

Reporting of Suspected Violations of Law or University Policy

Summary of Policy

This policy governs the reporting and investigation of suspected violations of law or University policy (“Improper Activities”) and the protection of the reporters from retaliation. It describes the procedures for investigating known or suspected Improper Activities and addressing complaints of retaliation for raising such issues.

Policy

The University has a responsibility to investigate all allegations of Improper Activities and to protect anyone who, in good faith, report these activities. In addition, the University may choose to report allegations of suspected Improper Activities to third parties, including law enforcement.

Application

This policy applies to any person who suspects improper activities by a member of the Clark Community. For purpose of this policy, a “member of the Clark Community” includes employees, including faculty, trustees, students, officially appointed members of alumni groups, and the employees of vendors.

A. Filing a Report of Suspected or Improper Activities

1. Members of the University community who suspect that Improper Activities have occurred are expected to report those activities, and may do so anonymously.
2. A report of an improper activity may be submitted to any or all of the following resources:
 - a. The appropriate administrator or supervisor within the department where the suspected improper activity took place;
 - b. The Executive Vice President or their designee;
 - c. The Chair of the Audit Committee of the Board of Trustees (c/o Trustee Office, Clark University); or
 - d. The Clark Reports Hotline (administered by an independent third-party) can be accessed by going to report.syntrio.com/clarku

If the report is received orally, the recipient should prepare a written summary and ask the reporter to confirm the contents of the summary. If the report is received via the Clark Reports Hotline, that vendor will transmit the information provided. The link to the hotline can be found on the footer of the Clark University website by clicking the “Report a Concern.”

3. The University will keep the reporting person’s identity confidential, unless (1) the person agrees to be identified; (2) The President, Executive Vice President determines

that identification is necessary to investigate the report or (3) identification is required by law.

4. The University may enlist outside legal, accounting or other advisors, as appropriate, to investigate reports of Improper Activities. The result of the investigation will generally be kept confidential and the reporting person will not necessarily be apprised of the result of the investigation. Clark reserves the right to share the result of investigation publicly when it is the best interest of the University to do so.
5. An annual report will be made to the Audit Committee of the Board of Trustees regarding the number of reports submitted pursuant to this Policy and the resolution of those reports.

B. Protection from Retaliation

A member of the Clark Community may not: (1) retaliate against anyone who has made a report under this policy, nor (2) directly or indirectly use or attempt to use the official authority or influence of his or her position for the purpose of interfering with a protected disclosure to the University or with anyone involved in the investigation.

Any university employee who believes he or she has been subjected to retaliation under this policy should report such conduct to the senior official in the employee's area. Any employee who receives a report alleging retaliation, or who otherwise is aware of retaliatory conduct, is required to share the report with the Director of Human Resources. The employee may also report the conduct directly to the Executive Vice President, the President, the Chair of the Audit Committee of the Board of Trustees or via the Clark Reports Hotline.

Any non-employee who believes she or he has been subject to retaliation may report the conduct to the Executive Vice President, the President, the Chair of the Audit Committee of the Board of Trustees or via the Clark Reports Hotline.

C. Questions

Questions about this policy and its applicability may be addressed to the Executive Vice President.

D. Distribution and Communication

This policy is included in and incorporated directly and by reference in faculty, staff and student handbooks. This policy, as well as a link to the "Clark Reports" Hotline shall be posted on the website and shared with the Clark community at least annually.

E. Retention

Reports made pursuant to this policy and the documents related to the resolution of those reports shall be maintained as follows:

1. For matters involving employees, the records should be maintained as part of the employee's individual file and retained according to the applicable Document Retention Schedule, currently the length of time the employee is employed, plus ten years.
2. For matters involving non-employees, the records should be maintained consistent with the applicable Documents Retention Schedule following the completion of the investigation, which is currently set at ten years. In the event there is an additional investigation involving the same party, the records of all prior investigations shall be maintained for ten years following the completion of any subsequent investigations.

History/Revision Information

Approved By: Audit & Strategic Risk Committee

Date: April 30, 2021

Last Amended Date: May 20, 2022, August 27, 2024

Next Review Date: May 31, 2025