



# UNIVERSITY OF SAN FRANCISCO

## Whistleblower Policy

### I. Policy Statement

The University of San Francisco recognizes its obligation to its employees and constituents to maintain the highest ethical standards. To protect the integrity of the University's learning community, and to ensure the highest standards of conduct by and among members of the University community, the University will investigate any alleged Improper Activity by its employees or students. Anyone found to have engaged in an Improper Activity is subject to disciplinary action by the University up to and including dismissal or expulsion, and civil or criminal prosecution when warranted.

All members of the University community are strongly encouraged to report any potential Improper Activity. The preferred method of reporting any issue of concern is for the employee to first discuss the issue with his or her supervisor. Alternatively, reports of suspected Improper Activity may be made to Human Resources, General Counsel, or Internal Audit.

Additionally, in response to industry best practices, and the University's attempt to voluntarily comply with pertinent provisions of the Sarbanes-Oxley Act of 2002, the University has contracted with EthicsPoint, a third-party vendor, to administer its anonymous whistleblower hotline. Constituents of the University may report a potential Improper Activity anonymously through the [University's whistleblower hotline](#) or by calling **800-316-4315**.

The University will not tolerate any: (i) retaliatory actions against any employee or constituent for making a good faith report of a potential Improper Activity; or (ii) direct or indirect use or attempted use of the Official Authority or Influence of an employee's position or office for the purpose of interfering with the rights of another employee or constituent to make a Protected Disclosure directly to the University or anonymously through the University's whistleblower hotline.

The University will take whatever action necessary to prevent and correct violations of this Whistleblower Policy; notwithstanding the foregoing, any individual who files a Baseless Allegation shall not be protected under this policy.

### II. Scope of Policy and Definitions

This Whistleblower Policy shall apply to any Retaliation Complaint filed by employees or constituents who have made or attempted to make a Protected Disclosure or refused to obey an Illegal Order.

The University's Whistleblower Policy shall incorporate the following definitions:

**Baseless Allegation:** Any allegation made with reckless disregard for its truth or falsity. Individuals making such allegations may be subject to institutional disciplinary action and/or legal claims by individuals wrongfully accused of such conduct.

**Illegal Order:** Any directive to violate or assist in violating any applicable federal, state, or local law, rule, or regulation.

**Improper Activity:** Any activity undertaken by a University employee which is in violation of any applicable local, state, or federal law or regulation, or University policy or procedure, including, but not limited to, those relating to: corruption; malfeasance; bribery; theft; fraud; coercion; conversion; or misappropriation or misuse of assets.

**Interference:** Direct or indirect use of authority to obstruct an individual's right to make a Protected Disclosure.

**Official Authority or Influence:** Promising to confer or conferring, any benefit; effecting or threatening to effect, any reprisal; taking, or directing others to take, or recommending, processing, or approving, any personnel action, including, but not limited to, appointment, promotion, transfer, assignment, performance evaluation, suspension, or other disciplinary action.

**Protected Disclosure:** Any good faith communication that discloses or demonstrates an intention to disclose an alleged Improper Activity.

**Retaliation Complaint:** Any written complaint by an employee or constituent which alleges retaliation for having made a Protected Disclosure or for having refused an Illegal Order or Interference with an attempt to make a Protected Disclosure, together with a statement that the contents of the complaint are true or are believed by the complainant to be true.

### III. Filing a Retaliation Complaint

A Retaliation Complaint may be filed under: (i) any applicable grievance or complaint resolution procedure contained in any applicable collective bargaining agreement, or (ii) with the Office of Human Resources. Any Retaliation Complaint will be carefully investigated and appropriate action will be taken. Threshold requirements for filing a Retaliation Complaint are described below in Section C.

#### 1. Filing Pursuant to an Applicable Grievance or Complaint Resolution Procedure A

Retaliation Complaint may be timely filed pursuant to any applicable collective bargaining agreement grievance or complaint resolution procedure. The individual designated to receive grievances pursuant to a collective bargaining agreement shall provide the Office of the General Counsel with a copy of any Retaliation Complaint at the address listed in Section IV. of this Whistleblower Policy.

#### 2. Filing a Complaint with the Office of Human Resources

A written Retaliation Complaint may be filed directly with the Office of Human Resources. A Retaliation Complaint filed with the Office of Human Resources should be filed as soon as possible after any alleged act or threat of Interference or retaliation.

If a complaint received by the Office of Human Resources is eligible for review under an existing grievance or complaint resolution procedure, and the complainant also elects to file under an applicable grievance or complaint resolution procedure, the Office of

Human Resources will, to the extent reasonably practical, attempt to consolidate these complaints.

### 3. Filing Requirements and Thresholds

Any Retaliation Complaint filed under this Whistleblower Policy must be made in writing and set forth in sufficient detail the necessary facts and circumstances, including dates and names of relevant persons and the alleged retaliatory acts. In order for a Retaliation Complaint to be accepted for review by the University, the complainant must allege that:

1. He or she filed a report or made a Protected Disclosure alleging an Improper Activity;
2. He or she was threatened, coerced, commanded, or prevented by intimidation from filing a report alleging an Improper Activity; or
3. He or she refused to obey an Illegal Order.
4. Corrective Action

The University will take whatever action necessary to prevent and correct violations of this Whistleblower Policy; such action shall be in accordance with applicable laws and regulations, University policies and procedures, and any applicable collective bargaining agreements.

## IV. Questions

Any questions about the University's Whistleblower Policy may be directed to:

### **Dominic L. Daher**

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This Whistleblower Policy shall be effective as of the date of its enactment by the President's Cabinet.

Adopted by the President's Cabinet August 3, 2005. Updated October 26, 2020. Updated October 23, 2023.