

<p>The University of North Texas at Dallas Policy Manual</p>	<p>Chapter 4</p>
<p>4.013 Employee Responsibilities and Rights under the Institutional Compliance and Ethics Program</p>	<p>Administration</p>

Policy Statement. The University of North Texas at Dallas is committed to a culture that encourages ethical conduct and compliance with applicable laws, policies, System Regulations and Regents Rules; prevents and detects wrongdoing; and protects employees and agents who exercise their rights under the university’s Compliance and Ethics Program. Employees are expected to conduct official business with the highest standards of ethics, honesty, and integrity.

Application of Policy. Total University

Definitions.

1. **Good Faith.** “Good Faith Report” means a reasonable belief that conduct violates law, Regents Rule, System Regulation or UNTD policy based on the reporting individual’s training and experience.

2. **Management Official.** “Management official” means an individual who has supervisory responsibilities over one or more faculty or staff employees; exercises substantial discretionary authority when acting within the course and scope of employment; or acts as an agent on behalf of UNTD.

3. **Misconduct.** “Misconduct” means wrongdoing as described in Regents Rule 04.1100, including any action or a knowing failure to act that results or has potential to result in fraud, waste, abuse, illegal activity, financial misstatements, accounting irregularities, or violations of federal or state laws, Regents Rules, System regulations or UNTD policy.

Retaliation. “Retaliation” means any action, treatment or condition likely to dissuade a reasonable person from reporting or causing to report, or from participating in an investigation of suspected misconduct or a related proceeding, including an action that affects an individual’s enrollment or business relationship, or an employee’s compensation, promotion, transfer, work assignment, or performance evaluation.

Procedures and Responsibilities.

1. **Employee Responsibilities.**

All employees of the University are required to:

- a. comply with federal and state laws, Regents Rules, System regulations and University policies as a condition of employment;
- b. promptly report suspected misconduct and other compliance failures;
- c. participate in periodic training related to institutional compliance and ethics and compliance topics that relate directly to their job functions; and
- d. avoid conduct that could be perceived as retaliating against an employee who reports suspected misconduct or other compliance failures, participates in a compliance investigation, or seeks assistance from the Compliance and Ethics Program.

Responsible Party: All Employees

2. Management Official Responsibilities.

University management officials, in addition to fulfilling their responsibilities as UNTD employees, are expected to:

- a. know federal and state laws, Regents Rules, System regulations and University policies that apply to their operational unit and to the employees they supervise;
- b. inform employees they supervise of the specific regulatory requirements, Regents Rules and University policies that apply to their job functions;
- c. insure employees they supervise receive the training necessary to comply with the law, Regents Rules, System regulations and University policies; and
- d. implement and enforce the Compliance and Ethics Program in their operational units.

Responsible Party: Management Officials

3. Employee Rights under the Compliance and Ethics Program

University employees have the right to:

- a. seek guidance and advice from the UNTD Institutional Compliance and Ethics Program;
- b. report suspected misconduct and other compliance failures;

- c. participate in internal and external investigations of suspected misconduct and other compliance failures, and shall be excused from work during regular business hours to participate in official investigations conducted by UNTD, the UNT System or an authorized federal, state or local authority; and
- d. protection from retaliation for reporting suspected misconduct and other compliance failures, participating in an internal or external investigation described above, or seeking guidance or advice under the UNTD Institutional Compliance and Ethics Program.

4. **Reporting Suspected Misconduct.**

- a. Anonymous Reporting (Hotline). Employees may fulfill their reporting obligation anonymously through the university compliance hotline. When making an anonymous report, employees should provide sufficient information to allow the Compliance Office to investigate the suspected violation.
- b. Other Reporting Options. Employees also may report suspected misconduct to the UNTD Compliance Officer, the UNT System Internal Auditor, their immediate supervisor, the appropriate University administrative authority, state or federal agency responsible for monitoring compliance with a particular function or law, or a law enforcement agency with authority to address the suspected failure. University administrative authorities include the Equal Employment Opportunity Officer, Human Resources Representative, Vice Presidents, academic administrators and other management officials. Employees are not expected to report suspected misconduct or other compliance failures to their supervisor(s) when they suspect the supervisor(s) of the violation and should report the suspected violation to an official or agency described in this section.
- c. Voluntary Self-Reporting. Employees are encouraged to voluntarily report misconduct or other compliance failures for which they may be personally responsible. Employees who self-report do not avoid responsibility for their actions, but self-reporting may mitigate any disciplinary action imposed.

Responsible Party: All Employees

5. **Confidentiality.**

Information that directly or indirectly reveals the identity of an individual who reports suspected misconduct or a compliance failure, who participates in an authorized compliance investigation, or who seeks assistance from the Compliance and Ethics Program, is confidential and shall not be disclosed without the individual's consent except as authorized by state or federal law. Except, this information may be provided to a law enforcement agency or prosecutor, a governmental agency responsible for investigating

the matter that is the subject of the report, or an officer or employee of the University or UNT System Administration who is responsible for the matter that is the subject of the investigation or for reviewing a compliance investigation.

Responsible Party: Office of Institutional Compliance

6. False Reporting.

An employee who knowingly makes a false report under this policy or gives false information during an investigation is subject to disciplinary action, including termination. An employee knowingly makes a false report or provides false information when the employee is aware that the action or decision that is the subject of the report did not occur, or, that the person or persons the employee reports as being responsible for the violation did not engage in the reported action or decision.

Responsible Party: All Employees

7. Sanctions.

Any individual who violates this policy, including engaging in retaliation or knowingly disclosing confidential information as described in this policy, is subject to disciplinary or corrective action, including termination of employment or business relationship with UNTD. Anyone who retaliates in violation of this policy shall be subject to disciplinary action including dismissal. Any supervisory employee who suspends, reassigns, denies a salary increase, terminates or takes any other adverse personnel action against an employee who makes a good faith report under this policy is subject to a civil penalty up to \$15,000, which shall be paid by the employee and not the university as set out in the Texas Whistleblower Act.

Responsible Party: Office of Institutional Compliance

References and Cross-references.

Regents Rule 04.1100 – Reporting Suspected Wrongdoing

Regents Rule 04.502 – Compliance

UNT Dallas Policy 4.012, Reporting Suspected Wrongdoing

UNT Dallas Policy 5.007, Employee Ethics and Standards of Employee Conduct

UNT Dallas Policy 5.008, Political Activity

Texas Government Code, Ch. 554

Texas Education Code, §51.971

Texas Education Code § 51.9761

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