

FRAUD AND WHISTLEBLOWER PROCEDURES

Definition

A fraudulent act may be any act that is illegal, unethical, improper, or dishonest including, but not limited to:

- Embezzlement;
- Fiscal waste or fiscal mismanagement, to and including, but not limited to misappropriation, misapplication, destruction, removal, or concealment of property;
- Alteration or falsification of documents;
- False claims by students, employees, vendors, or others associated with Northeast Community College;
- Theft of any asset including, but not limited to money, tangible property, trade secrets or intellectual property;
- Unauthorized use of College property or equipment for personal use;
- Bribery, receipt of a rebate or kickback;
- Conflict of interest; or
- Misrepresentation of facts.

Duties, Responsibilities, and Reporting

Generally, all employees, students, and persons associated with Northeast Community College (collectively, members of the campus community) are expected to abide by all laws, rules, regulations, and College policies and procedures. Supervisors at all levels of management are accountable for setting the appropriate tone of intolerance for fraudulent acts by displaying the proper attitude toward complying with all laws, rules, regulations, and College policies, and should establish and maintain proper internal controls which will provide for the security and accountability of the resources entrusted to them.

Any member of the campus community who has a reasonable basis for believing a fraudulent act has occurred has the responsibility to promptly notify one of the following by providing a written statement of the alleged occurrence or incident:

- His or her immediate supervisor
- Vice President of Administrative Services
- General Counsel and Executive Director of Human Resources
- The College President

Persons found to be making intentional, misleading claims under this policy will be subject to disciplinary action.

Investigation

Supervisors at all levels of management who become aware of an alleged or suspected fraudulent act are to respond in a consistent and appropriate manner and shall report the suspected activity to the General Counsel and Executive Director of Human Resources.

With the concurrence of the appropriate Vice President, the General Counsel and Executive Director of Human Resources will appoint an internal team to investigate the alleged fraudulent act. The investigative team shall interview the individual making the claim, interview parties involved, and will provide a written report indicating the team's findings and recommendations to the General Counsel and Executive Director of Human Resources. Any and all such investigations shall be kept as confidential as possible.

The General Counsel and Executive Director of Human Resources shall review the team's report with the appropriate Vice President and College President. The President shall determine the final resolution of the matter.

All affected departments, divisions, and/or individuals shall cooperate fully with those performing a review or investigation including any law enforcement officials, regulators, or any other parties involved.

The identity of the person and/or employee presenting the allegation shall not be disclosed without the person's and/or employee's prior written consent, except as reasonably necessitated in addressing the allegation or as may otherwise be required by law.

Actions

Employees found to have participated in fraudulent acts as defined by this procedure will be subject to disciplinary action.

Additionally, employees suspected of perpetrating fraudulent acts may be placed on suspension during the course of the investigation. Criminal or civil actions against employees who participate in unlawful acts may also be forwarded to the appropriate agency.

Students found to have participated in fraudulent acts as defined by this procedure will be subject to disciplinary action pursuant to Student Code of Conduct. Additionally, criminal or civil actions against students who participate in unlawful acts may also be forwarded to the appropriate agency.

The relationship of other individuals or entities associated with the College found to have participated in fraudulent acts as defined by this procedure will be subject to review, with possible consequences including termination of the relationship. Additionally, criminal or civil actions against individuals or entities associated with Northeast Community College who participate in unlawful acts may also be forwarded to the appropriate agency.

Retribution or Retaliation Prohibited

Under no circumstances shall any person, who in good faith makes a notification of an alleged or suspected fraudulent act or who assists in an investigation and/or hearing regarding the same, be subject to any form of retribution or retaliation. Any person who makes or participates in such retribution or retaliation, directly or indirectly, shall be subject to disciplinary action. A person who believes he/she has been or is being subjected to retribution and/or retaliation should immediately notify the General Counsel and Executive Director of Human Resources or his/her designee.