



Policy Title: **Whistleblower Policy**

Policy Number: PS 998

Purpose of Policy: To establish a policy to encourage the University's directors, officers, employees, and volunteers ("Covered Individuals") to report what they, in good faith, believe to be suspected misconduct, dishonesty, and fraud and to protect the person making the report i.e. "whistleblower" from retaliatory action.

Applies to: All BU Officers, Board Members, and Employees

Policy Statement:

1. **Purpose:** Bellevue University (the "University") is committed to lawful and ethical behavior in all of its activities and requires its directors, officers, employees, and volunteers to act in accordance with all applicable laws, regulations, and policies in the conduct of their duties and responsibilities. The purpose of this Whistleblower Policy ("Policy") is to encourage the University's directors, officers, employees, and volunteers ("Covered Individuals") to report what they, in good faith, believe to be suspected misconduct, dishonesty, and fraud and to protect the person making the report i.e. "whistleblower" from retaliatory action.
2. **Activities To Be Reported:** The University encourages Covered Individuals to report suspected violations of law, violations of University policies or other misconduct, dishonesty or fraud. Acts of misconduct, dishonesty, and fraud include, but are not limited to, the following:
  - a. Theft, misuse or other misappropriation of University assets;
  - b. Improper records destruction;
  - c. Providing false or misleading information or withholding information;
  - d. Unethical activities,
  - e. Forgery or alteration of documents; and

- f. Concealing any of the above actions.

### 3. **Reporting Procedure**

- a. Covered Individuals may submit a report to the President. If the Covered Individual is not comfortable reporting to the President, or if he/she does not believe the issue is being properly addressed, the Covered Individual may submit a report directly to the Chairman of the University's Board of Directors.
- b. The whistleblower shall not conduct his/her own investigation prior to making a report. The role of the whistleblower is to report suspected improper activity based on evidence the whistleblower has a legal right of access to.
- c. Reports may be submitted anonymously to the extent permitted by law. It is essential that anonymous reports contain as much specific information as possible to justify the commencement of an investigation. An investigation of unspecified wrongdoing or broad allegations will not be undertaken without verifiable evidentiary support. In addition, since investigators are unable to interview anonymous whistleblowers, it may be more difficult to evaluate the creditability of the allegations and therefore, less likely that an investigation will be commenced.

### 4. **Handling Of Reported Violations**

- a. **Investigation:** Following the receipt of a report, the President (or Chairman) will determine in good faith whether an investigation should be commenced based on the facts provided. If an investigation is deemed appropriate, employees of the University and/or outside legal, accounting or other advisors, as appropriate, may be used to conduct the investigation. All relevant documents will be reviewed during the investigation, including, but not limited to, physical documents, emails, Internet browser histories, voice mail messages and electronically or magnetically stored information. Such information may be located on a computer, server, email account, hard drive, electronic/magnetic storage device, or mobile communication device. Individuals who may have knowledge or relevant information will be interviewed. Reasonable efforts shall be made to protect the confidentiality and anonymity of the Covered Individual during the investigation.
- b. **Report to Whistleblower:** Any whistleblower that does not file anonymously shall receive one or more reports which provide such Covered Individual with the following:
  - i. Confirmation that their report was received;
  - ii. An explanation of how the matter will be dealt with;

- iii. An estimate of the time that it will take for a final response;
  - iv. A statement regarding whether initial inquiries have been made;
  - v. A statement regarding whether a further investigation will follow, and if not, why; and
  - vi. Subject to legal constraints, information about the outcome of any investigation.
- c. **Document Retention**: The University shall retain, as a part of its records, all reports for a period consistent with its document retention policy.
5. **No Retaliation**: This Policy is intended to encourage and enable Covered Individuals to raise serious concerns within the organization for investigation and appropriate action. With this purpose in mind, no Covered Individual who, in good faith, makes a report under this Policy shall be threatened, discriminated against, or otherwise subject to retaliation or, in the case of an employee, subject to adverse employment consequences as a result of such report. Moreover, a volunteer or employee who retaliates against someone who has reported a concern in good faith is subject to discipline up to and including dismissal from the volunteer position or termination of employment.
6. **Good Faith**: A whistleblower must act in good faith and have reasonable grounds for believing the matter raised is illegal, in violation of University policy or involves other acts of misconduct, dishonesty, or fraud. Making allegations that prove to be unsubstantiated, or made maliciously, recklessly, with gross negligence, or with the foreknowledge that the allegations are false will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal from the volunteer position or termination of employment. Depending on the circumstances, such conduct may also give rise to other action, including civil or criminal lawsuits.
7. **Confidentiality**: Reports of violation of law, violation of University policies, and other acts of misconduct, dishonesty and fraud, and investigations pertaining thereto, shall be kept confidential to the extent possible. However, consistent with the need to conduct an adequate investigation, the University cannot guarantee complete confidentiality. Disclosure of information relating to an investigation by University employees, directors, or others involved with the investigation to individuals not involved in the investigation will be viewed as a serious disciplinary offense and, with respect to University employees, may result in discipline, up to and including termination of employment. Depending on the circumstances, such conduct may also give rise to other action, including civil or criminal lawsuits.
8. **Board Certification**: The foregoing Whistleblower Policy was duly adopted by the Board of Directors on October 30, 2009.

---

Supporting Documentation: Not applicable

Keywords: whistleblower, reporting, retaliation

Responsible Office: Board of Directors

Contact Information: Board of Directors  
402-557-7002

Approved by: Board of Directors

Effective Date: September 1, 2018

Review Cycle and Dates: This policy statement repeals and replaces previous versions of PS 990-8, dated November 1, 2009.

APPROVED:

/signed/  
Elizabeth Murphy, BOD Secretary

8/14/2018  
Date