



BOISE STATE UNIVERSITY

University Policy 6000

Fiscal Misconduct

Effective Date

May 2010

Last Revision Date

May 2017

Responsible Party

Office of Institutional Compliance and Ethics, (208) 426-1258
Internal Audit and Advisory Services, (208) 426-1000

Scope and Audience

This policy applies to any suspected or known fiscal misconduct including fraud, misappropriation or other fiscal irregularities involving faculty, staff, and/or students. This policy also applies to vendors, contractors and others doing business with the University or on University property.

Additional Authority

- Idaho Protection of Public Employees Act
- Idaho Ethics in Government Manual
- Idaho Code § 18-5701
- Idaho Code § 18-5702
- Idaho Code § 18-5703
- State Board of Education Policy, Section II. Q.
- University's Statement of Values and Standards of Conduct
- University Policy 2020 (Student Code of Conduct)
- University Policy 7030 (Reporting Waste and Violations of Law, Regulation, or University Policy)

- Internal Audit Charter
-

1. Policy Purpose

To establish Boise State's policy concerning suspected or known fiscal misconduct including fraud, misappropriation, or other fiscal irregularities.

2. Policy Statement

- a. Faculty, staff and students are prohibited from engaging in any activities that may be considered to be fiscal misconduct under this policy.
- b. Vendors, contractors, consultants, and parties with a business relationship are prohibited from engaging in fiscal misconduct that affect Boise State University, its students, its employees, or its customers.
- c. University faculty, staff and students are required to report known or suspected fiscal misconduct to the Office of Institutional Compliance and Ethics.
- d. The Office of Institutional Compliance and Ethics must promptly notify and discuss with Internal Audit and Advisory Services all suspected or known fiscal misconduct.
- e. The Department of Public Safety should be notified if the situation warrants.
- f. All faculty, staff, and students are prohibited from knowingly making false accusations of fiscal misconduct.
- g. Faculty, staff, and students are required to cooperate with the Office of Institutional Compliance and Ethics, Internal Audit and Advisory Services, and any others who have been engaged to assist with the review or investigation of suspected fiscal misconduct.
- h. Employees, students, consultants, contractors, or other persons having a business relationship will not take any adverse action against another who, in good faith, reports or assists in the review or investigation of suspected fiscal misconduct.
- i. University administrators and managers are responsible for making reasonable efforts to detect/prevent fiscal misconduct. This includes establishing and adhering to a system of internal controls within their area. University administrators and managers are expected to

become familiar with the types of fiscal misconduct that might occur within their area of responsibility.

3. Definitions

3.1 Fiscal Misconduct

A willful or deliberate act with the intention of obtaining an unauthorized benefit, such as money or property, by deception, concealment of material fact, or other unethical means. Actions constituting fiscal misconduct include fraud, misappropriation, or other fiscal irregularities. Examples of fiscal misconduct include but are not limited to the following:

- Taking University funds, securities, supplies, inventory, or other assets (including furniture, fixtures, equipment, intellectual property, private personal information, etc.)
- Forgery or alteration of documents (checks, time sheets, contractor agreements, purchase orders, reimbursement requests, other financial documents, electronic files)
- Falsification or alteration of University financial statements or records
- Improprieties in the handling or reporting of money or financial transactions
- Authorizing or receiving payment for goods not received or services not performed
- Authorizing or receiving payment for hours not worked
- Making personal purchases with University funds
- Destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment
- Profiting as a result of inside knowledge of University activities
- Acceptance or seeking gifts or anything of material value in exchange for official University action
- Directing another employee to perform an action that may be considered fiscal misconduct
- Any similar or related activity.

4. Review Process

- a. The Office of Institutional Compliance and Ethics must forward and discuss all suspected or known cases of fiscal misconduct with Internal Audit and Advisory Services and ensure any investigative activities are appropriately coordinated.
- b. The Office of Institutional Compliance and Ethics is responsible for ensuring that suspected fiscal misconduct is properly reviewed and/or investigated. Internal Audit and Advisory Services may also perform a separate review and/or investigation if requested and/or approved to do so by the University President or the State Board of Education Audit Committee (Audit Committee).
- c. The extent and direction of the review and/or investigation is the decision and responsibility of the Office of Institutional Compliance and Ethics and/or Internal Audit and Advisory Services.
- d. Internal Audit and Advisory Services will coordinate any work they perform with the Office of Institutional Compliance and Ethics. However, the participation and scope of the work will be the responsibility of Internal Audit and Advisory Services.
- e. The Office of Institutional Compliance and Ethics and/or Internal Audit and Advisory Services may work with other departments or with external groups as needed to complete a review of suspected fiscal misconduct.
- f. The Office of Institutional Compliance and Ethics and/or Internal Audit and Advisory Services will have complete and unrestricted access to all University records, documents, facilities (owned or rented), and employees needed to perform the review. They also have the authority to examine, copy, and/or take custody of records or equipment without prior notice or consent of any individual who may have use or custody of such items or facilities when it is within the scope of the review.
- g. The Office of Institutional Compliance and Ethics, and/or Internal Audit and Advisory Services, when applicable, will communicate the results of a review to the University President and the Chief Financial and Operating Officer and Vice President for Finance and Operations. When appropriate, the results of the review may also be communicated to the appropriate administrators (vice presidents, deans, directors, business managers, etc.).
- h. The Office of Institutional Compliance and Ethics is required to report the review results to the Audit Committee if certain criteria established by the Audit Committee are met.

Internal Audit and Advisory Services is required to report all fiscal misconduct reviews and/or investigations to the Audit Committee.

5. Resolution

- a. The University President has the final authority to decide how the results of a fiscal misconduct review and/or investigation will be resolved.
- b. Internal Audit and Advisory Services has the authority to discuss the resolution of the fiscal misconduct review with the State Board of Education Audit Committee, if considered appropriate.

6. Violation of Policy

Violation of this policy could result one or more of the following:

- Disciplinary action up to termination of employment
- Repayment or replacement of property or money
- Criminal Prosecution
- The cancellation of contracts and agreements and a prohibition from future business dealings with the University.
- Disciplinary action under the Student Code of Conduct.
- Civil Action

7. Reporting to the Office of Institutional Compliance and Ethics

- a. Reports of suspected fiscal misconduct should be made to The Office of Institutional Compliance and Ethics. Reports can be made in person, by phone, by mail, online, or through the University [Compliance Reporting Hotline](#). Compliance contact information and the direct link to the Compliance Reporting Hotline is contained on the [Office of Institutional Compliance and Ethics website](#).

- b. All information received by the University concerning suspected fiscal misconduct will be treated as “sensitive” and will only be shared with persons on a “need to know” basis.

8. Whistleblower Protection

- a. The “Idaho Protection of Public Employees Act” (Title 6, Chapter 21) provides protections from “adverse action” for state employees who, in good faith, provide information concerning the waste of public funds, resources or manpower or who report potential violations of law and regulations (both state and federal). This law protects state employees who participate in investigations, court cases, or administrative reviews associated with such activity. It also protects employees who refuse to carry out or object to directives to commit an illegal act. Other federal and state laws also provide similar protections.
- b. It is the policy of Boise State University to extend similar protection from “adverse action” to students and others who report such activities or who participate in investigations, court cases, or reviews of such activities.

9. Related Information

Compliance Reporting Hotline

<https://www.boisestate.edu/compliance/compliance-reporting-hotline/>

Institutional Compliance and Ethics Website

<https://www.boisestate.edu/compliance/>

Revision History

May 2017