

UNIVERSITY POLICY: P-10.00-10/04

TO: University of West Florida Community
FROM: Dr. John Cavanaugh, President
SUBJECT: Policy Against Fraudulent or Wrongful Acts
Responsible Office/Executive: President's Division

Policy/Purpose: To guard against all fraudulent or other wrongful acts.

Responsibility

As a public university, we are accountable to the public and are often evaluated based on the public's perception of our stewardship. UWF's reputation and that of its employees may be damaged, when fraudulent or other wrongful acts occur. Wrongful acts include, but are not limited to: misrepresentations; intentional omissions; misuse, abuse or theft of University/State property; and/or neglect or breach of duty by an employee in the discharge of his/her duties. Even the appearance of wrongdoing undermines the confidence and support that is critical for the University to achieve its mission. Accordingly, it is the policy of UWF to guard against fraudulent or other wrongful acts, investigate indications of such, and prosecute or pursue disciplinary action in response to documented instances thereof.

UWF employees are to observe the applicable provisions of the Code of Ethics for Public Officers and Employees, to the extent Part III of Chapter 112, Florida Statutes, applies and are herein advised of this policy against fraudulent and other wrongful acts. Generally, employees abide by laws and regulations; however, incidents of fraudulent or other wrongful acts may occur. Administrators at all levels of management will set the appropriate tone by displaying the proper attitude toward complying with laws, rules, and regulations. Administrators are responsible for establishing and maintaining proper internal controls which provide for the security and accountability of the resources entrusted to them. In addition, administrators should be cognizant of the risks and exposures inherent in their area of responsibility, and should be aware of the symptoms of fraudulent or other wrongful acts. In those instances where internal controls may need strengthening, the Office of Internal Auditing and Management Consulting should be consulted for assistance on how to enhance those controls.

Investigation

The UWF Board of Trustees and the President have designated the UWF Office of Internal Audit and Management Consulting as the official contact for reporting suspected fraudulent or wrongful acts. Employees, with a reasonable basis for believing such acts have occurred, have a responsibility to report such beliefs to their supervisor, appropriate administrator or the Office of Internal Auditing and Management Consulting. Employees shall not confront the individual being investigated, or initiate investigations on their own as such actions can compromise any ensuing investigation.

University administrators, and all levels of management, who become aware of suspected fraudulent or wrongful activity, are to respond in a consistent and appropriate manner by reporting the suspected activity to the Office of Internal Auditing and Management Consulting. The UWF Office of Internal Auditing and Management Consulting will then determine if an investigation is warranted. If it is determined that an investigation is warranted, the Office of Internal Auditing and Management Consulting is responsible for investigating the suspected fraudulent or wrongful act after consulting with the appropriate university employees: general counsel, human resources associate vice president, campus police chief, or other administrators as appropriate.

During all aspects of any investigation, the Constitutional rights of all persons are to be observed. The investigation will be completed expeditiously and in accordance with established procedures. All employees are to cooperate fully with those performing an investigation pursuant to this policy. All criminal investigations will be conducted in conjunction with campus police and/or the appropriate law enforcement agency.

Reporting

The Office of Internal Auditing and Management Consulting will report the results of any such investigations, either orally or in writing, to the University President or other appropriate administrator.

Actions

Employees found to have participated in fraudulent or other wrongful acts will be subject to disciplinary action pursuant to collective bargaining agreements and University policies and rules, up to and including termination of employment, and prosecution, if appropriate. In those instances where disciplinary action is warranted, the Board of Trustees, the University President, General Counsel, the Office of Human Resources, and/or other appropriate office shall be consulted prior to taking such actions.

Individuals who report fraudulent or other wrongful acts, and those cooperating with the ensuing investigation, are protected from retaliatory action, as provided for in Section 112.3187, Florida Statutes (Whistle-blower's Act),

Compliance with all laws, rules, regulations, and this policy, will help maintain the public's trust and support and provide the accountability and stewardship that the public demands.

If you have any questions concerning this policy, please contact either the Office of Internal Audit and Management Consulting at (850) 474-2636 or the Office of Human Resources at (850) 474-2603.

Authority: Part III, Chapter 112, Florida Statutes

Approved By: Dr. John Cavanaugh, President

Date: 10/27/04