

Applies to: Faculty, staff, student employees, students, and volunteers

Responsible Office

Human Resources

POLICY STATEMENT

Central Ohio Technical College encourages all faculty, staff, students, and volunteers, acting in good faith, to report suspected or actual **wrongful conduct**. The college is committed to protecting individuals from interference with making a **protected disclosure** and from **retaliation** for having made a protected disclosure or for having refused an illegal order as defined in this policy.

College faculty, staff, students, or volunteers may not retaliate against an individual who has made a protected disclosure or who has refused to obey an illegal order. College faculty, staff, students, or volunteers may not directly or indirectly use or attempt use the official authority or influence of their positions or offices for the purpose of interfering with the right of an individual to make a protected disclosure to the individual's immediate supervisor or other appropriate administrator or supervisor within the department, or other appropriate college official about matters within the scope of this policy.

It is the intention of the college to take whatever action may be needed to prevent and correct activities that violate this policy.

Purpose of the Policy

To encourage all faculty, staff, students, and volunteers, acting in good faith, to report suspected or actual wrongful conduct, and to comply with Ohio Revised Code 124.314.

Definitions

Term	Definition
Wrongful conduct	A serious violation of college policy; a violation of applicable state and federal laws; or the use of college property, resources, or authority for personal gain or other non-college-related purpose except as provided under college policy.
Protected disclosure	Communication about actual or suspected wrongful conduct engaged in by a college employee, student, volunteer, agent, or contractor (who is not also the disclosing individual) based on a good faith and reasonable belief that the conduct has both occurred and is wrongful under applicable law and/or college policy.
Retaliation	Adverse action against an individual because she or he has made a protected disclosure or has participated in an investigation, proceeding or hearing involving a protected disclosure.

Policy Details

- I. Intent of policy
 - This policy:
 - A. encourages individuals to disclose wrongful conduct engaged in by others to the appropriate college official so that prompt, corrective action can be taken by the college;
 - B. informs individuals how allegations of wrongful conduct can be disclosed;
 - C. protects individuals from reprisal by adverse employment action or other retaliation as a result of having disclosed wrongful conduct (individuals who self-report their own misconduct are not afforded protection by this policy);

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- D. provides individuals who believe they have been subject to reprisal or false allegations a fair process to seek relief from these acts;
 - E. protects individuals against false allegations of wrongful misconduct; and
 - F. encourages and enables employees and others to raise serious concerns within the college prior to seeking resolution outside the college.
- II. Regulations
- A. Acting in good faith. Anyone making a protected disclosure or filing a complaint concerning a violation or suspected violation of this policy must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of this policy.
 - B. False allegations. 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 or retaliation will 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 judicial action. Allegations that are not substantiated yet are made in good faith are not subject to corrective action. Any communication that proves to have been both unsubstantiated and made with malice or with knowledge of its falsity is not protected by this policy. This policy is also intended to protect individuals against false allegations of wrongful misconduct.
 - C. Retaliation. No individual who makes a protected disclosure will suffer harassment or any adverse employment action. A person who retaliates against any individual who makes a protected disclosure is subject to discipline up to and including termination.
 - D. Confidentiality. Protected disclosures may be made on a confidential basis by the complainant or may be submitted anonymously to the office of human resources. Protected disclosures and investigatory records will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation, and in accordance with the Ohio Public Records Act and Family Educational Rights and Privacy Act.
 - E. Handling Protected Disclosures. The offices (listed in Procedure Section 1 – Reporting Violations below) receiving the protected disclosure will notify the disclosing individual (if her or his identity is known) and acknowledge receipt of the reported violation or suspected violation within ten working days for most issues and with 24 hours for alleged criminal or environmental violations. All reports will be promptly investigated within 45 calendar days and appropriate corrective action will be taken if warranted by the investigation.
 - F. Legitimate employment decisions. Nothing in this policy is intended to interfere with legitimate employment decisions.

PROCEDURE

- I. Reporting violations
 - A. Individuals should share their questions, concerns, suggestions, or complaints with a college 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 investigate and/or address the concern as appropriate.
 - 1. Academic misconduct matters – Office of Academic Affairs, 740-366-9357.
 - 2. Financial matters – Office of Business and Finance, 740-366-9236.
 - 3. Athletic matters – Office of Student Life, 740-364-9578.
 - 4. Employment matters – Office of Human Resources, 740-366-9367.
 - 5. Student matters – All matters involving students, in the non-student employment setting, not covered by the offices listed above – Office of Student Life, 740-364-9578.
 - 6. All other matters – Office of Human Resources, 740-366-9367.
 - B. Individuals who are aware of or have reason to suspect wrongful conduct should report the conduct to:
 - 1. The disclosing individual's supervisor, either verbally or in writing; or

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2. Any office listed in the policy under Procedure Section I – Reporting Violations, either verbally or in writing; or
 3. The appropriate governmental unit, law enforcement office, or ethics commission after first providing a written communication about the wrongful conduct to the appropriate college administrator as identified in Procedure Section I – Reporting Violations of this policy.
 4. Individuals who wish to be protected by the Ohio Whistleblowers Protection Act must provide a written report that provides sufficient detail to identify and describe the violation.
- C. Supervisors who receive protected disclosures are required to contact the appropriate office listed in Procedure Section 1 - Reported Violations.
- D. In addition to, or instead of filing a complaint as listed in A or C, individuals who become aware of a violation of state or federal statutes, rules, or regulations or the misuse of public resources may file a written report or contact: Ohio Auditor of State Special Investigations Unit, 88 E. Broad St., P.O. Box 1140, Columbus, OH 43215; or visit [Ohio Auditor of State fraud reporting website](#).

Responsibilities

Position or Office	Responsibilities
Individual	<ul style="list-style-type: none"> • Be knowledgeable about this policy; • Report violations or suspected violations of this policy to the individual's direct supervisor or to the appropriate administrator or office as noted above; and • Act in good faith.
Office of Human Resources	<ul style="list-style-type: none"> • Familiarize employees, students, and volunteers with this policy; • Maintain findings of wrongful conduct or false allegations in the individual's personnel file; • Accept and investigate protected disclosures regarding employment matters; and • Accept and investigate complaints of retaliation for making protected disclosures.

Resources

- [COTC Whistleblower Report form](#)
- Ohio Auditor of State
 - [Fraud reporting website](#)
 - Mailing address: Ohio Auditor of State Special Investigations Unit, 88 E. Broad St., P.O. Box 1140, Columbus, OH 43215
- [Ohio whistleblower protection statute ORC 124.314](#)

Contacts

Subject	Office	Telephone	E-mail/URL
Office of Human Resources	1179 University Dr Founders Hall Ste 1014	740-366-9367	https://go.cotc.edu/hr
Office of Student Life	Warner Center 226	740-364-9578	https://go.cotc.edu/osl
Office of Business and Finance	Founders Hall Ste 1138	740-366-9236	
Office of Academic Affairs	Founders Hall Ste 1043	740-366-9357	https://go.cotc.edu/oaa

History

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