

AURORA UNIVERSITY

WHISTLEBLOWER POLICY

A. REASON FOR POLICY

Aurora University recognizes its obligation to its students, employees, trustees, and other constituents to maintain the highest ethical standards and to promote the university's vision, mission, and values. To this end, the university relies on each member of the university community to transact university business, engage in learning and extracurricular activities, and otherwise conduct themselves in compliance with all laws, regulations and university policies related to their positions and areas of responsibility, as well as to conduct themselves at all times with honesty, integrity, fairness, and good judgment.

As stated in the university's handbooks and policies, staff, faculty, and students are encouraged to report -- and, in some cases, **must** report -- actual or suspected violations of laws, regulations or university policies; violations of ethical or professional standards; or other known or suspected misconduct (collectively, "known or suspected violations"). Trustees, administrators, supervisors, and faculty members have a special duty to take reasonable steps to address known or suspected violations within their areas of responsibility.

To protect the integrity of the university's learning community, and to ensure the highest standards of conduct by and among members of the university community, the university may investigate any alleged known or suspected violation reported by employees, students, trustees, or other stakeholders pursuant to Section D below to determine if the reported violation has been substantiated as an Improper Activity. "Improper Activity" is defined in Section B below.

This policy establishes appropriate reporting and investigative mechanisms for the response to and ultimate resolution of reports. Anyone, regardless of position or title, found to have engaged in an Improper Activity is subject to disciplinary action by the university, which may include without limitation suspension, dismissal, expulsion, removal from administrative office, civil action, or referral for criminal prosecution when warranted. Conversely, and as set forth in Section F below, anyone, regardless of position or title, who makes a good-faith disclosure of known or suspected violations or participates in a related investigation will be protected from retaliation for doing so.

B. DEFINITIONS AND SCOPE OF POLICY

Improper Activity. "Improper Activity" means any activity undertaken by a university employee, student, trustee, or other university representative that is substantiated, after appropriate investigation or other evidence, to violate any applicable local, state, or federal law, rule, or regulation; university policy or procedure; or ethical or professional standard. This

includes violation of university policies such as its Title IX, anti-harassment, and anti-discrimination policies or other conduct standards applicable to faculty, staff, or students. It also includes violation of published health and safety requirements or of ethical or professional standards applicable to particular positions or academic disciplines. Improper activity also may include without limitation corruption; collusion; malfeasance; forgery; misrepresentation; bribery; theft; fraud; breach of fiduciary duty; coercion; conversion; or misappropriation or misuse of assets.

Misuse of Official Authority or Influence. “Misuse of official authority or influence” means promising, for inappropriate or unlawful reasons, to confer or receive any benefit or conferring or receiving any benefit for inappropriate or unlawful reasons and is considered Improper Activity under this policy. It also encompasses effecting or threatening any reprisal; or taking, processing, or approving (either directly or through delegation of authority) any personnel action for inappropriate or unlawful reasons. Misuse of official authority or influence may occur during personnel actions such as hiring, appointment, promotion, transfer, assignment, performance evaluation, or disciplinary action or it may occur in the student affairs or teaching context in connection with grading or other actions taken with respect to potential, current, or past students of the university. Additionally, misuse of authority may arise in the context of contracting or procurement, such as influencing vendor selection, awarding contracts, or managing procurement processes in a manner that prioritizes personal gain, conflicts of interest, or favoritism over institutional needs and ethical standards.

Protected Disclosure. A “protected disclosure” is any good faith communication by a member of the campus community that discloses or demonstrates an intent to disclose an alleged known or suspected violation, as defined in Section A above, to an appropriate university representative.

Scope of Policy. This policy applies to all trustees; faculty; staff; and other university representatives, (whether full-time, part-time, or temporary), as well as all students. This policy does not replace or supersede existing mechanisms for addressing alleged misconduct by any of these constituencies, including without limitation:

- *Procedures for addressing allegations about employee or faculty conduct, as set forth in the **Employee or Faculty Handbooks**;*
- *Procedures for addressing allegations about student conduct, as set forth in the **A-Book**, including within the Student Code of Conduct;*
- *Procedures for addressing allegations or concerns about trustee conduct set forth in the **Aurora University Bylaws** (or any practices used by the Board to address such allegations or concerns); and/or*
- *Procedures set forth in the university’s equal opportunity policies, including its Title IX, Anti-Discrimination, Anti-Harassment, and other civil rights policies, for addressing allegations about misconduct in potential violation of any of those policies.*

C. CHANNELS FOR REPORTING KNOWN OR SUSPECTED VIOLATIONS

The university has adopted the following multi-channel reporting structure, to encourage community members to report known or suspected violations. Community members wishing to make a report may use any of the following channels:

- **Allegations may be made confidentially, either anonymously or with attribution, through the University Report It web page or via email to whistleblower@aurora.edu.** Allegations should be set forth in writing, with as much detail as the reporting party is comfortable providing. The university will typically limit investigation to allegations made in writing but may also exercise its discretion to investigate allegations brought to its attention orally. For those allegations that come to the attention of university officials orally, complainants may be encouraged to document oral reports in writing or confirm in writing the university's summary of the information reported is correct. Such allegations made, after preliminary review, will be forwarded to the appropriate university representatives or offices for investigation and resolution. Where individuals are uncomfortable addressing allegations to supervisors or other university officials directly, this mechanism allows reporters to make a report using the Report It portal or via email to whistleblower@aurora.edu. Although reports may be made anonymously, please keep in mind that non-anonymous reports enhance the opportunity for effective investigation and resolution.

- **Allegations, if made by students, may be made to the Dean of Students and Title IX Coordinator whose current contact information is Allison Brady (630-844-4578 / abrady@aurora.edu.** Depending upon the nature of the allegation or concern, such an allegation may be addressed under other university policies or procedures (including Title IX or other anti-discrimination or anti-harassment procedures) or by other offices. The university will typically limit investigation to allegations made in writing but may also, where university Equal Opportunity policies permit and the allegations warrant, exercise its discretion to investigate allegations brought to its attention orally. Such allegations made, after preliminary review, will be forwarded to the appropriate university representatives or offices for investigation and resolution.

D. SCREENING OF COMPLAINTS AND PROCEDURES

1. Preliminary Review

Reports filed by any of the methods above will be distributed to appropriate university officials to include the Office of People and Culture (Human Resources), the Office of the Dean of Students/Title IX, and the Senior VP for Business and Finance. Complaints may be

shared with university legal counsel, other university departments, and/or members of the Board of Trustees as appropriate based on the Improper Activity alleged.

University officials will conduct a preliminary screening of the allegations to determine (i) if one or more university policies govern the manner in which the allegation is investigated and resolved, (ii) if so, whether the allegations should be transferred to a different university office for resolution under such other policy or policies (“dedicated university policy”), and/or (iii) if the allegations are such that they should be referred for criminal investigation.

If any of the initial recipients is themselves a subject of the report, that official will be immediately removed from the investigation and an alternative official will be identified to perform the preliminary screening in lieu of the subject university official.

Investigation and Resolution of Allegations Under this Policy

Allegations filed under this policy that are not appropriate for investigation under another dedicated university policy will be investigated and resolved under this policy to the extent appropriate to the nature of the allegation. The investigating university official may conduct the investigation or delegate the investigation and resolution to another, including to a qualified outside investigator or to law enforcement.

Confidentiality will generally be prioritized. As such, the report and the identity of the person who filed the report will not be disclosed except when necessary, in the university’s opinion, for a full investigation of the matter or where information must be shared for health and safety reasons, in response to court process, or to assist in law enforcement. Employees and trustees are required to cooperate with any investigation under this procedure and students are strongly encouraged to do so.

Upon concluding the investigation, the investigator shall share a written report detailing the investigator’s process and findings with the legal counsel of the university (as well as the complainant and respondent). A confidential summary of the investigation and resolution will also be provided to the President and/or Board of Trustees, as appropriate given the nature of the alleged Improper Activity.

The university will take whatever actions that may be necessary to prevent and correct substantiated instances of Improper Activity under this Whistleblower Policy or to prevent and correct substantiated instances of retaliation under this Whistleblower Policy. This may include the full range of disciplinary actions available for Improper Activity or retaliation by employees, students, or trustees under Aurora University’s codes of conduct and policies.

E. GOOD FAITH COMPLAINT

Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing that the information disclosed indicates a potential violation. Any allegation that proves to be unsubstantiated and to have been made with knowledge that it is false constitutes a serious disciplinary offense. The university

reserves the right to enforce the full range of disciplinary actions available to it under the university's codes of conduct and related policies for a false report.

Aurora University forbids retaliation in any manner against someone who, acting in good faith, has reported a suspected violation, assisted in making a report, cooperated in an investigation, or otherwise exercised their rights or responsibilities under this policy. The university also will not tolerate direct or indirect use (or attempted use) of one's official authority or influence to interfere with another employee or constituent's right to make a protected disclosure or participate in an investigation under this policy.

Any employee, student, trustee, or other stakeholder who feels that they have been retaliated against under this policy may file a written complaint through any of the methods set forth in Section C above for reporting allegations of potential misconduct. The university will take whatever actions that may be necessary to prevent and correct substantiated instances of retaliation under this Whistleblower Policy, which include the full range of disciplinary actions available under the university's codes of conduct and policies.

Questions about this policy may be directed to the Office of People and Culture (Human Resources) or the Dean of Students/Title IX Officer.