

CLEMSON UNIVERSITY

Whistleblower Policy

I. General Policy

Clemson University is responsible for the proper use of its resources and the public and private support that enables it to pursue its mission. The University is committed to conducting its affairs in accordance with applicable laws and regulations, University policies and procedures, and high ethical standards.

In accordance with South Carolina State Law (Title 8 - Public Officers and Employees, Chapter 27 - EMPLOYMENT PROTECTION FOR REPORTS OF VIOLATIONS OF STATE OR FEDERAL LAW OR REGULATION), this policy confirms that any person who makes a “good faith” allegation about misconduct, including violations of law, regulations or University policies and procedures will not be subject to retaliation by the University or anyone within its control.

II. Scope

This policy applies to any person making a good faith effort allegation of misconduct against the University.

III. Definitions

- A. *Respondent* means the person against whom an allegation of misconduct is directed or the person whose actions are the subject of inquiry.
- B. *Allegation* means any written statement or oral report to the Internal Audit hotline or to other defined misconduct reporting mechanisms of possible misconduct, including violations of law, regulations or University policies and procedures.
- C. *Good faith allegation* means an allegation made with the honest belief that misconduct may have occurred. An allegation is not in good faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the allegation.
- D. *Complainant* means any person who, in good faith, reports an allegation or provides information during an investigation into an allegation of misconduct.
- E. *Retaliation* means any action that adversely affects the employment or other institutional status of an individual that is taken by an institution or an employee because the individual has in “good faith”, made an allegation of misconduct or has cooperated in good faith with an investigation of such allegation.

IV. Reporting Allegations of Misconduct

A. Responsibility to Report Misconduct

All employees, individuals or committees associated with CU have an obligation to report observed, suspected, or apparent misconduct to the Office of Internal Auditing without delay.

B. Filing a Report

Reports of allegations are encouraged to be made in writing so that there is a clear understanding of the issues raised. Oral reports may be made to the University's Fraud and Compliance Hot Line toll free at (877) 503-7283. The hotline is available 24 hours a day, 7 days a week. Reports may be made anonymously, but must include sufficient corroborating evidence to justify initiating an investigation. Reports should focus on facts, and avoid speculations and drawing conclusions.

C. Confidentiality

The University will undertake reasonable and practical efforts to protect the confidentiality of those persons who, in good faith, report an allegation of misconduct. Complainants should be advised that if the matter is referred to an investigation committee and the Complainant's testimony is required, anonymity may no longer be guaranteed.

The identity of the respondent shall be maintained in confidence subject to the same limitations as stated above.

D. Reporting Retaliation

Under *South Carolina Employment Protection for Reports of Violations of State and Federal Law or Regulation*, the University will ensure that those persons who, in good faith, report an allegation of misconduct will not be subject to retaliation in the terms and conditions of their employment or other status at the University and will review instances of alleged retaliation for appropriate action. Complainants should immediately report any alleged or apparent retaliation to the Office of Internal Audit or University's Fraud and Compliance Hot Line toll free at (877) 503-7283.

A person who retaliates against someone who has made a report in good faith under this Policy is subject to disciplinary action, up to and including dismissal from the University.

E. Allegations Not Made in Good Faith

A Complainant who makes an allegation that was not made in good faith, or knows or has reason to know that such allegation is false or materially inaccurate, shall be subject to disciplinary action, up to and including dismissal from the University. In appropriate cases, the University may also impose a fine on the Complainant equal to the costs of conducting the investigation.