Whistleblower Protection

**POLICY STATEMENT**

Cornell University prohibits any form of retaliation, intimidation, harassment, or adverse employment action against any trustee, officer, employee, agent of the university, or volunteer of the university who, in good faith, reports any action or suspected action taken by or within the university that is illegal, fraudulent, or in violation of any university policy (commonly called a “whistleblower”).

**REASON FOR POLICY**

The university strives to operate ethically and lawfully in all of its operations, and to encourage reporting and appropriately address, without retaliation or other adverse consequences, reports of suspected or actual illegal activities, fraud, or policy violations by employees or agents of the university.

**ENTITIES AFFECTED BY THIS POLICY**

☑ Ithaca-based locations
☑ Cornell Tech campus
☑ Weill Cornell Medicine campuses

**WHO SHOULD READ THIS POLICY**

- All university community members

**MOST CURRENT VERSION OF THIS POLICY**

- [www.dfa.cornell.edu/policy/policies/whistleblower-protection](http://www.dfa.cornell.edu/policy/policies/whistleblower-protection)
POLICY 4.17
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RELATED RESOURCES

University Policies and Information Applicable to All Units of the University
- University Policy 1.2, Academic Misconduct
- University Policy 1.7, Financial Conflict of Interest Related to Research
- University Policy 3.1, Accepting University Gifts
- University Policy 3.6, Financial Irregularities, Reporting and Investigation
- University Policy 3.25, Procurement of Goods and Services
- University Policy 4.6, Standards of Ethical Conduct
- University Policy 4.14, Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)
- University Policy 5.1, Responsible Use of Information Technology Resources
- University Policy 6.4, Prohibited Discrimination, Protected Status (Including Sexual) Harassment, and Bias Activity
- Campus Code of Conduct
- President's Statement on Affirmative Action

University Policies and Information Applicable to Only Ithaca-Based Locations and Cornell Tech
- University Policy 3.14, Business Expenses
- Faculty Council of Representatives Resolution on Romantic and Sexual Relationships Between Students and Staff, Chapter 6, Faculty Handbook
- Faculty Handbook
- Human Resources Policy 6.13.1, Conflict of Commitment: Dual Appointment, Exempt Staff

University Policies and Information Applicable to Only Weill Cornell Medicine Campuses
- Academic Staff Handbook
- Personnel Manual

External Documentation
- New York Nonprofit Revitalization Act, as codified by §715-b of the New York State Not-for-Profit Corporation Law

University Forms and Systems Applicable to All Units of the University
- Cornell Hotline
### CONTACTS

Direct any general questions about this policy to your college or unit administrative office. If you have questions about specific issues, contact the following offices.

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Telephone</th>
<th>Email/Web Address</th>
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</thead>
<tbody>
<tr>
<td>Policy Clarification and Interpretation</td>
<td>University Audit Office</td>
<td>(607) 255-9300</td>
<td><a href="mailto:audit@cornell.edu">audit@cornell.edu</a></td>
</tr>
<tr>
<td></td>
<td>Weill Cornell Medicine Audit Office</td>
<td>(646) 962-6940</td>
<td><a href="mailto:audit@cornell.edu">audit@cornell.edu</a></td>
</tr>
<tr>
<td>Reporting Suspected Violations</td>
<td>University Audit Office</td>
<td>(607) 255-9300</td>
<td><a href="mailto:audit@cornell.edu">audit@cornell.edu</a></td>
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</tr>
<tr>
<td></td>
<td>Cornell University Hotline</td>
<td>(866) 293-3077</td>
<td><a href="http://www.hotline.cornell.edu">www.hotline.cornell.edu</a></td>
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</table>

If you believe your questions have not been answered or you wish to remain anonymous, you may file a report through Cornell University’s Hotline call-in number at (866) 293-3077 or website at hotline.cornell.edu.
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DEFINITIONS

These definitions apply to terms as they are used in this policy.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tr>
<td><strong>Adverse Employment Action</strong></td>
<td>Failure to promote; adverse impact on compensation, termination, discharge, suspension, or demotion; other change in responsibilities, whether formal or informal; or other negative consequences.</td>
</tr>
<tr>
<td><strong>Whistleblower</strong></td>
<td>An individual who, in good faith, reports any action or suspected action taken by or within the university that is illegal, fraudulent, or in violation of university policy.</td>
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# RESPONSIBILITIES

The major responsibilities each party has in connection with this policy are as follows:

<table>
<thead>
<tr>
<th>Party</th>
<th>Responsibilities</th>
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</table>
| **Audit Committee of the Board of Trustees** | Oversee the University Audit Office’s administration of this policy.  
Require committee members who are university employees to recuse themselves from any committee decisions related to the administration of this policy.  
Prohibit the presence or participation of persons who are the subject of a whistleblower complaint from any committee decisions regarding the complaint. |
| **Unit Head**                              | Communicate the provisions of University Policy 4.17, Whistleblower Protection, to all unit faculty and staff members.  
Report any known or suspected acts of whistleblower retaliation to the University Audit Office. |
| **University Audit Office**                | Administer this policy.  
Investigate or oversee investigation of reports of violations of applicable laws or university policies and recommend corrective action.  
Investigate any report of whistleblower retaliation arising under this policy and recommend corrective action.  
Communicate findings and conclusions of investigations to the responsible senior leadership and, when appropriate, to the Audit Committee or other appropriate committee of the Board of Trustees. |
| **University Community Member**            | Report, in good faith, suspected or actual illegal activities, fraud, or policy violations, as provided in this policy.  
Refrain from retaliating against whistleblowers.  
Report any known or suspected acts of whistleblower retaliation to the University Audit Office.  
Cooperate fully and in a timely manner with the investigations, including, but not limited to, participating in interviews and providing all requested information, documentation, and access to records, systems, personnel, and physical spaces. |
PRINCIPLES

University Encourages Reporting

The university encourages the good-faith reporting of suspected or actual illegal activities, fraud, or policy violations. Reports will be fully investigated by the university.

◆Note: Policies to which whistleblower protection applies include:

- Policies designed to prevent financial wrongdoing, such as internal and external financial controls, accounting policies, and policies prohibiting fraud, theft, embezzlement, bribery, kickbacks, and abuse or misuse of university assets.
- Conflict of interest policies.
- Policies addressing unethical conduct; and harassment and discrimination policies.

Complaints of policy violations in areas unrelated to these may not be entitled to whistleblower protection.

Retaliation Prohibited

Individuals who make good-faith reports of suspected or actual illegal activities, fraud, or policy violations (whistleblowers) will not be subject to any form of retaliation, intimidation, harassment, or adverse employment action by the university.

A whistleblower is not necessarily granted immunity from consequences that are the result of participating or being complicit in the violation or suspected violation that is the subject of her or his report or subsequent investigations.

Individuals who engage in retaliatory acts will be subject to discipline, up to and including separation from the university.

Confidentiality

When requested by an individual who reports a suspected violation, the university will take reasonable steps to keep the subject matter of such reports and the identity of the reporter confidential, subject to applicable legal requirements, and the need to conduct an appropriate investigation and resolve actual violations.
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PROCEDURES

Reporting

The university encourages the reporting of any action or suspected action taken by or within the university that is illegal, fraudulent, or in violation of university policy. A good-faith report requires an individual to have an honest and reasonable belief that such action has occurred. Individuals who make intentionally false or malicious reports will be subject to discipline, up to and including separation from the university.

Report suspected violations of university policy in accordance with the procedures contained in those policies. Where the subject-specific policy lacks explicit reporting procedures or where the conduct goes beyond what can be appropriately addressed under an applicable policy, contact the University Audit Office or the University Hotline.

Report suspected whistleblower retaliation to the University Audit Office or the University Hotline.

◆ Caution: Report emergencies to the Cornell University Police Department or applicable local law enforcement agency.

University Response to Reports

The University Audit Office will conduct or oversee an investigation, pursuant to this policy, to determine whether any further action is warranted. Faculty, staff, and students must cooperate fully and in a timely manner with the investigation, including, but not limited to, participating in interviews and providing all requested information, documentation, and access to records, systems, personnel, and physical spaces.

Once an investigation is completed, the University Audit Office will communicate its findings and conclusions to the responsible senior leadership and, when appropriate, to the Audit Committee or other appropriate committee of the Board of Trustees.

◆ Note: Board members who are university employees are required to recuse themselves from any committee decisions related to the administration of this policy.

◆ Note: A person who is the subject of a whistleblower complaint is excluded from being present or participating in any committee deliberations regarding the complaint, except to provide background information or to answer questions at the request of the committee.