

MATH AND SCIENCE ACADEMY

Adopted: May 29, 2003
Revised: February 8, 2016

429. SUSPECTED MISCONDUCT AND DISHONESTY BY EMPLOYEES AND OTHERS

I. PURPOSE

The purpose of this policy is to deter-and investigate suspected misconduct and dishonesty by employees and others, and to provide specific instructions regarding appropriate action in case of suspected violations.

II. Definition of Misconduct and Dishonesty

For purposes of this policy, “misconduct and dishonesty” include but is not limited to:

- acts which violate the Math and Science Academy’s (MSA’s) Code of Conduct
- theft or other misappropriation of assets, including assets of the school, our customers, suppliers or others with whom we have a business relationship
- misstatements and other irregularities in school records, including the intentional misstatement of the results of operations
- wrongdoing
- forgery or other alteration of documents
- fraud and other unlawful acts
- any similar acts.

MSA specifically prohibits these and any other illegal activities in the actions of its employees, managers, board members, volunteers and others responsible for carrying out the school’s activities.

III. Responsibilities

Reporting

It is the responsibility of every employee, supervisor, manager and board member to immediately report suspected misconduct or dishonesty to the MSA Director (Director). Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden.

Due to the important yet sensitive nature of the suspected violations, effective professional follow up is critical. While persons other than the Director appropriately concerned about “getting to the bottom” of such issues, should not in any circumstances

perform any investigative or other follow up steps on their own. Concerned but uninformed persons represent one of the greatest threats to proper incident handling. All relevant matters, including suspected but unproved matters, should be referred immediately to the Director.

To facilitate reporting of suspected violations, especially in those situations where the reporting individual wishes to remain anonymous, MSA has established an anonymous reporting system.

Additional Responsibilities of the Director

The Director has additional deterrence and detection duties.

1. Become aware of what can go wrong in your area of responsibility.
2. Put into place and maintain monitoring, review and control procedures which will prevent acts of wrongdoing.
3. Put into place and maintain monitoring, review and control procedures which will detect acts of wrongdoing promptly should prevention efforts fail. Authority to carry out these three additional responsibilities is often delegated to subordinates. However, accountability for their effectiveness cannot be delegated and will remain with the Director.

Responsibility and Authority for Follow Up and Investigation

The Director has the primary responsibility for all investigations involving ~~the school~~ MSA. The Director may request the assistance of external parties in any investigation, including access to the external auditor's periodic examinations and evaluations of internal controls.

Properly designated members of the investigative team will have:

1. free and unrestricted access to all MSA records and premises, whether owned or rented, and
2. the authority to examine, copy and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities (whether in electronic or other form) without the prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of investigative or related follow up procedures.

All investigations of alleged wrongdoing will be conducted in accordance with applicable laws and school procedures.

Reported Incident Follow Up Procedure

Care must be taken in the follow up of suspected misconduct and dishonesty to avoid acting on incorrect or unsupported accusations, to avoid alerting suspected individuals that follow up and investigation is underway, and to avoid making statements which could adversely affect the school, an employee, or other parties.

Accordingly, the general procedures for follow up and investigation of reported incidents are as follows:

1. Employees and others must immediately report all factual details as indicated above.
2. The Director has the responsibility for follow up and, if appropriate, for the investigation of all reported incidents.
3. All records related to the reported incident will be retained wherever they reside.
4. Do not communicate with the suspected individuals about the matter under investigation.
5. The Director will also notify the Chair of the MSA Board of Directors (BOD) of all reported incidents so that it may be determined whether this matter should be brought to the attention of the full BOD.
6. The Director may also obtain the advice of legal counsel at any time throughout the course of an investigation or other follow up activity on any matter related to the report, investigation steps, proposed disciplinary action or any anticipated litigation.
7. Neither the existence nor the results of investigations or other follow up activity will be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities effectively.
8. All inquiries from an attorney or any other contacts from outside of the school, including those from law enforcement agencies or from the employee under investigation, should be referred to the Director.

Investigative or other follow up activity will be carried out without regard to the suspected individual's, position or level, or relationship with MSA.

Questions or Clarifications Related to This Policy

All questions or other clarifications of this policy and its related responsibilities should be addressed to the Director who shall be responsible for the administration, revision, interpretation, and application of this policy.