

1. PURPOSE

AUP is committed to providing a work and learning environment defined by integrity and transparency that encourages the disclosure of violations of law or of University policy. To this end, AUP protects from retaliation against members of its community who report in good faith any suspected misconduct occurring at the University. This policy aims to reassure individuals that they should raise genuine concerns in good faith without fear of reprisals, and provides guidance on how to raise those concerns.

2. WHO IS AFFECTED BY THIS POLICY

Students, staff, faculty, contractors, visitors.

3. POLICY STATEMENT

Protection of Whistleblowers

Individuals who raise genuinely held concerns in good faith will not be dismissed or subjected to retaliation as a result of such action, even if they turn out to be mistaken. No employee shall take retaliatory action against any individual for reporting, or causing to be reported, suspected wrongdoing, or for assisting in an authorized investigation of alleged wrongdoing. If a whistleblower believes that he or she has suffered any retaliation as a result of whistleblowing, he or she should raise the matter with the Office of Human Resources or, in the case of a student, with the Dean of Student Development or Associate Dean for Academic Administration. Any staff member, faculty member or student who victimizes or retaliates against a whistleblower will be subject to disciplinary action.

Process: Raising a Concern

Staff and faculty should raise any concern first with an immediate supervisor (e.g. Department Chair, Dean, department manager, etc.) or elected personnel representatives. Students should contact their advisor, a University Dean, or an SGA representative. It may be possible to resolve the concern quickly and effectively. If this is not possible (for example, because the concern involves the immediate supervisor) or if the individual feels that the supervisor has not adequately addressed the concern, the individual should contact a Leadership Team Vice President. All concerns should be raised in writing.

If, after preliminary examination, the Leadership Team member determines that the concern is without substance or merit, no further action will be taken and the whistleblower will be informed. If there is preliminary indication of malfeasance, the Leadership Team member will arrange an investigation and decide on a course of action based on the outcome of the investigation. Next steps could include one or more of the following:

- Take no further action; inform the whistleblower of the decision and reasons
- Recommend training, mediation, etc.
- Refer the matter for further action within existing AUP procedures (e.g. disciplinary actions)
- Refer the matter to the police, in the case of alleged criminal activities

Confidentiality

When possible, a whistleblower's identity will be protected. If confidentiality is not possible (for example, if the whistleblower's evidence is needed in the investigatory process or at a hearing), the matter will be discussed with the whistleblower.

Anonymous Complaints

AUP cannot investigate anonymous whistleblowing reports. It would be difficult to establish the credibility of or properly investigate any anonymous allegations.

Malicious Allegations

If an investigation concludes that a disclosure was made maliciously, in bad faith, or with a view to personal gain, AUP will take appropriate action, which may include disciplinary action of staff and students.

4. RESPONSIBILITIES

- Leadership Team** When a manager, dean, or department chair is unable to resolve a report of violation of law or AUP policy, a Leadership Team member determines whether an investigation is necessary. He or she designates a person or team to investigate, as needed, and keeps the whistleblower informed of the outcomes and decisions.
- Office of Human Resources & Academic Deans** Investigate any instances of retaliation against a whistleblower or any malicious allegations and if appropriate, take disciplinary action.

5. DEFINITIONS

- Whistleblowing** Good faith reporting or disclosure of violations of law or AUP policy. Whistleblowing is not the same as a complaint; it is the reporting of concerns regarding malpractice or wrongdoing within the University. Examples include actual or suspected criminal offences; failure to comply with legal obligations; financial malpractice, impropriety or fraud; academic or professional malfeasance; and deliberate suppression or concealment of any of the above.
- Whistleblower** A person who raises a genuine concern in good faith relating to misconduct within the University.
- Retaliation** Unwarranted disciplinary action or victimization.
- Employee** Anyone linked to the University by an employment contract.
- Leadership Team** Provost; Executive VP for Finance & Administration; VP for Presidential Initiatives; VP and Dean of Student Services; VP for Enrollment Management

6. APPROVALS & HISTORY

Approved by the Leadership Team on May 25, 2020 following review by the Student Affairs, Legal and Audit Committees of the Board of Trustees. Next review in November 2023.

7. ISSUING OFFICE AND CONTACT

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