

 UNIVERSITY OF DENVER	UNIVERSITY OF DENVER POLICY MANUAL RETALIATION AND WHISTLEBLOWER PROTECTION	
<u>Responsible Department:</u> Office of Internal Audit <u>Recommended By:</u> Director of Internal Audit, Chief Risk and Compliance Officer, Senior Vice Chancellor and General Counsel, Associate Vice Chancellor for Civil Right and Equal Opportunity, Vice Chancellor for Human Resources <u>Approved By:</u> Board of Trustees	<u>Policy Number</u> AUDT 18.10.010	<u>Effective Date</u> 11/6/2025

I. INTRODUCTION

- A.** The purpose of this Policy is to define how the University provides for the protection from retaliation of any person or group within the University community who, in good faith:
1. makes reports of possible non-compliance;
 2. participates in investigations, grievance procedures, or hearings;
 3. invokes protected leave benefits such as family medical leave or parental leave; or
 4. reports alleged violations of policies, laws, rules or regulations applicable to the University.
- B.** This Policy applies to all University official or employee, student, contractor, or affiliated persons.
- C.** Application of this Policy does not supersede other University policies addressing retaliation. Specifically, this Policy does not apply to reports and investigations pursuant to University Policy CREO 3.10.010 - Discrimination and Harassment and/or [Honor Code](#) conducted by the Office of Civil Rights and Equal Opportunity and/or the Office of Student Rights & Responsibilities, each of which have their own policies and procedures to address retaliation.

II. POLICY OVERVIEW

- A.** The University strictly prohibits retaliation against any member of the University community for reporting or inquiring in good faith about what the member believes to be wrongful or unlawful activity, or for participating in an investigation or proceeding related to such activity.
- B.** This Policy does not protect an individual who files a report that is knowingly

false and/or made with malicious intent, or knowingly provides information as part of an investigation that is false or is filed in bad faith. The University will take appropriate action, up to and including dismissal, against any employee, student, contractor, or affiliated person who violates this Policy.

III. PROCESS OVERVIEW

A. No person shall retaliate against another for:

1. Disclosing information concerning conduct that the reporter believes to be illegal or in violation of a University policy;
2. Lodging a complaint, providing information or testimony, or otherwise participating in an investigation or University complaint or grievance proceeding or a legal or regulatory proceeding of an external agency;
3. Cooperating or assisting in any manner with University officials carrying out an authorized employment action; or
4. Utilizing protected leave benefits such as family medical leave or parental leave.

B. An adverse employment or academic decision or disciplinary action taken in accordance with established University policies and procedures against an employee or student whose conduct or performance warrants such action will not constitute a violation of this Policy, even if such action is later reversed, set aside, overruled, withdrawn, or modified.

C. Any action taken or threatened that would dissuade a reasonable person from engaging in activities protected by this Policy also may be considered retaliation.

D. Reporting Retaliation

1. Reports of retaliation that fall within the scope of this Policy may be made to the Office of Internal Audit.
2. Reports of retaliation that fall within the scope of this Policy also may be made using the [University's confidential reporting hotline](#). The option to remain anonymous is available through each of these methods:
 - a. submitting a report through Lighthouse Services at www.lighthouse-services.com/du.
 - b. calling the hotline provided by Lighthouse Services at the following numbers:
 - i. English speaking USA and Canada: 866-780-0002
 - ii. Spanish speaking USA and Canada: 800-216-1288
 - iii. Spanish speaking Mexico: 01-800-681-5340
 - iv. French speaking Canada: 855-725-0002
 - c. fax a report through Lighthouse Services at 215-689-3885 (please

- identify the University of Denver in the report).
- d. email a report to Lighthouse Services at reports@lighthouse-services.com (please identify the University of Denver in the report).

E. Addressing Reported Violations

The University will address any report of retaliation that is a violation of laws, regulations, policies, or procedures alleged to have been committed by a University official or employee, student, contractor, or affiliated person. Individuals who are found to have engaged in retaliation may be subject to discipline up to and including termination of employment or academic dismissal under University policies and procedures (including the policies and procedures listed in “Resources” below). Individuals found to have engaged in retaliation in violation of the law also may be subject to legal liability.

IV. DEFINITIONS

- A. **“Adverse Action”** means any action taken against a person because they engaged in a protected activity that might deter a reasonable person from engaging in the activity, such as participating in any complaint and/or investigation process. Examples include, but are not limited to, unwarranted reprimands or negative evaluations; denial of promotion; refusal to hire; denial of job benefits; demotion, suspension and discharge; harassment, violence, or bullying; denial of committee assignments or professional development opportunities that could lead to further career advancement; and threats of any of these. These actions in and of themselves may not constitute retaliation if they are taken for academic or professional reasons or justifications that are independent from a protected activity.
- B. **“Protected Activities”** means good faith reporting, whether internally or externally, or inquiring about suspected wrongful or unlawful activity; assisting others in making such a report; and/or participating in an investigation or proceeding related to suspected wrongful or unlawful activity. Taking some action that is permitted or protected by state and/or federal laws with respect to employment or other violations of law or University policy. Examples include, but are not limited to:
- Bringing a complaint about bullying against oneself or others
 - Bringing a complaint about fraud or misuse of public funds or resources
 - Providing information or participating in a complaint, investigation, grievance procedure, hearing, or related activity
 - Utilizing protected leave benefits, such as family medical leave or parental leave

This list is not exhaustive, and there could be other examples of protected employee activity.

- C. “Reporter (Whistleblower)”** means a person who makes a report of possible unlawful practice or violation of University policy or participates in a complaint, investigation, grievance procedure, hearing, or related activity. Reporters are sometimes referred to as "whistleblowers." A "whistleblower" covered under this Policy also includes someone who refuses to participate in an activity that would result in a violation of an applicable state or federal statute, rule, or regulation.
- D. “Retaliation”** means any adverse action taken against a Reporter because they have participated in a protected activity such as making a complaint or report; serving as a witness; assisting in an investigation, grievance procedure, hearing, or related activity concerning an unlawful practice or violation of University policy. Retaliation includes actions leading to the discharge, demotion, intimidation or otherwise discriminated against the reporting individual.
- E. “University community”** means University trustees, officers, faculty, staff, students, and individuals providing services for the University as contractors or volunteers.

V. RESOURCES

- A.** University Policy CREO 3.10.010 – *Discrimination and Harassment*
- B.** University Policy CREO 3.10.011 – *Reporting by University Employees of Disclosures Relating to the University’s Discrimination and Harassment Policy*
- C.** University Policy RISK 2.50.060 – *Protection of Minors on Campus*
- D.** University Policy FINA 3.20.070 – *Code of Business Conduct*
- E.** University Policy FINA 2.10.070 – *Corporate Governance*
- F.** University Policy FINA 2.10.090 – *Internal Control*
- G.** University Policy HRIC 3.30.010 – *Leave of Absence*
- H.** [Honor Code and Student Rights and Responsibilities](#)

Revision Effective Date	Purpose
11/6/2025	<i>Minor revisions to update names of referenced policies and offices</i>