

Reporting Suspected Legal, Regulatory, or Policy Violations

Subject	Personnel
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Responsible Party	MSU Legal Counsel

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Scope

This policy applies to the following MSU-affiliated campuses:

- Montana State University in Bozeman (MSU)
- Montana State University Billings (MSUB)
- Montana State University Northern (MSUN)
- Great Falls College Montana State University (GFCMSU)

100.00 Introduction

Montana State University and its affiliates encourage all faculty, staff, students, and volunteers, acting in good faith, to report suspected legal, regulatory or policy violations. The university is committed to protecting individuals from retaliation for making a good faith report. A good faith report means an allegation made with the honest belief that legal, regulatory or policy violations may have occurred. A false allegation is a report that is made with reckless disregard for or willful ignorance of facts that would disprove the allegation.

This policy is intended to protect any individual who reports suspected legal, regulatory or policy violations in good faith to a designated university official or through appropriate electronic reporting structures (e.g., MUS Compliance Hotline; State of Montana Fraud, Waste and Abuse Hotline).

This policy:

- Encourages individuals to report suspected legal, regulatory or policy violations engaged in by others to the appropriate university official so that prompt corrective action can be taken by the university.
- Informs individuals how allegations of wrongful conduct can be disclosed.
- Protects individuals from reprisal by adverse employment action or other retaliation as a result of having reported suspected legal, regulatory or policy violations.
- Does not intend to supersede rights or obligations to report outside of the University System where appropriate or required. (

200.00 Policy

200.10 Acting in Good Faith

Anyone reporting suspected legal, regulatory or policy violations must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of law, regulation or policy. A good faith report is made to an agency or individual with authority to investigate and take action regarding the alleged violation.

200.20 Anonymous Reports

Anonymous reports must provide sufficient corroborating evidence to justify the commencement of a review. A review of unspecified wrongdoing or broad allegations may not be undertaken without verifiable evidentiary support. Since reviewers are unable to interview anonymous reporters, it may be more difficult to evaluate the credibility of the allegations and, therefore, less likely to cause a review to be initiated.

The university may not take action on anonymous reports of research misconduct. For more information about research misconduct reporting, [view the Research Misconduct Policy](#).

200.30 Retaliation

No individual who reports suspected legal, regulatory or policy violations in good faith will suffer harassment, retaliation, or adverse employment consequences because they made the report. Individuals and/or departments who are implicated in a reported violation must not attempt to identify the person(s) who they perceive to have reported the violation nor contact, confront, or interview the person(s) who they perceive to have reported the matter. Any person who retaliates against any individuals who made a report may be subject to disciplinary action, up to and including termination.

For retaliation based on protected classes, [view the retaliation section within the Equal Opportunity, Non-Discrimination and Harassment Policy](#). 200.40 False Allegation

Any employee or volunteer who knowingly or with reckless disregard for the truth gives false information or knowingly makes a false report of wrongful conduct or a subsequent false report of retaliation may be subject to disciplinary action, up to and including termination. Any student who makes false allegations in the non-employment setting will be subject to discipline under the student conduct code. Allegations that are not substantiated yet are made in good faith are not subject to corrective action.

200.50 Confidentiality

Reports may be made on a confidential basis by the complainant or may be submitted anonymously through the university's reporting line. Reports and review records will be kept confidential to the extent possible, consistent with the need to conduct an adequate review, and in accordance with applicable Montana and Federal law.

200.60 Legitimate Employment Decisions

Nothing in this policy is intended to interfere with legitimate employment decisions unrelated to the employee's submission of a good faith report.

300.00 Reporting Violations

Individuals should share their questions, concerns, suggestions, or complaints with a university administrator who can address them properly. In many cases, the individual's supervisor is in the best position to address an area of concern. If an individual is not comfortable speaking with the supervisor, or is not satisfied with the supervisor's response, individuals should take their concerns to the offices listed below that will review and/or address the concern as appropriate.

300.10 Policy References

Along with federal, state and local laws and regulations, MUS Policy and campus Policy violations can be reported. The Policy pages include:

- Montana University System (MUS) Policy: www.mus.edu/borpol/
- OneMSU Policies covering MSU and all affiliated campuses: www.montana.edu/policy/onemsu/
- Montana State University Policy: www.montana.edu/policy/
- Montana State University Billings (MSUB) Policy: www.msubillings.edu/policy/
- Montana State University Northern Policy: www.msun.edu/admin/policies/
- Great Falls College Montana State University (GFCMSU) Policy: www.gfcmsu.edu/policies-procedures/

300.20 Where to Report

When reporting a case of criminal activity, first contact local law enforcement.

Type of Violation	MSU at Bozeman*	MSU-Billings	MSU-Northern	Great Falls College MSU
Academic matters	Office of the Provost	Office of the Provost	Office of the Provost	Exec. Director of Instruction

Non-academic student conduct matters	Office of the Dean of Students	Office of the Vice Chancellor for Student Access and Success	Office of the Dean of Students	Exec. Director of Student Services
Accounting and financial irregularities; misappropriation or misuse of university funds, theft or misuse of university property**	Office of Audit Services	Office of Vice Chancellor for Administrative Services	Office of the Vice Chancellor for Administration and Finance	Exec. Director of Operations
Athletics	Assistant AD for Compliance or Senior Associate AD – Student Services/SWA	Office of the Athletic Director	Office of the Athletic Director	N/A
Conflict of Interest	Research Integrity and Compliance	Office of Human Resources		
Discrimination, harassment, , sexual assault, domestic violence or stalking	Campus Civil Rights	Office of Human Resources	Office of Human Resources	Exec. Director of Operations

Health and safety	Safety and Risk Management	Executive Director of Operations and Environmental Health and Safety	Office of Human Resources	Exec. Director of Operations
Human Resources	Office of Human Resources	Office of Human Resources	Office of Human Resources	Exec. Director of Operations
Information Security and Technology	Information Security Group	Chief Information Officer	Information Technology Services	Director of Information Technology
Research	Research Integrity and Compliance	Office of Grants and Sponsored Programs	Office of the Provost	N/A

*Including MSU Extension, Montana Agricultural Experiment Station and Fire Services Training School.

**Fraud, waste or abuse of state funds can also be reported to the [Montana Legislative Audit Division's Fraud Hotline](#).

300.21 MUS Compliance Hotline

An alternative method to report concerns specific to the following areas is to contact the MUS Compliance Hotline at [EthicsPoint - Montana University System](#):

- Accounting and financial irregularities; misuse of public funds or property; fraud
- Athletics
- Conflicts of interest; Ethics policy violations
- Discrimination or harassment
- Health and safety

- Human Resources
- Information security and technology
- Research.

The MUS Compliance Hotline is **not** to be used for reporting the following:

- Academic matters
- Non-academic student conduct matters.

300.22 Escalated Reporting

If an individual feels they have exhausted the reporting methods as outlined but need further review, they may file another report with the MUS Compliance Hotline including information on where the report has been reviewed to that point.

After that, if an individual feels their report still requires further review, they may contact the State of Montana Legislative Audit Division – Fraud, Waste and Abuse

<https://archive.legmt.gov/lad/fraud-hotline/>

300.30 Reporting retaliation. Individuals who believe they have been subject to retaliation for reporting suspected legal, regulatory or policy violations should contact their campus human resources office or their designated union representative if covered under a collective bargaining agreement. If the human resources office is implicated in the reported violation or viewed by the reporter as having a conflict, individuals should report perceived retaliation to MSU Office of Audit Services.

300.30 Self-Reporting

Individuals who self-report their own misconduct are not afforded protection by this policy. This includes adverse employment actions or other retaliation. However, self-reporting is generally considered a mitigating factor in any corrective or disciplinary action.



Mountains & Minds

Appendix A Legal, Regulatory Or Policy Violations

Examples of suspected legal, regulatory or policy violations include, but are not limited to:

Academic matters

- Plagiarism, stealing or destroying intellectual property
- Providing students with unauthorized information or conditions that promote academic dishonesty

Non-academic student conduct matters

- Student conduct code violations

Accounting and financial

- Fraud, theft, embezzlement
- Improper solicitation or receipt of gifts or benefits
- Misappropriation or misuse of University resources

Athletics

- Receiving impermissible benefits or gifts
- Unauthorized contact with recruits
- Promoting or use of performance enhancing drugs

Conflict of Interest or Commitment

- Undisclosed consulting or ownership interest with a company that has University contracts
- Involvement with an outside company that requires a significant time commitment
- Participation in a University decision which involves a direct benefit to a family member

Discrimination, harassment, or interpersonal violence

- Sexual assault, dating violence, domestic violence or stalking
- Failure to make reasonable accommodations for an employee with a disability

Health and safety

- Neglecting to follow established safety procedures or working without personal protective equipment
- Allowing individuals to enter restricted or locked areas without proper authorization

Human resources

- Wage, overtime, benefit, vacation abuses
- Misrepresentation of credentials/licenses

Information security and technology

- Using another user's password or account
- Using University email or networks for personal commercial gain
- Running unauthorized applications on University computers

Research

- Fabricating or falsifying data in research
- Misuse of grant funds
- Unethical authorship practices