



POLICY

Title: Whistleblower Policy: Reporting, Protections & Non-Retaliation

Policy Statement

The University wishes to ensure all personnel are aware of how to report suspected violations of federal or state law, the UVM Code of Conduct and Ethical Standards (“Code”), or other institutional policy and that those who report in good faith are protected against retaliation.

Reason for the Policy

The purpose of this Policy is to encourage and facilitate good-faith reports by University employees and others of suspected violations of the law or University policies and procedures. It is intended to complement and supplement existing University reporting policies and procedures.

Applicability of the Policy

This policy applies to all University personnel, including faculty, staff, administrators, and students. It also covers University volunteers, and individuals with whom the University contracts to do work on its behalf, such as consultants, vendors, contractors, and sub-contractors.

Definitions

Bad Faith Reports: A report that is knowingly false or made for improper motives. Bad Faith Reports are themselves wrongdoing under the Code.

Good Faith Reports: A report made by a person who knows or reasonably suspects that wrongdoing has occurred or is occurring. Whether or not the investigation substantiates the wrongdoing does not itself determine whether the report is made in good faith or bad faith.

Retaliation: A materially adverse action against an individual because that person has made a protected disclosure or has participated in an investigation, proceeding or hearing involving a protected disclosure.

Whistleblower: An individual who reports alleged wrongdoing by any means, including without limitation the Ethics and Compliance Reporting and HelpLine (the “HelpLine”).

Procedures

This Policy is not intended to, nor shall it, supersede existing University policies and procedures for reporting perceived misconduct. Complaints or grievances such as those regarding discrimination or harassment, general personnel and employment matters, student academic and disciplinary matters, academic freedom

infringements, research misconduct, and other conduct subject to specific University policies, should ordinarily be made in accordance with those governing University policies. More specifically:

- **Student academic integrity** matters should be reported to the Center for Student Conduct via the [Academic Integrity Referral Form](#)
- **Student conduct** matters should be reported to Center for Student Conduct via their [Incident Report Form](#)
- **Sexual harassment and misconduct** matters should be handled pursuant to UVM policy and procedures, including the mandatory reports required of [Campus Security Authorities](#)
- **Equal opportunity and non-discrimination** concerns should be referred to the Director of the [Office of Equal Opportunity](#), (802) 656-3368, 426 Waterman Building.

Insofar as grievance or complaint procedures are outlined in University policies, manuals, or collective bargaining agreements, those supersede the alternative reporting channels described below.

The University of Vermont has established and implemented a confidential compliance reporting system comprised of multiple reporting mechanisms, including at least one anonymous reporting channel. These systems are designed to provide protection against retaliation to individuals who, in good faith, report suspected or actual violations of federal or state law, the Code of Conduct, or other University policies. This protection from retaliation includes peer-initiated action as well as actions undertaken by supervisors or other persons in positions of authority. Individuals who knowingly bring false accusations are not protected by this Policy.

In the context of whistleblowing, examples of retaliation against staff or faculty include unjustified adverse personnel actions, such as unsubstantiated disciplinary actions or adverse performance reviews; a punitive reduction in hours or salary; improper withholding of an otherwise pending promotion; verbal abuse or threats; exclusion from department functions or meetings; and failures to transmit essential information relating to the unit, the job, or job safety. Examples of retaliation against students include grading in a punitive manner; excluding a student from consideration for an academic or co-curricular opportunity; and hazing or harassment.

The University will not tolerate retaliation against whistleblowers who have made a good faith report under this Policy or who have reported in good faith suspected violations of other institutional policies. Persons found, after appropriate process, to have retaliated against a whistleblower will face disciplinary action, up to and including dismissal. Under certain federal and state laws, the University may have reporting obligations to a government or law enforcement agency as well.

Any allegations of improper conduct that may result in disciplinary action shall be handled in accordance with applicable policies and procedures, including those set forth in collective bargaining agreements.

Reporting Mechanisms:

A report may be made using any of the following reporting mechanisms:

- Contact UVM Police Service if you believe that criminal activity is taking place or occurred: 911 [EMERGENCY]; leave a non-emergency anonymous tip by filling out a [tip411 form](#).
or text your tip to 847411 (tip411) and include "UVM" in your message;
or call (802) 656-3131.
- Use the reporting process identified in the relevant UVM policy or procedure.

- Report through UVM’s Compliance and Ethics Reporting and Helpline. This mechanism provides reporters with the ability to report anonymously.
 - Call toll free: (800) 461-9330
 - Text: (802) 441-6649
 - File a report through [the web](#).
- Call the Director of Compliance/Chief Privacy Officer: (802) 656-0847; email compliance@uvm.edu or send a letter to: Director of Compliance and Privacy Services, Office of Compliance and Privacy Services, University of Vermont, 48 University Place, Burlington, VT 05405; or visit the Office of Compliance & Privacy Services located in Billings, Room 159 (M-F, 8:30am to 4:00pm, additional times available by appointment).

Confidentiality:

The University will seek to handle all such reports with discretion and due regard for privacy. In addition, a person may request that a report be handled confidentially. Other obligations and considerations, including those relating to personal safety, may preclude the University from maintaining confidentiality in all circumstances. To maintain confidentiality, an individual may make an anonymous report through the HelpLine or contact individuals who, by nature of their professional positions, may engage in privileged conversations as a matter of law under most circumstances. These professional positions include health care providers, mental health professionals, clergy, and privately retained attorneys. Due to privilege considerations, UVM will not address reports made to a professional in this group unless or until a UVM official is notified of the nature of the report.

Anonymous Reports

While other reporting mechanisms may offer an anonymous reporting option, the HelpLine is the preferred method for maintaining anonymity. The HelpLine allows the University to communicate with the reporter without knowing the reporter’s identity, using a confidential key system provided through a third-party vendor. Although an anonymous report is preferable to non-reporting, please note that an investigation may be hampered or impracticable if the person making the report cannot be questioned about the allegations and related facts or if the reporter fails to monitor the status of their report.

For more information on anonymous reporting, refer to the [HelpLine FAQ](#).

Contacts

Questions concerning the daily operational interpretation of this policy should be directed to the following (in accordance with the policy elaboration and procedures):	
Title(s)/Department(s):	Contact Information:
Director of Compliance Services and Chief Privacy Officer, Office of Compliance & Privacy Services	(802) 656-3086 compliance@uvm.edu

Forms/Flowcharts/Diagrams

- None

Related Documents/Policies

- [Code of Conduct and Ethical Standards](#)

- [Discrimination, Harassment, and Sexual Misconduct Policy](#)
- [Equal Employment Opportunity/Affirmative Action Policy Statement](#)
- [Grievance and Peer Advisor Policy for Non-Represented Staff](#)
- [Laboratory Health and Safety Policy](#)
- [Misconduct in Research Policy](#)
- [Personal Safety and Security Policy](#)
- [Procedural Guidelines for Disability Accommodation for Employees and Applicants for Employment](#)
- [Protecting Minors Policy](#)

Regulatory References/Citations

- None

Training/Education

Training will be provided on an as-needed basis as determined by the Approval Authority or the Responsible Official.

About this Policy

Responsible Official:	President	Approval Authority:	President
Policy Number:	V. 1.5.2	Effective Date:	October 28, 2016
Revision History:	<ul style="list-style-type: none"> • V. 1.5.1 effective August 16 • Reaffirmed May 3, 2022 		

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