerns related to UCF, is a resource for individuals unsure of which avenue to take. Communication to this office, however, does not constitute notice to UCF. The Ombuds Office will NOT contact the University Compliance, Ethics, and Risk Office and therefore individuals seeking advice from the Ombuds Office will ultimately need to report suspected misconduct using one of the methods described above. Contact information for the Ombuds Office is available at <http://www.ombuds.ucf.edu/>.

III. Protection from Retaliation

Individuals who believe they have been subjected to acts of retaliation may file a written or verbal complaint with the University Compliance and Ethics Officer or through the UCF IntegrityLine. The University Compliance, Ethics, and Risk Office is responsible for conducting an investigation and/or contacting the appropriate university offices for review and disposition of the report per applicable university policy or the Collective Bargaining Agreement.

RELATED DOCUMENTS

UCF Policy 2-800 Fraud Prevention and Detection: <http://policies.ucf.edu/documents/2-800FraudPreventionandDetectionFINAL.pdf>

UCF Policy 4-211 Research Misconduct: <http://policies.ucf.edu/documents/4-211ResearchMisconductFinalonLetterhead11-16-11.pdf>

2012-2015 BOT-UFF Collective Bargaining Agreement Article 20.12
http://www.collectivebargaining.ucf.edu/CBA/2012-2015CBA_reopener.pdf

Florida Statutes §§112.311-.326, Code of Ethics for Public Officers and Employees Sections
http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0112/0112PARTIIIContentsIndex.html

Florida Statutes §112.3187, Florida Whistle Blower Act:
http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0112/Sections/0112.3187.html

Florida Statutes §39.201, Proceedings Related to Children:
<http://www.flsenate.gov/Laws/Statutes/2012/39.201>

Florida Statutes §39.203, Proceedings Related to Children:
<http://www.flsenate.gov/Laws/Statutes/2012/39.203>

Florida Statutes §39.205, Proceedings Related to Children:
<http://www.flsenate.gov/Laws/Statutes/2012/39.205>

Florida Board of Governors Regulation 3.002 Penalties for Failure to Report Child Abuse:
http://www.flbog.edu/documents_regulations/regulations/Regulation3_001FINALPenaltiesForFailuretoReportChildAbuse.pdf

CONTACTS

University Compliance, Ethics, and Risk Office, 4365 Andromeda Loop N. MH 328, Orlando, FL 32816-0001. (407) 823-6263. complianceandethics@ucf.edu

INITIATING AUTHORITY

Vice President and Chief of Staff

POLICY APPROVAL (For use by the Office of the President)	
Policy Number: 2-700	
Initiating Authority: <u>John P. Hill</u>	Date: <u>9-2-14</u>
University Policies and Procedures Committee Chair: <u>Ronald Bishop</u>	Date: <u>8/26/2014</u>
President or Designee: <u>John C. Hill</u>	Date: <u>9/3/14</u>