Reporting Misconduct and Protection from Retaliation

Policy Number	2-700.2
Responsible Authority	Associate Vice President, Deputy Chief Compliance and Ethics Officer
Initiating Authority	Vice President, People and Workplace Experience
Effective Date	7/7/2023
Date of Origin	9/3/2014

APPLICABILITY/ACCOUNTABILITY

This policy applies to all members of the university community, including individuals and companies that conduct business with the university.

POLICY STATEMENT

The University of Central Florida is committed to a culture of integrity, compliance, and accountability that encourages the highest standards of ethical behavior. Members of the university community are therefore expected to conduct all university activities and business in an honest, ethical, and lawful manner. When members of the university community become aware of or have reason to suspect university activities and business are not conducted according to these expectations, UCF expects members of the university community to make good faith reports of suspected misconduct.

Because the university expects all reports of misconduct to be made in good faith, an individual who knowingly makes a false report or provides false information during an investigation may be subject to disciplinary action up to and including termination.

Retaliation against anyone who, in good faith, reports misconduct, or who participates in an investigation of misconduct, is strictly prohibited. The university will take all reasonable and necessary actions to protect members of the university community who have filed good faith reports of misconduct. Disciplinary action resulting from self-reported misconduct is not considered to be an act of retaliation. Attempting to coerce, intimidate, or tamper with a participant (witness) of an investigation is prohibited and may be considered retaliation.

It is prohibited under this policy for an individual to engage in identifiable actions with the intention of preventing or deterring a reasonable person, who is aware of such actions, from submitting a report of potential misconduct or participating in a misconduct investigation.

Individuals should not investigate suspected misconduct on their own but should submit a report of potential misconduct using the options described in the Procedures section below. This does not prevent supervisors or central offices who receive concerns related to their offices from evaluating those matters.

Failure to cooperate with University Compliance and Ethics or providing false information in an investigation could result in disciplinary action up to and including termination.

DEFINITIONS

Good Faith Report. A report of suspected misconduct made without malice to a supervisor, through central or administrative offices, to the UCF IntegrityLine, or directly to University Compliance and Ethics. For a report to be made in good faith, the reporting person should have reasonable cause to believe that the reported information is true.

Misconduct. Any violation of law, regulation, statute, UCF regulation, policy, procedure, guideline, and/or standard of conduct, whether intentional or inadvertent.

Retaliation. An adverse or credible threat of an adverse action taken against an individual as a result of submitting a good faith report of misconduct or participating in a misconduct investigation. The individual must have knowledge of and be impacted by the adverse action to meet the definition of retaliation. Types of retaliation can include dismissal from employment, demotion, loss of salary or benefits, transfer or reassignment, denial of an earned promotion, unwarranted written notice or negative performance review, or the inappropriate assignment of a low grade. Less obvious forms of retaliation can include excluding individuals from meetings, withholding critical information necessary for the individual to perform his or her job or assignments, publicly ridiculing the individual, or allowing the individual's peers to create an atmosphere that is not conducive for the individual to perform well. A causal relationship between good faith participation in the reporting or investigation of misconduct and an identifiable adverse action is needed to demonstrate retaliation has occurred. For more information regarding retaliation related to reports of unlawful discrimination and/or unlawful harassment, please review UCF Policy 2-004 Nondiscrimination Policy.

PROCEDURES

The following options for making good faith reports of misconduct are available to members of the university community. Students who wish to report student misconduct under the Golden Rule should use the resources available from the Student Success and Well-Being division.

I. When to Report

Individuals, who in good faith believe that a violation of law, regulation, statute, UCF regulation, policy, procedure, guideline, and/or standard of conduct has occurred, or will occur, are expected to promptly make a report of such suspected misconduct. Individuals do not need to have details of the law or policy to suspect misconduct. It is better to report the suspected misconduct than to remain silent. For more information as to employees' reporting responsibilities, please review UCF Policy 2-015 Reporting Requirements Related to Nondiscrimination and UCF Policy 2-800 Fraud Prevention and Detection.

II. Where to Report - Options

Individuals may choose to report suspected misconduct to their supervisors, through central or administrative offices, to the UCF IntegrityLine, or directly to University Compliance and Ethics. Reports submitted by self-identified reporters may be referred to University Audit to determine whistle-blower eligibility under UCF Policy 2-010 Whistle-blower Determination and Investigation Policy.

Details on each reporting option are provided below. Note that these reporting channels should not be used for reporting emergencies. Emergencies should be reported using 911.

1. Supervisors

Reports of suspected misconduct should normally be raised first with an individual's supervisor, or appropriate college, department, or unit administrator. Colleges and departments usually are most familiar with the issues and personnel involved and, therefore, may be best suited to address a concern. Matters requiring investigation should be reported to the appropriate office including University Compliance and Ethics. Supervisors receiving reports of potential fraud, waste or abuse of university resources must immediately contact University Audit for guidance and investigation. Supervisors receiving reports of unlawful discrimination or unlawful harassment (including sex or gender-based discrimination or harassment, sexual harassment, sexual assault, sexual exploitation, relationship violence, or stalking) must immediately contact the Office of Nondiscrimination & Accommodations Compliance or by submitting a report using UCF's Let's Be Clear website.

2. Central Offices

In some cases, an individual may feel uncomfortable raising a report of misconduct at the college or department or other similar administrative unit level due to the nature of the subject matter or because of other legitimate considerations (such as when a supervisor is involved or is not willing to take action) that suggest an alternative reporting process may be more appropriate. In such instances, the individual may report suspected misconduct through a central university office having specialized expertise relating to the concern, such as:

- Office of the Provost (noncompliance with academic regulations)
- Human Resources (A&P, USPS, and OPS employee relations issues)
- Faculty Excellence (faculty, including adjunct faculty noncompliance)

- University Audit (potential fraud, waste, and abuse of university resources and internal control issues)
- Athletics Compliance (NCAA violations)
- Research Integrity and Compliance (falsification, fabrication, plagiarism in research, and other forms of scholarly misconduct)
- Office of Nondiscrimination & Accommodations Compliance (unlawful discrimination and/or unlawful harassment)

3. University Compliance and Ethics

Individuals may also report suspected misconduct by contacting University Compliance and Ethics directly by calling 407-823-6263 or complianceandethics@ucf.edu.

4. UCF IntegrityLine

Individuals reluctant to report suspected misconduct directly to their supervisors or through university administrative or central offices are encouraged to use the UCF IntegrityLine. The UCF IntegrityLine is administered by a third-party vendor and offers individuals the option to report anonymously.

The IntegrityLine is operated 24 hours a day, 365 days a year, and can be reached by using the secure Web Reporting System located at: www.ucfintegrityline.com, or by calling 1-855-877-6049 toll-free. IntegrityLine reports will be processed by the third party and sent to University Compliance and Ethics to address appropriately.

Ombuds Office

The University Ombuds Office, an informal, independent, confidential, neutral office that offers assistance and impartial advice regarding concerns related to UCF, is a resource for individuals unsure of which avenue to take. Communication to this office, however, does not constitute notice to UCF. Due to the confidential nature of the Ombuds Office, it will NOT disclose information to University Compliance and Ethics or other central administrative offices, and therefore individuals seeking advice from the Ombuds Office will ultimately need to report suspected misconduct using one of the methods described above.

Reporting Child Abuse, Neglect, and Abandonment

Florida Statutes require any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected to report such knowledge or suspicion to the Department of Children and Families (DCF), regardless of where it occurs. In addition, Florida Statutes and Board of Governors Regulation, requires the UCF Police Department and certain administrators (president, provost, senior/executive vice presidents, vice presidents, associate vice presidents, associate/vice provosts, deans, chief of police, equal opportunity programs director, intercollegiate athletics director, internal audit director, Title IX coordinator, and university compliance officer) upon receiving information from faculty, staff, or other institutional employees of known or suspected child abuse, abandonment, or neglect committed on university property, or during a university-sponsored event or function to report such knowledge or suspicion to the Department of Children and Families (DCF).

The law further prohibits UCF administrators from knowingly and willfully preventing another person from reporting such activity.

Report to the Department of Children and Families (DCF) by:

- Fax 1-800-914-0004
- Online Form
- Website
- Florida Abuse Hotline 1-800-96ABUSE (1-800-962-2873)
  (Or **TTY**: 711 or 1-800-955-8771)

If a child is in imminent danger, dial 911 first and then report to DCF.

III. Whistle-blower Determinations

Reports submitted by self-identified reporters relating to a) claims of a violation of any federal, state, or local law, rule or regulation, which presents a substantial and specific danger to the public's health, safety, or welfare, or b) suspected or actual Medicaid fraud, or c) a suspected act of gross mismanagement, malfeasance, misfeasance, gross waster of public funds, or gross neglect of duty will be promptly referred to University Audit for a determination of whistle-blower status under UCF Policy 2-010 Whistle-blower Determination and Investigation. Individuals who wish to potentially receive whistle-blower status should contact University Audit directly to maximize the university's ability to provide anonymity.

IV. Protection from Retaliation

Individuals who believe they have been subjected to acts of retaliation may file a written or verbal complaint with University Compliance and Ethics or through the UCF IntegrityLine. University Compliance and Ethics is the office responsible for conducting an investigation and/or contacting the appropriate university offices for review and disposition of the report per applicable university policy or the collective bargaining agreement.

CONTACTS

University Compliance and Ethics, 4365 Andromeda Loop N. MH 396, Orlando, FL 32816-0001. (407) 823-6263. complianceandethics@ucf.edu

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RELATED INFORMATION or DOCUMENTS

UCF Policy 2-004 Nondiscrimination Policy

UCF Policy 2-015 Reporting Requirements Related to Nondiscrimination

UCF Policy 2-005 Youth Protection

UCF Policy 2-010 Whistle-blower Determination and Investigation Policy

UCF Policy 2-800 Fraud Prevention and Detection

UCF Policy 3-404 Behavioral Assessment and Response

UCF Policy 4-211 Research Misconduct

BOT-UFF Collective Bargaining Agreement Article 20.12

Florida Statutes §§112.311-.326, Code of Ethics for Public Officers and Employees Sections

Florida Statutes §112.3187, Florida Whistle Blower Act:

Florida Statutes §39.201, Proceedings Related to Children:

Florida Statutes §39.203, Proceedings Related to Children:

Florida Statutes §39.205, Proceedings Related to Children:

Florida Board of Governors Regulation 3.002 Penalties for Failure to Report Child Abuse:

Florida Board of Governors Regulation 4.003 State University System Compliance and Ethics Programs

POLICY APPROVAL
(For use by the Office of the President)

Policy Number: 2-700.2

Initiating Authority and University Policies and Procedures Committee Chair: _____ Date: 6/27/2023

President or Designee: Alexander Cartwright Digitally signed by Alexander Cartwright Date: 2023.07.07 08:37:13 -05'00' Date: _____