



Policy Title:	Whistleblower and Retaliation Protections
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Policies Superseded:	PRES-113; UNIV-COMP 456
Policy Management Area(s):	University Compliance

SUMMARY:

Coastal Carolina University, the Board of Trustees, and the University administration are committed to compliance with the laws and regulations to which the University is subject. The University’s own policies, internal controls and operating procedures are intended to deter, prevent and detect fraudulent or dishonest conduct, violations of law, or other wrongdoing. As such, the University has a responsibility to investigate allegations of wrongdoing and will use its best efforts to protect whistleblowers and participants in those investigations against any form of retaliation when such allegations are made, on information is provided, in good faith.

POLICY:

I. DEFINITIONS

- A. Wrongdoing - an action by the University or its employee(s) that results in abuse, misuse, destruction or loss of public funds or public resources. It also includes allegations that a University employee has intentionally violated federal or state statutory law, regulations, or University policies, internal controls and/or operating procedures which is not merely technical or of a minimum nature.
- B. Good Faith Report - an allegation of wrongdoing containing the date, the name of the employee making the report, and the nature of the wrongdoing that allegedly occurred which is made by an individual who honestly believes that the wrongdoing may have occurred.
- C. Baseless allegations - allegations made with disregard for their truth or with willful ignorance of facts that would disprove such allegations.
- D. Investigation participant - a member of the University community who reasonably participates in an investigation conducted by, or at the direction of, the University.
- E. Retaliation - any materially adverse action or threat of a materially adverse action taken by the University, or an employee or student thereof, against a student, faculty member, or staff member for:

- Making a good faith report of wrongdoing, violation of law or policy.
- Reasonably participating in the investigation conducted by, or at the direction of, the University.
- Reasonably objecting to or resisting wrongdoing.
- Being a close associate of someone who makes or may make a good faith report of misconduct.

F. Whistleblower- an individual who, in good faith, informs a supervisor, department head, any member of the University administration or governing board, the University compliance hotline, or other [reporting tool](#) about any potential activities of wrongdoing.

II. SCOPE

This policy applies to all members of our University community, including, but not limited to, students, employees, applicants for employment or admission, visiting scholars, contractors, vendors, University affiliates, volunteers and campus visitors.

III. OVERVIEW

All members of the University community are responsible for reporting possible activities or instances of wrongdoing, waste, fraud, abuse, and/or discrimination. Employees and students of the University are also expected to participate in the investigations of these allegations.

A. Reporting to University authorities

Employees should report concerns to a supervisor, department head any member of the University administration or governing board, the University compliance hotline, or other [reporting tool](#) about any potential activities of wrongdoing. Employees may also make reports to the Office of Human Resources and Equal Opportunity (HREO).

Students not working for the University should report their concerns to the supervisor/department head of the University employee whom they believe to be engaging in such wrongdoing. Students may also make reports regarding employee conduct to HREO.

Coastal Carolina University supervisors and department heads are required to report any concerns brought to them, and any wrongdoing situations they suspect, to HREO.

B. Anonymous reporting

If, for any reason, an individual finds it difficult to report their concerns to the relevant supervisor/department head or to HREO, they may report the matter to the University compliance reporting hotline at secure.ethicspoint.com/domain/en/report_company.asp?clientid=39758&override=yes&agreement=no.

Although individuals may feel most comfortable submitting reports anonymously, doing so limits the University's ability to provide reporting individuals with interim protective measures and may also impair the University's ability to investigate or take disciplinary or other corrective action. If a reporter chooses to use the anonymous hotline, it is helpful to provide as much detail as possible, including the names of those involved and the date of alleged incidents.

C. Investigation participation

It is expected that University employees will reasonably participate in the investigation of allegations of wrongdoing, waste, fraud, abuse, and/or discrimination, as well as investigations into other matters, as deemed necessary by University administration.

IV. PROTECTIONS

A. Whistleblower protection

For whistleblower protection under state law, please see [South Carolina Code of Laws 8-27-10-60](#).

B. Protection from retaliation

1. The University and its employees may not retaliate against a whistleblower, investigation participant or other individual with the intent or effect of adversely affecting individual's employment, including but not limited to dismissal, suspension, demotion, decrease in compensation, terms, conditions, location, or privileges of employment on the basis that:
 - a. The individual, or a person acting on behalf of the individual, makes a good faith report of wrongdoing.
 - b. The individual chooses to or is requested by a public body or court to participate in an authorized investigation, hearing, or inquiry, or a court action.
 - c. The individual participated in an investigation conducted by, or at the direction of, the University.

2. An individual whom the University finds to have taken retaliatory action against a whistleblower or investigation participant acting in good faith is subject to disciplinary action per University policy FAST-HREO 222 Disciplinary Action and Termination for Cause.
3. Exceptions
 - a. An individual is not protected by this policy if their report of alleged wrongdoing or information and/or conduct during the course of an investigation proves to have been made with malice, bad faith or with knowledge that the report/information was false. In such cases, the individual may be subject to disciplinary action.
 - b. Reporting alleged wrongdoing does not protect individuals from academic, employment or other reasonable actions taken for other legitimate reasons.

C. Confidentiality

The University will make every effort to keep the whistleblower and/or investigation participant's identity confidential; however, it cannot guarantee confidentiality under certain circumstances. The identity of the individual will remain confidential, unless that person agrees to be identified; identification is necessary to allow the University or law enforcement to investigate or respond effectively to the report; identification is required by law; and/or the person accused of wrongdoing is entitled to the information as a matter of legal right in disciplinary proceedings.