



Ohio Administrative Code

Rule 3339-3-21 Reporting and addressing illegal activity and misconduct.

Effective: October 1, 2022

(A) General

Miami university is committed to conducting its affairs ethically and in accordance with federal and state laws and regulations, as well as university policy. Each member of the faculty and staff shares in this responsibility.

The university is committed to preventing and correcting violations of law and university policy. These violations most often result from lack of information, inadvertence, or mistake. On rare occasions violations are the result of deliberate misconduct. Illegal, unethical or otherwise inappropriate behavior in violation of Miami university's policies is not acceptable.

The university expects all faculty and staff to report any suspected criminal activity to law enforcement. If you suspect or have knowledge of criminal activity occurring on university property or involving university faculty, staff or students, call the Miami university police department at 513-529-2222 (in an emergency, please dial 911 immediately).

Ohio law (section 2921.22 of the Revised Code) requires every person, who knows that a felony has been or is being committed, to report it to law enforcement. Failure to report may be a criminal offense.

Ohio's Collin's law (division (A) of section 2903.311 of the Revised Code) requires all university administrators, staff, faculty members, consultants, alumni and volunteers to report any knowledge of hazing to a law enforcement agency in which the victim of hazing resides or in which the hazing is occurring or has occurred. Failure to report is a criminal offense. If you have knowledge of hazing, you are required to report it to the office of community standards. The office of community standards, upon receipt of the report, will notify the appropriate law enforcement agency to comply with the law.



Ohio law (section 2151.421 of the Revised Code) further requires teachers, school administrators, speech pathologists, psychologists, doctors and others to report suspected child abuse. Suspected child abuse may be reported directly to the police, to Butler county children services at 1-800-325-2685, or at <http://www.bccsb.org/content/reportAbuse/reportAbusehome.cfm>.

This procedure has been developed to provide a process for good-faith reporting of violations of law or regulations or otherwise inappropriate behavior in violation of Miami university's policies.

(B) Internal reporting

Employees and students are expected to report good-faith concerns about illegal, unethical or otherwise inappropriate behavior in violation of Miami university's policies. Criminal activity occurring on university property or involving university faculty, staff, or students should be reported to the Miami university police department at 513-529-2222 (in an emergency, please dial 911). This includes hazing and sexual misconduct.

Employees are encouraged to immediately report their concerns about illegal, unethical or inappropriate behavior to their supervisors, the central office responsible for addressing these concerns (see chart in this policy), the appropriate vice president, or the president of the university. Students are encouraged to report their concerns to the dean of students, the vice president for student life, the central office responsible for addressing these concerns (see paragraph (F) of this rule) or the president of the university.

(C) Anonymous reporting

Persons who do not feel comfortable making an internal report may make an anonymous report to the university's confidential reporting agent, ethicspoint, by calling the toll-free hotline (1-866-294-9544) or in writing at <http://www.ethicspoint.com>. Hotline calls are not recorded. Ethicspoint system is maintained on a secure third-party server and ip addresses are stripped from internet-based communications to ensure that anonymity is maintained. Do not report emergencies to ethicspoint.

In addition, the auditor of state maintains a system for the anonymous reporting of fraud. The fraud may be reported via a toll-free telephone number 866-fraudoh, the auditor of state's website-



www.auditor.state.oh.us or by mail.

(D) Investigation and resolution

All employees and students are expected to cooperate truthfully in the university's investigation of reports. Appropriate university officials will promptly address all concerns reported in good faith (see chart below). All investigations will be conducted in accordance with the law and applicable university policy.

(E) Retaliation prohibited

The university will use its best efforts to protect those who, in good faith, report suspected illegal, unethical or otherwise inappropriate behavior in violation of Miami policies. No employee will suffer adverse employment action (retaliation) as a result of any of the following:

- (1) Disclosure or reporting of suspected illegal, unethical or otherwise inappropriate behavior in violation of Miami policies; or
- (2) Refusal to violate or assist in violating an applicable federal or state law or regulation; or
- (3) Refusal to work or cause others to work in conditions that would unreasonably threaten the health of safety of the employee or others.

Any employee who believes he or she has been retaliated against in violation of this policy may file a written complaint with the office of the president. Following an investigation by the office of the president's designated investigative findings will be made by the president of the president's designated investigator. The report shall be provided to the complaining party and the chair of the board of trustees' finance and audit committee. If the report finds that the complainant has been retaliated against, the report will include any appropriate relief for the complainant. Appropriate disciplinary action, up to and including dismissal, will be taken against any individual who retaliates in violation of this policy.

(F) Reporting concerns



If after reviewing this table, you are not sure where to report a concern please contact the office of the general counsel, the director of internal audit and consulting services, or the ethicspoint toll-free hotline (1-866-294-9544) or contact ethicspoint in writing at <http://www.ethicspoint.com>.

Criminal conduct	Miami university police department (513-529-2222 or 911 in the event of an emergency)
Accounting and financial misconduct (including falsification of contracts, reports or records, fraud, improper disclosure of financial records, theft, waste, abuse or misuse of university resources, and mishandling of donor funds.)	Chiefaudit officer (513-529-0545)
Athletic misconduct (including ncaa violations, gambling, improper giving of gifts, recruiting misconduct, misuse of assets, players or endorsements, recruiting misconduct, financial aid misconduct, sexual misconduct, and substance abuse)	Assistant athletic director, compliance (513-529-6627)
Financial aid misconduct (including fraud and regulatory compliance)	Director of student financial assistance (513-529-8555)
Harassment and discrimination	Director of equity and equal opportunity (513-529-7157)
Hazing	The office of community standards. The office of community standards, upon receipt of the report, will notify the appropriate law enforcement agency to comply with the law.
Personnel misconduct (including nepotism, threats, time abuse, and employee benefit abuses)	Associate vp of academic personnel (513-529-9210) or associate vp for human resources (513-529-5716)
Research misconduct (including conflict of interest, environmental and safety matters, fraud, misappropriation of intellectual property, inappropriate use of humans or animals in research, and grant misconduct or misappropriation international traffic in arms regulations (itar), export administrative regulations (ear), or office of foreign assets control (ofac) violations)	Research compliance officer (513-529-3734)
Risk and safety matters (including environmental health and safety, sabotage, and unsafe working conditions.)	Environmental health and safety office (513-529-1723)
Information technology matters (including data privacy and integrity, inappropriate use of technology, misuse of resources and intellectual property infringement)	Information security officer (513-529-9252)
Unethical conduct (including violation of conflict of interest and conflict of commitment, illegal interest in a contract, improper giving or receiving of gifts.)	General counsel (513-529-6734)



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In addition to the university's procedure, the state of Ohio, office of the inspector general is authorized to receive and investigate complaints of alleged wrongful acts or omissions by state officers or employees.