

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION
Policy and Procedures Manual

SUBJECT: GOVERNANCE AND ORGANIZATION
Policy 211 - MUS Compliance Reporting Hotline
Effective: May 27, 2021

I. PURPOSE:

The Board of Regents (“BOR”), together with the Montana University System campuses and their employees, are committed to fulfilling their missions in accordance with Montana and federal law and with integrity and accountability. In order to promote a culture of accountability and compliance, the BOR shall establish and maintain a Montana University System (“MUS”) Compliance Reporting Hotline (“Compliance Hotline”). The Compliance Hotline will accept reports by phone or online about suspected legal, regulatory or policy misconduct. The Compliance Hotline should be used when normal channels of communication are impracticable under the circumstances.

The BOR recognizes that the Office of the Commissioner of Higher Education (“OCHE”) and each of the MUS campuses have existing and well-established channels of communication to ensure that such concerns are reported to appropriate officials. These channels are typically the best methods for addressing suspected legal, regulatory or policy misconduct. The BOR intends for the Compliance Hotline to support existing reporting channels, whether at OCHE or on campus and encourages all employees, students, and volunteers, acting in good faith, to report suspected legal, regulatory or policy misconduct through the MUS Compliance Hotline when normal channels of communication at OCHE or on campus are impracticable under the circumstances. Retaliation for reporting to the Compliance Hotline is prohibited.

II. POLICY:

- A. Anonymous reports.** Anonymous reports are permitted; however, such reports must provide sufficient corroborating evidence to justify a review. A review of unspecified or broad wrongdoing may not be undertaken without sufficient information to support the allegation. Since reviewers are unable to interview anonymous reporters, it may be more difficult for the MUS to evaluate the credibility of the allegations and therefore, less likely to cause a review to be initiated. Some matters may only be fully addressed when a reporter is willing to share their identity and communicate with reviewers.
- B. Compliance Reporting Hotline.** Concerns in the following areas may be reported by phone or online using the Compliance Hotline: (1) accounting and financial; (2) athletics; (3) discrimination or harassment; (4) health and safety; (5) human Resources; (6) information security and technology; and (7) research. The MUS Compliance Hotline is not available for reports involving academic matters or non-academic student conduct matters. The Compliance Hotline does not replace existing campus or OCHE reporting channels.
- C. Confidentiality.** The Compliance Hotline is administered by a third-party vendor that provides for confidential communication. Reports and associated records will be kept confidential to the extent possible, consistent with the need to conduct an adequate review, and in accordance with Montana law. All employees involved in the process of receiving and reviewing reports of wrongdoing must exercise care to maintain the integrity and confidentiality of the information received.
- D. 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 false report of retaliation may be subject to disciplinary action, up to and including termination. Any

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student who knowingly makes a false report of wrongful conduct or a false report of retaliation in the non-employment setting may be subject to charges under the student conduct code. Allegations that are not substantiated yet are made in good faith are not subject to corrective action.

- E. Good faith report.** Anyone reporting suspected legal, regulatory or policy misconduct must be acting in good faith and have reasonable grounds for believing the information disclosed indicates such a violation. Reports made to quell or dissuade an individual from making legitimate employment, academic, or conduct decisions are not made in good faith.
- F. Legitimate employment decisions.** Nothing in this policy is intended to interfere with legitimate employment decisions or actions unrelated to the employee's submission of a good faith report.
- G. Retaliation.** No individual who reports suspected legal, regulatory, or policy violations in good faith will suffer harassment, threats, or adverse employment or education consequences solely because a report was made through the MUS Compliance Hotline. Any person who retaliates against any individuals because they made a report may be subject to disciplinary action, up to and including termination or expulsion.

III. PROCEDURES AND RESPONSIBILITIES:

- A. Appointment of Compliance Hotline Administrators and Case Monitors.** The MUS Internal Auditor, in coordination with the MUS Compliance Officer or their designees, will be responsible for the administration of the Compliance Hotline System. The University of Montana and Montana State University Internal Audit Directors will serve as a Case Monitor. Together, these individuals will serve as Compliance Hotline Coordinators who are responsible for coordinating the efficient and effective operation of the Compliance Hotline.
- B. Reporting.** The BOR encourages all employees, students, and volunteers, acting in good faith, to report suspected legal, regulatory or policy misconduct.
 - Individuals are encouraged to share their concerns with a campus official who has the authority to address them. In many cases, the individual's supervisor is in the best position to address an area of concern.
 - Each campus has offices such as Human Resources, Risk Management, Equal Opportunity, or Institutional Equity that oversee review and resolution of such concerns. The appropriate office to address a specific concern can be found on the campus website.
 - Anonymous reports can be made using the Compliance Hotline subject to the above limitations and policy statement.
- C. Reporting Retaliation.** The MUS is committed to protecting individuals from retaliation for making a good faith report to the Compliance Hotline or for participating in any process designed to review or investigate suspected legal, regulatory or policy misconduct. Individuals who believe they have been subject to retaliation can report to the campus office which takes reports of retaliation or report retaliation to the Compliance Hotline. Reports of retaliation will be reviewed and investigated in the same way other concerns of misconduct are handled. Any person who

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engages in retaliation may be subject to disciplinary action up to and including termination of employment or expulsion.