


Name of Policy: Non-retaliation policy. Policy Number: 3364-15-04 Approving Officer: President Responsible Agent: Director of Internal Audit and Chief Compliance Officer Scope: All University of Toledo Campuses		 Revision date: June 1, 2016 Original effective date: August 1, 2008	
	New policy proposal	<input checked="" type="checkbox"/>	Minor/technical revision of existing policy
	Major revision of existing policy	<input type="checkbox"/>	Reaffirmation of existing policy

(A) Policy statement

The University of Toledo (“UT”) encourages all employees, students, volunteers, agents, or contractors acting in good faith, to report suspected or actual wrongful conduct. UT, in compliance with Ohio Revised code (ORC) §4113.52, 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 by this policy.

(B) Purpose of policy

This policy is intended to:

- (1) Encourage individuals to engage in good faith disclosures of suspected wrongful conduct to the appropriate University official so that prompt, corrective action can be taken by UT
- (2) Protect individuals from disciplinary action or other retaliation as a result of disclosing wrongful conduct (individuals who self-report their own misconduct are not afforded protection by this policy)
- (3) Protect individuals against false allegations of retaliation

- (4) Protect UT when taking action against individuals who make bad faith disclosures

This policy will not provide protection for any communication that proves to have been both unsubstantiated and made with malice or with knowledge of its falsity and will not interfere with legitimate employment decisions.

(C) Procedure

To make a report of wrongful conduct, including violations of this policy, see policy 3364-15-05 Protected Disclosures and Anonymous Reporting Line.

- (1) All reports of wrongful conduct will be investigated in accordance with the Protected Disclosures and Anonymous Reporting Line policy.
- (2) Actions determined to be retaliation or bad faith reporting can result in disciplinary actions up to and including termination.
- (3) The university's anonymous reporting line can be used to report any situation without using any personally identifiable information (888-416-1308).

(D) Definitions

- (1) Wrongful conduct. A serious violation of UT policy; a violation of applicable state and federal laws; or the use of UT property, resources or authority for personal gain or other non-university-related purpose except as provided under UT policy.
- (2) Protected disclosure. Communications about actual or suspected wrongful conduct engaged in by a university employee, student, volunteer, agent or contractor (who is not the disclosing individual) based on a good faith and a reasonable belief that the conduct has both occurred and is wrongful under applicable law and/or university policy.
- (3) Retaliation. Disciplinary or adverse action taken 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.

- (4) Acting in good faith. Anyone filing a complaint concerning a violation or suspected violation of this policy must have reasonable grounds for believing the information disclosed indicates a violation of the policy.

<p>Approved by:</p> <p><u>/s/</u> Sharon L. Gaber, Ph.D. President</p> <p>May 10, 2016 _____ Date</p> <p><i>Review/Revision Completed by: Director of Internal Audit and Chief Compliance Officer</i></p>	<p>Policies Superseded by This Policy: Previous 3364-15-04, effective date August 1, 2008</p> <p>Initial Effective Date: August 1, 2008 Review/Revision Date: June 1, 2016 Next review date: June 1, 2019</p>
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