

Whistleblower and Non-Retaliation Policy

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SECTION I. PURPOSE

The University of St. Thomas is committed to conducting its affairs in a lawful and ethical manner. This policy is intended to promote a strong culture of compliance and ethics at St. Thomas by setting expectations for reporting concerns of unlawful or unethical conduct involving St. Thomas or a St. Thomas community member and for responding to such reports. It also is intended to encourage and enable all members of the St. Thomas community to raise concerns of unlawful or unethical conduct, without fear of retaliation, so that concerns may be addressed promptly.

SECTION II. SCOPE AND APPLICABILITY

This policy applies to all St. Thomas trustees, faculty, staff, students, contractors, volunteers, visitors and licensees, and covers all conduct involving St. Thomas or a St. Thomas community member.

SECTION III. DEFINITIONS

When used in this policy, the following terms have the following meanings:

- a. ***Financial irregularities*** means any and all financial misconduct, including but not limited to theft or misappropriation of funds, property or other resources; fraud or deliberate errors in the preparation, evaluation, review or audit of financial reports or statements; forgery or alteration of financial documents or files; pursuit of a financial benefit or advantage in violation of applicable conflict of interest policies; or significant deficiencies in or noncompliance with financial controls.
- b. ***St. Thomas community standards*** means the St. Thomas mission, convictions, policies and applicable law (including applicable regulations).
- c. ***Unlawful or unethical conduct*** means actual or planned financial irregularities or other conduct involving St. Thomas or a St. Thomas community member, which a person knows or reasonably suspects to violate the St. Thomas community standards or other standards or obligations applicable to St. Thomas or its schools, colleges, divisions or other units, or the professional obligations of St. Thomas community members.

SECTION IV. REPORTING UNLAWFUL OR UNETHICAL CONDUCT

A. Trustees, Officers, Supervisors, and Compliance and Financial Professionals

Trustees, officers, individuals with responsibility for compliance or financial matters, and individuals who supervise others must immediately report unlawful or unethical conduct, including reports they receive from others. Reports involving sexual misconduct or suspected child abuse must be made in accordance with the St. Thomas Sexual Misconduct Policy or Reporting Suspected Child

Abuse Policy. Other reports must be made to a Human Resources partner, the chief human resources officer or the president, or through the EthicsPoint Reporting System by telephone at 1-800-ETHICAL (1-800-384-4225) or online at www.ethicspoint.com. Reports should not be made to any individual whose conduct is the subject of a report.

B. Other Members of the St. Thomas Community

St. Thomas community members who are not trustees, officers, supervisors, or compliance or financial professionals are strongly encouraged, but not required, to report unlawful or unethical conduct, unless such reporting is required by another St. Thomas policy (such as the Sexual Misconduct Policy or Reporting Suspected Child Abuse Policy). Employees, volunteers and contractors generally should make reports to their supervisor. Individuals without a supervisor, or who are uncomfortable making a report to their supervisor, or who have a concern about their supervisor's conduct, may make reports directly to a Human Resources partner, the chief human resources officer, or through the EthicsPoint Reporting System by telephone at 1-800-ETHICAL (1-800-384-4225) or online at www.ethicspoint.com. EthicsPoint reports can be made anonymously. Reports should not be made to any individual whose conduct is the subject of a report.

C. Good Faith

Individuals who make reports under this policy are expected to do so in good faith. Individuals who make reports in bad faith may be subject to discipline or sanctions, up to and including termination of the person's relationship with St. Thomas.

SECTION V. RESPONSE TO REPORTS

A. Confidentiality; Investigation and Resolution

Reports made under this policy and all related investigations will be kept confidential to the extent possible, consistent with the need to investigate and respond. St. Thomas will investigate reports made under this policy and take any responsive action it determines is appropriate. Individuals whose conduct is the subject of a report will not participate in the oversight or direction of the investigation or resolution. The St. Thomas Board Chair will be notified immediately of all reports involving concerns about conduct by the president, and the Audit/Finance Committee chair will be notified immediately of all reports of financial irregularities that are systemic or would impact the university's financial statements or audit; if they, the Board of Trustees or an authorized committee of the Board so determines, the investigation and resolution of such reports may be conducted under the direction of an authorized committee or designee of the Board. The investigation and resolution of all reports under this policy will be conducted in consultation with legal counsel to assure compliance with the Minnesota Whistleblower Act and other applicable laws.

B. No Retaliation

St. Thomas prohibits retaliation against any individual for making a good faith report under this policy, participating as a witness in an investigation of a report, being a party or witness in a legal proceeding resulting from a report, or refusing to engage in conduct the individual believes in good faith to be unlawful. Any person who retaliates in violation of this policy will be subject to discipline or sanctions, up to and including termination of the person's relationship with St. Thomas.