

DEPAUL UNIVERSITY



Reporting Misconduct & Non-Retaliation Policy

Category: Operations

Responsible Department: Compliance and Risk Management

Responsible Officer: EVP

Effective Date: 03/06/2019

Policy Summary

This policy ties together all university policies and procedures regarding the reporting of misconduct.

Scope

This policy affects the following groups of the University:

- Entire University Community

This policy affects all members of the university community.

Policy

Requirements to Report Misconduct:

Per university policies, employees with supervisory or fiscal responsibility, and in some situations all employees, have a responsibility to report conduct related to university activities and business that they believe may violate laws, university policies or DePaul's Code of Conduct. All members of the DePaul community should familiarize themselves with their reporting obligations under DePaul policies. Community members who are not required to report such conduct are also strongly encouraged to do so.

DePaul University takes allegations of misconduct seriously. There are a number of policies and procedures to guide community members in determining when and how to report misconduct that falls within specific policy guidelines. These are on the [University Policy & Procedures website](#).

No person, including parties and witnesses, who, in good faith, reports or participates in a misconduct investigation at DePaul shall be subject to retaliation or threat of retaliation.

Requirements to Report Child Abuse or Neglect:

The Illinois Abused and Neglected Child Reporting Act (325 ILCS 5) mandates that all university personnel who have reasonable cause to believe that a child under the age of 18 known to them in their professional or official capacity may have been subjected to physical or sexual abuse, may be at risk of physical or sexual abuse, or is being deprived of the proper or necessary care are required by law to immediately report such mistreatment to the Illinois Department of Children and Family Services ("DCFS") by calling DCFS' child abuse hotline at 1-800-25-ABUSE.

This type of mandatory reporting is addressed in the [Crime Reporting and Clergy Act Compliance Policy](#) and the [Protection of Minor Children Policy](#).

Non-Retaliation

No person, including parties and witnesses, who, in good faith, reports or participates in a misconduct investigation at DePaul shall be subject to retaliation or threat of retaliation. Retaliation shall include, but is not limited to, actions taken without legitimate, non-retaliatory business purpose and have a materially adverse effect on a person's employment, advancement, scholarship, performance, habitation, safety, or property.

By definition, any act of retaliation constitutes reportable misconduct. The finding of retaliation, or threat of retaliation, shall constitute a violation of this policy. Any such acts of retaliation in violation of this policy will be subject to appropriate disciplinary action, which may include termination of employment.

False or Purposely Misleading Allegations

DePaul University takes allegations of misconduct seriously. Individuals who knowingly make intentionally false or purposefully misleading allegations of misconduct or retaliation will be subject to appropriate disciplinary action, which may include termination of employment or, in the case of reports made by students, to suspension or dismissal from the University.

Misconduct Reporting Channels

As detailed in the policies on the [University Policy & Procedures website](#), several DePaul offices have the responsibility to accept, track, investigate, and make a determination upon reports of misconduct. A report of misconduct may always be made to the designated office or policy holder.

Reports of misconduct may also be submitted to the Misconduct Reporting Hotline. The Misconduct Reporting Hotline is operated by a third-party provider specializing in the confidential handling of ethics and compliance reports. It is staffed 24 hours per day, every day. The Procedures section below lists each of these channels with contact information.

An individual submitting an allegation of misconduct has the option to identify themselves or be anonymous. Regardless, misconduct reports are accepted through any channel. However, the Misconduct Reporting Hotline is particularly well suited to support anonymous reports. Contacting any DePaul office or the Misconduct Reporting Hotline does not fulfill a mandated reporter's obligation to report suspected child abuse or neglect to DCFS, as described above.

Confidentiality

Reports of misconduct will be treated confidentially and disclosure will be limited to the extent necessary to investigate and resolve the complaint, or as otherwise provided in the applicable policy or permitted by law. Substantiated misconduct will be reported to university leadership.

Procedures

Reporting Alleged Retaliation

Any concerns regarding retaliation should be addressed through managerial channels when appropriate. However, if there is an instance where a manager is part of the alleged retaliation or if the person feels uncomfortable seeking assistance this way, he or she should report the concerns using one of the channels for reporting allegations of misconduct, described below.

Reporting Alleged Misconduct

Individuals seeking to report misconduct can submit their misconduct report to the designated office identified in the applicable policy or through the Misconduct Reporting Hotline (877-236-8390 and www.depaul.ethicspoint.com).

All of the offices listed below can assist individuals in identifying the designated office for specific reports of misconduct.

- Internal Audit: (312) 362-7000 or InternalAudit@depaul.edu
- Title IX Coordinator: (312) 362-8970 or titleixcoordinator@depaul.edu
- Human Resources: (312) 362-7182 or EEO_Investigations@depaul.edu
- Public Safety Office:

Loop Campus: (312) 362-8400

Lincoln Park Campus (773) 325-7777

- Dean of Students: (773) 325-7290
- Office of Research Services: (312) 362-7574
- Office of Compliance and Risk Management: (312) 362-6880 or compliance@depaul.edu

Access to Confidential Counsel

The university Ombudsperson is available to consult confidentially with members of the community and provide advice and counsel about the nature of misconduct and an individual's reporting options. Note that such confidential consultation does not provide notice of alleged misconduct to the university and does not satisfy an individual's reporting responsibility.

- Office of the Ombudsperson: (312) 362-8707

Misconduct Report Management and Processing

Misconduct reports made to a DePaul office will either be investigated by that office or referred by that office to another DePaul office for investigation if the nature of the allegation better fits the responsibilities and/or expertise of the other office. Misconduct reports made to the Misconduct

Reporting Hotline generally utilize the following process, detailed in a flowchart in the Appendix. Every complaint is based on its own facts and circumstances, which can impact the course of the investigation of the report.

1. Upon receipt of a misconduct report by the Misconduct Reporting Hotline, the hotline provider issues a confidential report to DePaul's Office of Compliance and Risk Management (C&RM).
2. C&RM will promptly forward the report, accompanied by the C&RM recommendation on how to respond to the Misconduct Reporting Triage Team. The recommended response identifies the office leading the response. The Misconduct Reporting Triage Team comprises representatives from the following offices:

Academic Affairs
Compliance and Risk Management
General Counsel
Human Resources
Internal Audit and
Student Affairs.

3. The Triage Team has the option to include representatives from other areas (for example, Public Safety or Athletics) to participate in a review on an as-needed basis.
4. The Misconduct Reporting Triage Team, as a group, will promptly determine whether to proceed with the recommendation or develop another plan for response, including identifying the office to lead the response.
5. Any resulting inquiries, investigations, and determinations will then proceed according to established policies and procedures.

For misconduct reports submitted anonymously on the Misconduct Reporting Hotline, C&RM will facilitate any hotline-based interactions between the investigator and the complainant. These interactions include the investigator requesting additional information from the complainant and documenting the determination.

A report on the Misconduct Reporting Hotline is provided for each meeting of the Audit Committee of the Board of Trustees. This report is a summary, with status, of each misconduct report that was submitted since the previous report or pending resolution in the previous report.

Divisional Collaborations

Academic Affairs
Compliance and Risk Management
Internal Audit
Office of Human Resources
Office of the General Counsel
Office of Research Services
Student Affairs

Contact Information

Compliance and Risk Management
55 East Jackson Boulevard, 8th Floor
(312) 362-6880
compliance@depaul.edu

Appendices

[Hotline Reporting Flow Chart](#)

History/Revisions

Origination Date: 01/08/2007
Last Amended Date: 03/06/2019
Next Review Date: N/A