



## **Whistleblower Protection Policy**

### **Policy Statement**

Santa Clara University is committed to upholding the highest ethical standards with respect to all University-related activities and programs. In furtherance of that commitment, the University expects all employees, students, and other persons who provide services on behalf of SCU to act in accordance with applicable laws, regulations, and University policies in the performance of their SCU-related responsibilities.

The University encourages the reporting of suspected violations of law, regulation, or SCU policy by any employee, student, or other person who provides services on behalf of the University. Reports should be made through the channels described below.

The University prohibits retaliation against any employee, student, or other member of the SCU community because they have engaged or are engaging in Protected Activity, which includes:

- Reporting a violation of a federal, state, or local law or regulation to the University or any government or law enforcement agency;
- Reporting a violation of a University policy to the University or any government or law enforcement agency;
- Being involved as a witness or participant in any review or investigation process regarding a report of improper conduct under this policy;
- Refusing to participate in any activity that would result in a violation of a state or federal law or regulation.
- Engaging in any of the Protected Activities described above in any former employment.
- Being a family member of a person who has, or is perceived to have, engaged in any of the Protected Activities described above.

Employees, students, and other members of the University community who have engaged or are engaging in Protected Activity are “whistleblowers” for the purpose of this policy. Filing intentionally false reports is not Protected Activity under this policy and may subject the reporting party to appropriate corrective action, up to and including separation from the University.

Retaliation occurs when an individual suffers an adverse action because they engaged in Protected Activity. Examples of potential adverse actions under this policy may include, but are not limited to, separation, demotion, suspension, involuntary transfer, reduction in pay or hours, harassment, or refusal to hire or promote.

Any member of the University community who believes they have been or are being retaliated against in violation of this policy is encouraged to report the incident through the channels described below.

## **Reporting**

Reports under this policy should be made to the reporting party's supervisor, the Department of Human Resources, the Office of the Provost, or the Office of the Vice President for Finance and Administration. Any supervisor who receives a report made under this policy is expected to direct the report to the Department of Human Resources, the Office of the Provost, or the Office of the Vice President for Finance and Administration. While employees are encouraged to speak first with their supervisor if they wish to report a concern under this policy, an employee may, for any reason, direct their concern through any of the other reporting options described in this policy.

Those who do not wish to send the report directly to the University, or who wish to make a report anonymously, may submit their report online or by phone through EthicsPoint, an independent third party company. To report a concern through EthicsPoint, please visit <https://secure.ethicspoint.com/domain/media/en/gui/15780/index.html> or call 1-888-552-8060. Note that if a report is made anonymously, the University's ability to respond may be limited.

## **Investigation**

Upon receiving a report under this policy, the Department of Human Resources, the Office of the Provost, or the Office of the Vice President for Finance and Administration will review the allegations and determine next steps. An office that is the subject of a report will not be involved in the review of the allegations or oversight of the response. If it is determined that the conduct alleged in the report falls within the scope of another University policy (e.g. allegations of discrimination or harassment, research misconduct, violations of the Student Conduct Code, among others), the matter may be referred to the appropriate office to be reviewed and investigated in a manner consistent with the procedures set forth in that policy.

If the alleged conduct is not subject to procedures set forth in a separate University policy, a determination will be made as to whether there is sufficient information presented to initiate an investigation of an alleged violation of law, regulation, or University policy. If there is, the Department of Human Resources, the Office of the Provost, or the Office of the Vice President for Finance and Administration will oversee the investigation. The University will notify the reporting party when an investigation has commenced and concluded, as appropriate in light of the need to respect the privacy of any related personnel or student information.

Those found to have engaged in conduct that violates this policy will be subject to corrective action, up to and including separation from the University. Corrective action, if any, will be initiated in a manner consistent with the policies and procedures that apply to the individual found to have engaged in the conduct.

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