

Board Policies

PERSONNEL

326.00 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 a good faith belief regarding suspected unlawful, unethical, fraudulent, unsafe, or otherwise improper conduct involving the College to report this information without fear of retaliation. This policy is intended to be interpreted consistently with applicable federal, state, and local law, including whistleblower and anti-retaliation protections that may apply in a particular circumstance. Good faith means the individual has a reasonable belief that the information disclosed indicates potential wrongdoing, regardless of whether an investigation substantiates the claim.

This policy should be read in conjunction with other applicable College policies, including but not limited to policies on ethics, non-retaliation, discrimination/harassment, and reporting procedures.

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. This policy applies to reports made by or concerning College employees, administrators, students, Board members, volunteers, contractors, vendors, visitors, and other persons who interact with or provide goods or services to the College. Corrective or disciplinary action under this policy applies to College employees and other persons over whom the College has employment, contractual, or institutional authority. Employees are expected to cooperate fully and honestly in any investigation conducted under this policy.

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 reasonably possible consistent with the need to investigate, provide appropriate notice or due process, comply with applicable laws, preserve legal privileges, respond to lawful requests for records, and cooperate with law enforcement, auditing, or regulatory authorities. Nothing in this policy authorizes the disclosure of information that is confidential or privileged under federal law, state law, court rule, FERPA, KORA, personnel-record protections, attorney-client privilege, or other applicable authority.

Retaliation

No individual who, in good faith and without malice, corrupt motive, or intent to defraud or defame, reports suspected misconduct, participates in an investigation, refuses to participate in conduct reasonably believed to be unlawful or fraudulent, or makes a lawful report to an appropriate governmental, law enforcement, auditing, or regulatory authority shall be subject to retaliation or adverse action because of that protected activity, even if the report is not substantiated.

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

Board Policies

PERSONNEL

- Refuses to engage in illegal, dishonest, or fraudulent conduct
- Makes a lawful report to an appropriate governmental, law enforcement, auditing, or regulatory authority

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 is a serious violation of this policy for any individual to knowingly file a false or malicious report, knowingly make false accusations, knowingly provide false information during an investigation, or disclose information with reckless disregard for its truth or falsity.. An individual who is determined to have knowingly participated in such conduct may be subject to corrective or disciplinary action, up to and including termination when applicable, and other appropriate action, which may include referral to law enforcement or pursuit of civil remedies when legally appropriate.

Reporting

An individual who has a good faith concern should promptly report the concern through appropriate an channel, which may include the individual's supervisor, Human Resources, the President, the Board Chair, College legal counsel, any designated College reported system, or another appropriate administrator or official. If the concern involves the individual's supervisor, an administrator, the President, a Board member, or another person who would ordinarily receive the report, the individual may report through any other appropriate channel.

Employees are encouraged, and in certain circumstances may be required, to report suspected misconduct consistent with their job responsibilities and applicable law.

Depending on the nature and severity of the concern, the individual may also report the matter to the appropriate state or federal agency. Nothing in this policy is intended to prevent an individual from reporting concerns directly to an appropriate governmental, law enforcement, auditing, or regulatory agency, and nothing in this policy requires an individual to notify a supervisor or administrator before making such a lawful report.

While a report may be made anonymously, doing so may limit the College's ability to investigate the claim effectively due to lack of information or the inability to obtain additional details.

Investigation

Reports will be reviewed promptly and handled in a manner appropriate to the nature and seriousness of the allegation. The College may designate an appropriate administrator, Human Resources representative, legal counsel, outside investigator, auditor, or other qualified person to review or investigate the report. Employees are expected to cooperate fully and honestly in any investigation conducted under this policy.

Adopted November 16, 2020
Revised September 21, 2026