

Reporting and Addressing Illegal Activity and Misconduct

Scope: Who is Covered by this Policy?

Employees and Students

Policy

General

Miami University is committed to conducting its affairs ethically and in accordance with federal and state laws and regulations, as well as University policy. Each member of the faculty and staff shares in this responsibility.

The University is committed to preventing and correcting violations of law and University policy. These violations most often result from lack of information, inadvertence, or mistake. On rare occasions violations are the result of deliberate misconduct. Illegal, unethical or otherwise inappropriate behavior in violation of Miami University's policies is not acceptable.

The University expects all faculty and staff to report any suspected criminal activity to law enforcement. If you suspect or have knowledge of criminal activity occurring on University property or involving University faculty, staff or students, call the Miami University Police Department at 513-529-2222 (in an emergency, please dial 911 immediately).

Ohio law (*Ohio Revised Code § 2921.22*) requires every person, who knows that a felony has been or is being committed, to report it to law enforcement. Failure to report may be a criminal offense.

Ohio's Collin's Law (*Ohio Revised Code 2903.311 (A)*) requires all University administrators, staff, faculty members, consultants, alumni and volunteers to report any

knowledge of hazing to a law enforcement agency in which the victim of hazing resides or in which the hazing is occurring or has occurred. Failure to report is a criminal offense. If you have knowledge of hazing, you should report it to the Office of Community Standards. The Office of Community Standards, upon receipt of the report, will notify the appropriate law enforcement agency to comply with the law.

Ohio law (*Ohio Revised Code §2151.421*) further requires teachers, school administrators, speech pathologists, psychologists, doctors and others to report suspected child abuse. Suspected child abuse may be reported directly to the police, to Butler County Children Services at 1-800-325-2685, or at [Report Child Abuse](#).

This procedure has been developed to provide a process for good-faith reporting of violations of law or regulations or otherwise inappropriate behavior in violation of Miami University's policies.

Internal Reporting

Employees and students are expected to report good-faith concerns about illegal, unethical or otherwise inappropriate behavior in violation of Miami University's policies. Criminal activity occurring on University property or involving University faculty, staff, or students should be reported to the Miami University Police Department at 513-529-2222 (in an emergency, please dial 911). This includes hazing and sexual misconduct.

Employees are encouraged to immediately report their concerns about illegal, unethical or inappropriate behavior to their supervisor, the central office responsible for addressing these concerns (see chart below), the appropriate vice president, or the President of the University. Students are encouraged to report their concerns to the Dean of Students, the Vice President for Student Affairs, the central office responsible for addressing these concerns (see chart below) or the President of the University.

Anonymous Reporting

Persons who do not feel comfortable making an internal report may make an anonymous report to the University's confidential reporting agent, EthicsPoint®, by calling the toll-free HOTLINE (1-866-294-9544) or in writing at [EthicsPoint](#). Hotline calls are not recorded. EthicsPoint® System is maintained on a secure third-party server and IP addresses are stripped from Internet-based communications to ensure that anonymity is maintained. DO NOT report emergencies to EthicsPoint®.

In addition, the Auditor of State maintains a system for the anonymous reporting of fraud. The fraud may be reported via a toll-free telephone number 866-FRAUD-OH, the [Auditor of State's website](#) or by mail.

Investigation and Resolution

All employees and students are expected to cooperate truthfully in the University's investigation of reports. Appropriate University officials will promptly address all concerns reported in good faith (See chart below). All investigations will be conducted in accordance with the law and applicable University policy.

Retaliation Prohibited

The University will use its best efforts to protect those who, in good faith, report suspected illegal, unethical or otherwise inappropriate behavior in violation of Miami policies. No employee will suffer adverse employment action (retaliation) as a result of any of the following:

1. Disclosure or reporting of suspected illegal, unethical or otherwise inappropriate behavior in violation of Miami policies; or
2. Refusal to violate or assist in violating an applicable federal or state law or regulation; or
3. Refusal to work or cause others to work in conditions that would unreasonably threaten the health or safety of the employee or others.

Any employee who believes he or she has been retaliated against in violation of this policy may file a written complaint with the *Office of the President*. Following an investigation by the *Office of the President*, a written report of the investigative findings will be made by the *President or the President's designated investigator*. The report shall be provided to the complaining party and the Chair of the Board of Trustees' Finance and Audit Committee. If the report finds that the complainant has been retaliated against, the report will include any appropriate relief for the complainant. Appropriate disciplinary action, up to and including dismissal, will be taken against any individual who retaliates in violation of this policy.

Reporting Concerns

If, after reviewing this table, you are not sure where to report a concern please contact the Office of General Counsel, the Director of Internal Audit and Consulting Services, or the EthicsPoint® toll-free HOTLINE (1-866-294-9544) or contact EthicsPoint® in writing at [EthicsPoint](#).

<p><u>Criminal Conduct</u></p>	<p><u>Miami University Police Department (529-2222 or 911 in the event of an emergency)</u></p>
<p>Accounting and Financial Misconduct (including Falsification of Contracts, Reports or Records, Fraud, Improper Disclosure of Financial Records, Theft, Waste, Abuse or Misuse of University Resources, and Mishandling of Donor Funds)</p>	<p>Director of Internal<u>Chief Audit and Consulting Services Officer (529 8031) or Controller (529 6110)0545)</u></p>
<p>Athletic Misconduct (including NCAA Violations, Gambling, Improper Giving of Gifts, Recruiting Misconduct, Misuse of Assets, Players or Endorsements, Recruiting Misconduct, Financial Aid Misconduct, Sexual Misconduct, and Substance Abuse)</p>	<p>Assistant Athletic Director- Compliance (529-6627)</p>
<p>Financial Aid Misconduct(including Fraud and Regulatory Compliance)</p>	<p>Director of Student Financial Assistance (529-8555)</p>
<p>Harassment and Discrimination</p>	<p>Director of Equity and Equal Opportunity (529-7157)</p>
<p>Hazing</p>	<p>The Office of Community Standards. The Office of Community Standards, upon receipt of the report, will notify the appropriate law enforcement agency to comply with the law.</p>

Personnel Misconduct (including Nepotism, Threats, Time Abuse, and Employee Benefit Abuses)	Director <u>Associate VP</u> of Academic Personnel Services (529- 67249210) or Senior Director of <u>Associate VP for</u> Human Resources (529 34345716)
Research Misconduct (including Conflict of Interest, Environmental & Safety Matters, Fraud, Misappropriation of Intellectual Property, Inappropriate Use of Humans or Animals in Research, and Grant Misconduct or Misappropriation) ITAR, EAR or OFAC violations.	Research Compliance Officer (529-3734)
Risk and Safety Matters (including Environmental Health and Safety, Sabotage, and Unsafe Working Conditions)	Environmental Health and Safety Office (529- 2829 <u>1723</u>)
Sexual Misconduct and Interpersonal Violence	Deputy Title IX Coordinator (513) 529-1870
Information Technology Matters (including Data Privacy and Integrity, Inappropriate Use of Technology, Misuse of Resources, and Intellectual Property Infringement)	Information Security Officer (529-9252)
Unethical Conduct (including Violation of Conflict of Interest/Commitment, Illegal Interest in a Contract, Improper Giving or Receiving of Gifts)	General Counsel (529-6734)
Criminal Conduct	Miami University Police Department (911 in the event of an emergency or 529-2222)

In addition to the University's procedure, the State of Ohio, Office of the Inspector General, is authorized to receive and investigate complaints of alleged wrongful acts or omissions by state officers or employees.

Related Form(s)

Not Applicable.

Additional Resources and Procedures

Not Applicable.

FAQ

Not Applicable.

Policy Administration

Next Review Date

7/1/2023

Responsible Officers

- Associate Vice President for Human Resources
- Assistant Provost for Academic Personnel
- Provost and Executive Vice President for Academic Affairs
- Senior Vice President for Finance and Business Services

Legal Authority

Not Applicable.

Compliance Policy

Yes

Revision History

Edited July 2018; Edited July 2019; Amended October 2021; [Amended July 2022](#)

Reference ID(s)

- MUPIM 3.21
- OAC 3339-3-21

Reviewing Bodies

- Associate Vice President for Human Resources
- Assistant Provost for Academic Personnel
- Provost and Executive Vice President for Academic Affairs
- Senior Vice President for Finance and Business Services