



**KANSAS
WESLEYAN**
UNIVERSITY

COOPERATION WITH INVESTIGATIONS

Initiated/Created

4-7-2022

Revised

NEW

President's Council Approval

5-17-2022

Institutional Direction Committee Approval

5-17-2022

Board of Trustees Approval

6-17-2022

HR POLICY

Kansas Wesleyan University is committed to conducting its affairs ethically, professionally and in compliance with laws, regulations, and university policies, and safeguarding members of the university community and university resources.

REASON FOR POLICY

When a report of potential misconduct, ethics violations or other wrongdoing is made, the university has a responsibility to investigate and implement corrective action, if necessary. To meet this responsibility, employees of the university must cooperate with investigations.

DEFINITION

Investigation – any university-authorized internal examination, inspection, inquiry, analysis, or review to determine facts. An investigation is not a hearing or legal proceeding and may be formal or informal. Investigations may be undertaken by the university, including, but not limited to Title IX Coordinator, Human Resources, the Office of the President, and the Office of the Provost.

Duty to Cooperate

With the exception of investigations under the Policy on Sexual Assault, Harassment, and Other Forms of Sexual Misconduct (as prohibited by Title IX)*, all employees must cooperate fully with investigations undertaken by persons charged with conducting the inquiry. Cooperation with investigations includes, but is not limited to:

- Promptly acknowledging and responding to request for information,
- Making oneself available for meetings with investigating officials,
- Providing full, accurate, and truthful information,
- Keeping confidential information learned or transmitted during the investigation, unless directed by legal authorities, and
- Preserving relevant information and documents.

Non-cooperation or obstruction of an investigation is subject to university disciplinary action, to include termination of employment.

Confidentiality and Non-retaliation

Confidentiality for individuals who are interviewed or otherwise cooperate in an investigation will be maintained to the extent possible and consistent with applicable legal principles. While absolute confidentiality cannot always be guaranteed, all matters will be kept private (i.e. shared only with those with a need to know).

To protect the confidentiality of individuals who participate in investigation and to protect the integrity of the investigative process, individuals normally will not be informed of the outcome of the investigation.

Retaliation based on an individuals' cooperation with an investigation is prohibited, and subject to disciplinary action. All suspected reports of retaliation should be reported immediately to Human Resources, the Provost, or other senior level personnel.

**Current guidance from the Department of Education prohibits Kansas Wesleyan University from requiring cooperation from any individual in such matters.*