

Reporting Suspected Legal, Regulatory or Policy Violations

Subject:

Personnel

Effective date:

May 7, 2014

Revised date:

N/A

Review date:

September 18, 2022

Campus Authority:

MSU Legal Counsel

Scope

This policy applies to the following MSU campuses:

- 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.

Type of Violation	MSU at Bozeman*	MSU-Billings	MSU-Northern	Great Falls College MSU
Academic matters	Office of the Provost	Office of the Provost	Office of the Provost	Chief Academic Officer
Non-academic student conduct matters	Office of the Dean of Students	Office of the Vice Chancellor for Student Affairs	Office of the Dean of Students	Chief Student Affairs Officer
Accounting and financial	Office of Audit Services	Office of Vice Chancellor for Administrative Services	Office of the Vice Chancellor for Administration and Finance	Director of Operations
Athletics	Senior Associate AD for Compliance	Office of the Athletic Director or Office of the Chancellor	Office of the Athletic Director	N/A
Discrimination or harassment	Office of Institutional Equity	Office of Human Resources	Office of Human Resources	Chief Human Resources Officer
Health and safety	Safety and Risk Management	Risk Manager and Safety Coordinator	Office of Human Resources	Director of Operations
Human resources	Office of Human Resources	Office of Human Resources	Office of Human Resources	Chief Human Resources Officer
Information security and technology	Information Security Group	Chief Information Officer	Information Technology Services	Chief Technology Officer

Research	Office of Research Compliance	Office of Grants and Sponsored Programs	Office of the Provost	N/A
*Including MSU Extension, Montana Agricultural Experiment Station and Fire Services Training School.				

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.

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:

- 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. <https://leg.mt.gov/lad/fraud-hotline/>

500.00 References

500.10 Fiscal Misconduct Policy. https://www.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.