

## MISCONDUCT COMPLAINTS

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Members of the Utah Board of Higher Education (“Board”) may make or receive reports alleging misconduct by a Board member, an administrator or employee in the Office of the Commissioner (“OCHE”), or an institution president or employee, or student including:

- Waste or misuse of public funds, property, or manpower;
- A violation or suspected violation of a law, rule, or regulation adopted under Utah law, a political subdivision of Utah, or any recognized entity of the United States;
- Gross mismanagement, abuse of authority, or unethical conduct by a state government employer;
- Discrimination and sexual harassment; or
- Other ethics violations or misconduct.

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## RELEVANT LAW AND POLICY

- [Utah Code Title 67, Chapter 21, Utah Protection of Public Employees Act](#)
- [Board Policy R801, Equal Opportunity, Diversity and Nondiscrimination](#)

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## FILING A COMPLAINT

Board members may file a complaint about another Board member, an institutional president, or an OCHE administrator or employee with the General Counsel through [Ethics Point](#) or contact the General Counsel Alison Adams to discuss other filing options.

Board members may file a complaint about an institution employee or administrator through [Ethics Point](#) or directly with the institution.

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## **REFERRAL PROCESS**

Board members should not attempt to resolve misconduct complaints on their own but should report them so that they can be resolved or referred as follows:

- Complaints about institution students, employees, or departments will be referred to the relevant administrator at the institution.
- Complaints about an institution president will typically be within the Board's authority to resolve and will be addressed through the Office of the Commissioner.
- Complaints about another Board member may be referred to the Governor's Office.
- Complaints about an OCHE employee will be resolved in accordance with OCHE policies.
- Complaints that fall within the internal audit scope, e.g., financial and process concerns, will be referred to the institution's internal audit unit if the institution is degree-granting and to USHE's audit team if the institution is a technical college.

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## **QUESTIONS**

Board members may refer questions about misconduct to General Counsel Alison Adams.