

Board Policies

ADMINISTRATIVE AFFAIRS

156.00 – WHISTLEBLOWER POLICY

Cowley College requires all employees to conduct the business of the College in an ethical, honest, and legal manner. It is the policy of the College to comply with all applicable federal, state, and local laws in the conduct of College business.

The purpose of this policy is to encourage individuals who have *serious and substantiated* evidence about suspected unlawful misconduct to report this information without fear of retaliation (K.S.A. 75-2973). Substantiated means clear and convincing information that strongly supports the existence of unlawful activity. **This Policy intends to cover activity that could have a serious impact on the operations and performance of the College.** Such activity may involve an administrator, employee, student, Board member, visitor to campus, volunteer, or outside persons or firms (i.e., contractors, vendors, suppliers, or agencies) providing goods, services, or business to the College.

Serious, unlawful misconduct includes illegal, fraudulent, unethical, or dishonest activity. Examples include but are not limited to:

- Violations of federal, state, or local laws
- Fraudulent financial reporting
- Billing for products or services not received or performed
- Improper supplier, vendor, or contractor activity
- Theft or inappropriate use of College funds or property
- Malicious use of College technology resources
- Negligent or reckless behavior directed at a person or property
- Forgery or unauthorized alteration of documents or college records
- Computer fraud or data security breaches
- Other unethical or illegal misconduct involving the College's business or financial affairs

Confidentiality

Reports of suspected activity will be kept confidential to the extent possible consistent with the need to investigate, comply with applicable laws, and to cooperate with law enforcement authorities.

Retaliation

No individual who, in good faith (absent of malice or with the intent to defraud or defame), filing a formal complaint shall be subject to retaliation or adverse employment consequences. This protection covers an individual who:

- Files a complaint of misconduct under this policy
- Is involved as a witness or participant in the complaint or investigation process
- Refuses to engage in illegal, dishonest, or fraudulent conduct

Examples of potential retaliatory actions include but are not limited to discharge, demotion, suspension, harassment, or intimidation or threats against an employee protected under this policy. Any employee who discriminates or retaliates against another employee as a result of his or her protected actions, as listed above, may be subject to corrective action, up to and including termination.

False or Malicious Reporting

It shall be considered a serious violation for any individual to file a false or malicious whistleblower complaint. It shall also be considered a serious violation for an individual to knowingly make false accusations or provide false information during a whistleblower complaint investigation. An individual who is determined to have knowingly participated in such false or malicious conduct may be subject to

disciplinary action to include termination and or other appropriate action, including civil charges being filed.

Reporting

An individual who has knowledge, and clear and convincing evidence of illegal or fraudulent activity, should immediately report the illegal activity. Depending on the severity of the misconduct, the individual may seek internal resolution before contacting the appropriate State or Federal agency. While a report may be made anonymously, doing so may hinder the State or Federal agency's ability to investigate the claim effectively and timely due to lack of information and the inability to gather relevant necessary facts.

Adopted November 16, 2020