



## REASON FOR POLICY

~~This policy sets forth guidelines for reporting known or suspected fraud, waste and abuse at the University of Oregon.~~

This policy establishes guidelines for reporting known or suspected fraud, waste, abuse, or unethical behavior involving faculty, staff, and students of the University of Oregon, as well as consultants, vendors, contractors, or agencies conducting business with the University of Oregon. This policy also assigns responsibility for reporting irregularities, conducting investigations, and developing and implementing controls to assist in the detection and prevention of future occurrences.

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## ENTITIES AFFECTED BY THIS POLICY

All University of Oregon employees.

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## WEB SITE ADDRESS FOR THIS POLICY

[to be completed once posted]

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## RESPONSIBLE OFFICE

For questions about this policy, please contact the Office of Internal Audit at [internalaudit@uoregon.edu](mailto:internalaudit@uoregon.edu) or (541) 346-6541.

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## ENACTMENT & REVISION HISTORY

Technical amendments made by the University Secretary on August 3, 2015.  
Became a University of Oregon policy by operation of law on July 1, 2014.  
Former OUS Internal Management Directive.

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## POLICY

**POLICY IMD 5** [will receive new number]  
~~Fraud, Waste, and Abuse Reporting~~  
Fraud and Ethics Reporting

**DEFINITIONS**

The following list of definitions is applicable to this policy. For a more detailed explanation and/or examples, contact the Office of Internal Audit.

**Abuse:** The use of University resources, including but not limited to the use of University funds, buildings, equipment, or reputation that is not in the best interest of the University. Abuse also includes misuse of authority or position for personal financial interests or those of an immediate or close family member or business associate. Abuse does not necessarily involve fraud, violation of laws, regulations, or provisions of a contract or grant agreement.

**Ethics:** Ethics is the branch of philosophy that involves systematizing, defending, and recommending concepts of right and wrong conduct.

**Fraud:** A willful or deliberate act or failure to act with the intention of obtaining an unauthorized benefit. The three major types of fraud in the workplace are: corruption, asset misappropriation, and fraudulent financial reporting. Fraud can also be defined as any false representation of a material fact, whether by words or by conduct, by false or misleading allegations, or by concealment of that which should have been disclosed, which deceives another so that he acts, or fails to act to his detriment.

**Irregularity:** Intentional misstatements or omissions of information related to accounting records, transactions, and financial statements that are detrimental to the interests of the University. This can also be described as fraudulent financial reporting.

**Leadership:** University leadership includes the President, vice presidents, and vice provosts, along with associates and assistants to the President, vice presidents and vice provosts.

**Management:** University management include positions that report directly to leadership and include, but are not limited to, Deans and Directors.

**Supervisors:** University supervisors include positions that are directly responsible for processes across campus and that direct/manage/evaluate the work of other employees.

**University:** University of Oregon

**Waste:** Mismanagement of University assets, inappropriate actions, and inadequate oversight. Waste goes beyond fraud and abuse and does not often involve a violation of law.

~~Suspected fraud, waste, or abuse is a reasonable belief or actual knowledge that fraud, waste, and/or abuse is occurring or has occurred.~~

Concerns may include but are not limited to the following functional categories:

**POLICY IMD 5** [will receive new number]  
**Fraud, Waste, and Abuse Reporting**  
**Fraud and Ethics Reporting**

- Academic & Student Affairs
- Accounting & Financial
- Athletics
- Human Resources
- Information Technology
- Research
- Risk and Safety
- University Health Centers
- ~~Other~~

~~Campus management includes the president, vice presidents, provost, vice provosts, deans, directors, and division/department heads, as well as other managers authorized to determine and assign duties to university employees.~~

## **RESPONSIBILITIES**

The University fully supports all applicable laws and regulations and will enact policies, procedures and internal controls to interpret and apply these laws and regulations in the University community. The University is also committed to the highest standards of moral and ethical behavior and supporting open and honest communication. Leadership has zero tolerance for unlawful and unethical behavior.

All employees of the University ~~of Oregon shall~~ are expected to report ~~known or suspected irregularities, including~~ instances of fraud, waste, ~~and/or~~ abuse, and unethical behavior, at the time they become aware of the incident.

~~Matters can be reported to campus management (see definition above), the Office of Internal Audit, or through a UO hotline. Campus managers who receive notice of suspected or known fraud, waste, and/or abuse are required to report such matters to the Office of Internal Audit. When employees do not feel comfortable discussing these matters directly with the Office of Internal Audit or campus management, reporting can be made through the UO hotline: UO Hotline: 855-388-2710 or [hyperlink].~~

~~UO contracted with EthicsPoint, an independent, third party vendor, to provide this confidential and anonymous telephone and Internet system for reporting concerns. EthicsPoint reports concerns received on the hotline to the Office of Internal Audit, which coordinates investigation efforts of reported concerns in conjunction with necessary campus and external parties as deemed appropriate.~~

**POLICY IMD 5** [will receive new number]  
~~Fraud, Waste, and Abuse Reporting~~  
Fraud and Ethics Reporting

Employees are encouraged to report concerns directly to their supervisor but have the options of contacting management, leadership or the Office of Internal Audit. Employees can also report concerns anonymously through the “Fraud & Ethics Hotline”, a website managed by a third party.

Supervisors are expected to take all reported concerns seriously and ensure appropriate action is taken. All fraudulent activity is to be reported to the Office of Internal Audit at the time an individual becomes aware of an incident. If the employee or supervisor are unsure what actions should be taken, they are encouraged to contact the Office of Internal Audit for consultation.

Management is also expected to take all reported concerns seriously. Management is responsible for assessing the control environment and implementing adequate controls to mitigate the risk of fraud, misappropriations, and other irregularities. Management is expected to report all incidents to the Office of Internal Audit.

Leadership is expected to ensure reported concerns are appropriately addressed by taking suitable actions considering applicable laws and regulations.

The Office of Internal Audit is an independent objective function responsible for assessing reports and using professional judgement to determine the most appropriate action. Internal Audit will either investigate the concern or assign action to the appropriate area of the University. Refer to the Office of Internal Audit’s department procedures for investigative protocol.

Employees who report unlawful or unethical behavior ~~who identify themselves and make a good faith report of suspected fraud, waste, or abuse~~ are protected from retaliation, in accordance with (ORS 659A).

UO will maintain confidentiality of identities and investigatory records to the extent possible, consistent with the need to conduct an adequate investigation and in accordance with applicable law(s). ~~for employees reporting suspected irregularities, misconduct, safety issues, or other concerns to the extent possible under the law.~~

~~In accordance with ORS 297, the Secretary of State Audits Division is notified of all complaints and confirmed losses that are in excess of \$100.~~

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## RELATED RESOURCES

University of Oregon’s Internal Control Manual [hyperlink]

[possibly others added after policy takes effect]



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**University:** University of Oregon

**Waste:** Mismanagement of University assets, inappropriate actions, and inadequate oversight. Waste goes beyond fraud and abuse and does not often involve a violation of law.

Concerns may include but are not limited to the following functional categories:

## **POLICY XXX**

### **Fraud and Ethics Reporting**

- Academic & Student Affairs
- Accounting & Financial
- Athletics
- Human Resources
- Information Technology
- Research
- Risk and Safety
- University Health Center

#### **RESPONSIBILITIES**

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**POLICY XXX**  
**Fraud and Ethics Reporting**

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UO will maintain confidentiality of identities and investigatory records to the extent possible, consistent with the need to conduct an adequate investigation and in accordance with applicable law(s).

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**RELATED RESOURCES**

University of Oregon's Internal Control Manual [hyperlink]

[possibly others added after policy takes effect]



**ORS Citations from Policy Concept Form Submitted re: IMD 5**

**352.033 Status of university with a governing board.** A university with a governing board is a governmental entity performing governmental functions and exercising governmental powers. A university with a governing board is not considered a unit of local or municipal government or a state agency, board, commission or institution for purposes of state statutes or constitutional provisions. [2013 c.768 §2a] (emphasis added)

**352.138 Applicability of laws to universities with governing boards.** (1) The following entities are not subject to any provision of law enacted after January 1, 2013, that is unique to governmental entities unless the following entities are expressly named:

(a) A university with a governing board; and

(b) Any not-for-profit organization or other entity if the equity of the entity is owned or controlled exclusively by a university with a governing board and if the organization or entity is created by the university to advance any of the university's statutory missions.

(2) Notwithstanding subsection (1) of this section, the provisions of ORS 30.260 to 30.460, 33.710, 33.720, 200.005 to 200.025, 200.045 to 200.090, 236.605 to 236.640, 276.080, 276.090, 279.835, 279.840, 279.850 and 297.040 and ORS chapters 35, 190, 192 and 244 apply to a university with a governing board under the same terms as they apply to public bodies other than the state.

(3) Except as otherwise provided by law, the provisions of ORS 35.550 to 35.575, 180.060, 180.210 to 180.235, 184.305 to 184.345, 190.480, 190.490, 200.035, 243.696, 357.805 to 357.895 and 656.017 (2) and ORS chapters 182, 183, 240, 270, 273, 276, 278, 279A, 279B, 279C, 282, 283, 291, 292, 293, 294, 295 and 297 do not apply to a university with a governing board.