DUTY TO REPORT CRIMINAL ACTS

Statement of Policy: All University employees, students, contractors, and other University-affiliated persons are charged with a duty to promptly report acts that have any connection to the University and that they in good faith believe could be criminal.

Summary of Contents/Major Changes: Revise to fit required template; technical changes; added anti-retaliation and confidentiality provisions.

Responsible Office and Responsible Enforcement Official:

Responsible Enforcement Official: Chief or their delegee, Department of Public Safety

Responsible Office: Department of Public Safety, Office of the General Counsel

Classification:

X Board of Trustees Policy

☐ Board-delegated Policy

Categories:

Public Safety and Parking
1. **Purpose of Policy**

The Western Michigan University Board of Trustees and President strongly believe that it is essential to provide a safe, ethical and protective environment for all members of the University community. The Board and President expect members of the campus community to be vigilant for the well-being of the campus community.

2. **Stakeholders Most Impacted by the Policy**

All members of the University Community

3. **Key Definitions**

   3.1. **Criminal conduct**: conduct that an observer reasonably believes violates criminal law

   3.2. **University Community**: University employees, students, contractors, and other University-affiliated persons

   3.3. **Connection to the University**: an action or behavior that may affect the safety, functioning, business, or reputation of the University

4. **Full Policy Details**

   4.1. All members of the University Community must promptly report acts having any connection to the University that they in good faith believe could be criminal.

   4.2. This Policy shall not supersede or conflict with any other duties to report required by law or University policies, rules, requirements, and collective bargaining agreements.

   4.3. The University President, or their delegate, may enact additional requirements and procedures to effectuate this Policy.

   4.4. **Confidentiality**

       In order to encourage full reporting of potential criminal conduct without unduly intruding on the privacy of University personnel or their families, disclosures shall be treated confidentially and disclosed only to the extent necessary to review and resolve or as legally required.

   4.5. **No Retaliation**

       Measures shall be taken to ensure that no adverse action is taken, either directly or indirectly, against an individual who reports in good faith. Any University Employee who believes they have been subject to retaliation for making a good faith report pursuant to this Policy should report such retaliation consistent with the University’s Whistleblower Policy (see below). University Community Members who make good faith reports under this Policy shall not be subject to University or legal action if the reported conduct does not violate criminal law.
4.6 **Communication**: This Policy will be posted on the University’s Policies web page and communicated through Office of Marketing and Strategic Communications resources.

4.7 **Exceptions**: Individuals whose professional licensure allows for them to keep information regarding criminal activities private should follow the tenets of their profession and/or license.

5. **Accountability**

Failure to follow this Policy and any associated procedures may subject WMU employees to disciplinary action, up to and including dismissal from employment by the University and may subject students to conduct review through the Office of Student Conduct.

6. **Related Procedures and Guidelines**

   N/A

7. **Additional Information**

   Report criminal conduct covered by this Policy to the University’s Department of Public Safety or anonymously by going to wmuhotline.ethicspoint.com, select Make a Report in the top right menu and follow the prompts. To use the phone line, call (855) 247-3145.

8. **FAQs**

   8.1. **Where and how do I report conduct that I believe is criminal?** See Section 7, above.

   8.2. **Where do I report conduct that I think is criminal, but that I think also violates the Minors on Campus or Sexual Misconduct Policy?** See Section 7, above, but also report to the Office of Precollege Programming if the report involves minors or the Office of Institutional Equity if the report involves Sexual Misconduct.

**Related Policies:**

Minors on Campus

Anti-Bullying

Sexual Misconduct

Medical Chaperone Policy

Whistleblower Policy

**References:**

Histroy:

a. Effective date of current version:

b. Date first adopted: December 18, 2011

c. Revision history: Updated December 2021

d. Proposed date of next review: April 2023

Certified by: 
Responsible Enforcement Official

At the Direction of:
The Board of Trustees

/_s/_______________________________________   /_s/_____________________________________
[Position/Title]  Kahler B. Schuemann
[Date]              [Date]