**Reporting Suspected Legal, Regulatory or Policy Violations**

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| --- | --- |
| **Subject** | Personnel |
| **Effective Date** | [Month Year] [Date of creation or revision; review date follows in 3 years] |
| **Campus Authority** | MSU Legal Counsel |  |

**Scope**

This policy applies to the following MSU campuses:

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| MSU-Billings | MSU at Bozeman |
| Great Falls College MSU | MSU-Northern |

**100.00 Introduction and Purpose**

Montana State University encourages all faculty, staff, students, and volunteers, acting in good faith, to report suspected legal, regulatory or policy violations. The university is committed to protecting individuals from retaliation for making a good faith report. A good faith report means an allegation made with the honest belief that legal, regulatory or policy violations may have occurred. A false allegation is a report that is made with reckless disregard for or willful ignorance of facts that would disprove the allegation.

This policy is intended to protect any individual who reports suspected legal, regulatory or policy violations in good faith to a designated university official or through appropriate electronic reporting structures (e.g., MSU Compliance Hotline; State of Montana Fraud, Waste and Abuse Hotline).

This policy:

* Encourages individuals to report suspected legal, regulatory or policy violations engaged in by others to the appropriate university official so that prompt, corrective action can be taken by the university,
* Informs individuals how allegations of wrongful conduct can be disclosed,
* Protects individuals from reprisal by adverse employment action or other retaliation as a result of having reported suspected legal, regulatory or policy violations (individuals who self report their own misconduct are not afforded protection by this policy).

**200.00 Policy**

**200.10** **Acting in good faith.** Anyone reporting suspected legal, regulatory or policy violations must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of law, regulation or policy.

**200.20 Anonymous reports.** Anonymous reports must provide sufficient corroborating evidence to justify the commencement of a review. A review of unspecified wrongdoing or broad allegations may not be undertaken without verifiable evidentiary support. Since reviewers are unable to interview anonymous reporters, it may be more difficult to evaluate the credibility of the allegations and therefore, less likely to cause a review to be initiated.

The university may not take action on anonymous reports of research misconduct.

**200.30 Retaliation.** No individual who reports suspected legal, regulatory or policy violations in good faith will suffer harassment, retaliation, or adverse employment consequences because they made the report. Any person who retaliates against any individuals because they made a report may be subject to disciplinary action, up to and including termination.

**200.40 False allegation.** Any employee or volunteer who knowingly or with reckless disregard for the truth gives false information or knowingly makes a false report of wrongful conduct or a subsequent false report of retaliation may be subject to disciplinary action, up to and including termination. Any student who makes false allegations in the non-employment setting will be subject to charges under the student conduct code. Allegations that are not substantiated yet are made in good faith are not subject to corrective action.

**200.50 Confidentiality.** Reports may be made on a confidential basis by the complainant or may be submitted anonymously through the university’s reporting line. Reports and review records will be kept confidential to the extent possible, consistent with the need to conduct an adequate review, and in accordance with Montana law.

**200.60 Legitimate employment decisions.** Nothing in this policy is intended to interfere with legitimate employment decisions unrelated to the employee’s submission of a good faith report.

**300.00 Procedures**

**300.10 Reporting Legal, Regulatory and Policy Violations.** Individuals should share their questions, concerns, suggestions, or complaints with a university administrator who can address them properly. In many cases the individual’s supervisor is in the best position to address an area of concern. If an individual is not comfortable speaking with the supervisor, or is not satisfied with the supervisor’s response, individuals should take their concerns to the offices listed below that will review and/or address the concern as appropriate.

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| --- | --- | --- | --- | --- |
|  | **MSU at Bozeman\*** | **MSU-Billings** | **MSU-Northern** | **Great Falls College MSU** |
| **Academic matters** | Office of the Provost994-4371 | Office of the Provost 657-2367 | Office of the Provost 265-3726 | Chief Academic Officer771-4397 |
| **Non-academic student conduct matters** | Office of the Dean of Students 994-2826 | Office of the Vice Chancellor for Student Affairs 657-2307 | Office of the Dean of Student Engagement265-4113 | Associate Dean of Student Services771-5133 |
| **Accounting and financial** | Inst. Audit & Advisory Services994-7035 | Office of Vice Chancellor for Administrative Services 657-2155 | Office of the Vice Chancellor for Finance & Admin265-3733 | Chief Financial Officer771-4321 |
| **Athletics** | Senior Associate AD for Compliance994-3947 | Office of the Athletic Director 657-2369 or Office of the Chancellor 657-2300 | Office of the Athletic Director265-4109 | N/A |
| **Discrimination or harassment** | Office of Inst. Equity994-2042 | Office of Human Resources 657-2278 | Office of Human Resources265-4147 | Executive Director of Human Resources771-5123 |
| **Health and safety** | Safety and Risk Management994-7870 | Risk Manager and Safety Coordinator 657-1724 | Office of Human Resources265-4147 | Chief Financial Officer771-4321 |
| **Human resources** | Office of Human Resources994-3651 | Office of Human Resources 657-2278 | Office of Human Resources265-4147 | Executive Director of Human Resources771-5123 |
| **Information security and technology** | Enterprise Security Group994-7930 | Office of the Chief Information Officer 247-5750 | Office of the Chief Information Officer265-4100 | Chief Information Officer771-4331 |
| **Research** | Office of Research Compliance994-6757 | Office of Research and Sponsored Programs 657-2364 | Office of the Provost265-3726 | N/A |
| \*Including MSU Extension, Montana Agricultural Experiment Station and Fire Services Training School. |

**300.20 MSU Compliance Hotline.** An alternative method to report concerns specific to the following areas is to contact the MSU Compliance Hotline at [www.msucompliancehotline.ethicspoint.com](http://www.msucompliancehotline.ethicspoint.com):

* Accounting and financial
* Athletics
* Discrimination or harassment
* Health and safety
* Human Resources
* Information security and technology
* Research.

The MSU compliance hotline is **not** to be used for reporting the following:

* Academic matters
* Non-academic student conduct matters.

**300.30 Reporting retaliation.** Individuals who believe they have been subject to retaliation for reporting suspected legal, regulatory or policy violations should contact their campus human resources office.

**400.00 Resources**

**400.10 How to report fraud, waste or abuse to the State of Montana’s Legislative Auditor.**

<http://leg.mt.gov/css/audit/Fraud%20Hotline/fraud_hotline.asp>

**500.00 References**

**500.10 Fiscal Misconduct Policy.** <http://www2.montana.edu/policy/fiscal_misconduct/>

**600.00 Definitions**

**University** Refers to any and all campuses, agencies, departments, or entities within the Montana State University sub-system.

**700.00 Revision History**

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| --- | --- |
| **Date** | **Revisions** |
| MM/DD/YYYY | Revisions |