SOAR WITH INTEGRITY

CODE OF CONDUCT
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A MESSAGE FROM THE PRESIDENT

We take seriously our responsibility to prepare our students for gainful employment and successful lives as responsible, civicly engaged, and environmentally conscious citizens. We uphold our fiduciary responsibility to be good stewards of the public funds we receive to conduct our operations. We pride ourselves on a diverse and inclusive culture that embraces learning and fosters trust, while concurrently remaining inquisitive. We successfully forge partnerships with the southwest Florida business community. We practice and promote environmental sustainability. We possess the capabilities, skills, passion, and expertise to help our students achieve better lives.

However, none of this matters unless we do it in the right way. The manner in which we conduct our operations, meet our obligations, and show respect for one another matters. How we behave and treat one another and make decisions matters. That is where this Code of Conduct comes into play. This Code of Conduct serves as the foundation for our unwavering commitment to acting with integrity, displaying ethical conduct, and complying with laws, regulations, rules, policies, and procedures. The Code holds you to the highest ethical standards, assists you with recognizing and resolving ethical issues that arise in the workplace, and encourages you to ask questions and raise concerns without fear of retaliation. The Code assists you with making decisions that are in the best interest of our University and align with our Vision, Mission, and Guiding Principles.

Please join me in sustaining a University environment where we are proud to work, where we know we have done the right thing by acting honestly and treating each other and our students fairly and with dignity and respect.

Together, we can soar with integrity.

Sincerely,

Michael V. Martin, Ph.D.
President, Florida Gulf Coast University
#GoEagles
VISION

Florida Gulf Coast University will achieve national prominence in offering exceptional value in high-quality educational programs that address regional and statewide needs. Our programs, firmly grounded in the liberal arts and sciences, will employ emerging instructional technologies. Possessing an entrepreneurial spirit, graduates will be well prepared for productive lives as civically engaged and environmentally conscious citizens with successful careers, ready to pursue further education.

MISSION

Florida Gulf Coast University, a comprehensive institution of higher education, offers undergraduate and graduate degree programs of strategic importance to Southwest Florida and beyond.

FGCU seeks academic excellence in the development of selected programs and centers of distinction in science, technology, engineering and mathematics (STEM) disciplines, health professions, business, and marine and environmental sciences.

Outstanding faculty and staff supported by a strong community of advisors prepare students for gainful employment and successful lives as responsible, productive and engaged citizens.

FGCU emphasizes innovative, student-centered teaching and learning, promotes and practices environmental sustainability, embraces diversity, nurtures community partnerships, values public service, encourages civic responsibility, and cultivates habits of lifelong learning and the discovery of new knowledge.
STUDENT SUCCESS
is at the center of all University endeavors.

ACADEMIC FREEDOM
is the foundation for the transmission and advancement of knowledge.

DIVERSITY
is a source of renewal and vitality.

INFORMED AND ENGAGED CITIZENS
are essential to the creation of a civil and sustainable society.

SERVICE TO SOUTHWEST FLORIDA,
including access to the University, is a public trust.

TECHNOLOGY IS A FUNDAMENTAL TOOL
in achieving educational quality, efficiency, and distribution.

CONNECTED KNOWING AND COLLABORATIVE LEARNING
are basic to being well educated.

ASSESSMENT OF ALL FUNCTIONS
is necessary for improvement and continual renewal.
FGCU’s Code of Conduct

is designed to help you recognize and resolve compliance and ethics issues. The Code provides general information and practical advice about behavior expectations, and it highlights some of the FGCU policies and regulations you must follow. The Code contains links to informational resources and provides you with a list of employees to whom you may bring forward a question or concern. Consider this Code your roadmap for doing things the right way and soaring with integrity.

Our Code applies to the following members of the University community:

- FGCU Board of Trustees or a committee of the FGCU Board of Trustees;
- President, Cabinet, faculty, staff, and student employees;
- FGCU Foundation Board of Directors;
- FGCU Financing Corporation Board of Directors; and
- Volunteers, contractors, vendors, and other representatives providing services to or acting on behalf of FGCU.

FGCU’s Chief Compliance and Ethics Officer is responsible for promoting, monitoring, and enforcing our Code, and each of you is responsible for abiding by the Code to promote and sustain FGCU's ethical culture of excellence.

A separate Student Code of Conduct governs our students when acting as students in an academic or campus setting.

- **Student Code of Conduct**

  Be civil, show respect, cherish the environment in which our beautiful campus resides, practice sustainability, make our students the priority, take pride in green and blue, and watch out for alligators.
YOUR RESPONSIBILITIES

EMPLOYEES

› Know and comply with the rules applicable to the work you do and the decisions you make;

› Be familiar with University policies and regulations and state and federal laws, rules and regulations governing FGCU;

› Be familiar with the University’s Regulation on Ethics and this Code of Conduct;

› Be sensitive to situations that could lead, or appear to lead, you or others to engage in illegal, improper, or unethical behavior;

› Report illegal, improper, or unethical behavior; and

› Cooperate with internal reviews of unethical behavior.

VICE PRESIDENTS, DEANS, DIRECTORS, MANAGERS, AND SUPERVISORS

› Lead by example;

› Honor integrity;

› Encourage ethical decision making;

› Create an open atmosphere in which subordinate employees are comfortable raising good-faith concerns;

› Communicate clearly that the University neither tolerates nor condones improper behavior;

› Inform employees about resources that may help them in addressing ethical concerns;

› Prevent retaliation against employees who bring forward good-faith concerns; and

› Take appropriate corrective and/or disciplinary action for Code violations, when necessary.

We rely on our leaders to reinforce the principles of our Code throughout all areas of the University.
PRINCIPLES OF ETHICS AND INTEGRITY

ETHICAL STANDARDS

FGCU relies on you to represent the institution and its vision, mission, and guiding principles. You are expected to conduct yourself and the University’s operations with honesty and integrity and in conformance with University policies and regulations, as well as state and federal laws, rules, and regulations.

Following are some ethical principles of fairness, good faith, and respect to assist you in interacting with internal and external constituents:

- Treat others with respect and dignity; be respectful, fair, and civil to coworkers, students, vendors, contractors, volunteers and all others with whom you interact on behalf of the University.

- Earn trust by accepting and honoring agreements and keeping promises.

- Work to understand the University’s vision, mission, guiding principles, and strategic plan and proactively support these initiatives through discussion, communication, and action.

- Never undermine a supervisor/manager, colleague, subordinate, or student.

- Work jointly and in good faith to resolve disagreements.

- Contribute constructively by exercising the highest level of professional and ethical behavior.

- Promote informal conflict resolution.
RESPECT FOR OTHERS

FGCU is committed to equal treatment, opportunity, and respect for its faculty, administrators, staff, students, and all others who come in contact with the University. As someone employed by or associated with FGCU, you are prohibited from discriminating against another individual based solely upon the individual's race, color, religion, age, disability, sex, national origin, marital status, genetic predisposition, sexual orientation, gender identity/gender expression, veteran status, or any other legally protected status; physically assaulting, emotionally abusing, or harassing anyone; and depriving anyone of rights to his/her physical or intellectual property.

FGCU strives to attract, develop and retain faculty and staff that are as diverse as FGCU’s student population.

You promote diversity and inclusion when you:

- Respect the talent, ability, and experience of others;
- Value the input of others; and
- Foster an atmosphere of trust, openness, and candor.

COMPLIANCE WITH LAWS

You are expected to comply with all University policies and regulations and state and federal laws, rules, and regulations governing higher education, FGCU, and your area of responsibility. If you have a question about the applicability or interpretation of a particular policy, regulation, law, or rule, please contact your supervisor, Vice President and General Counsel, or the Chief Compliance and Ethics Officer.

- FGCU Policies
- FGCU Regulations
- Code of Ethics for Public Officer and Employee
PRINCIPLES OF ETHICS AND INTEGRITY

CONFLICTS OF INTEREST

You are expected to devote your primary professional allegiance to FGCU; ensure that decisions pertaining to FGCU are made in an impartial manner, considering only the best interest of the University; and ensure that outside activities do not interfere with your University duties. In addition, you may not use your position with the University for your own personal benefit or for the personal gain or benefit of any other person or business entity; and you are expected to avoid situations in which your financial or other relationships could create a conflict of interest between the University and your own private interests or cause harm to the University’s reputation.

Situations that create a conflict of interest must be disclosed and then mitigated or avoided. Having a conflict is not necessarily wrong, but failing to disclose it is.

Here are some scenarios in which a conflict may arise:

- You use FGCU time and/or resources to support activities outside the scope of your FGCU responsibilities.
- You are a purchasing agent for FGCU and you frequently accept gifts from a company that does business with FGCU.

To determine if you have a conflict of interest that should be disclosed, you should ask yourself these questions:

- Do my outside interests influence, or appear to influence, my ability to make sound business decisions on behalf of FGCU?
- Do I stand to benefit from my involvement in the situation?
- Does a family member stand to benefit from my involvement in the situation?
- Does my participation in this activity interfere with my ability to do my job?
- Is the situation causing me to put my own interests ahead of FGCU’s interests?
- If the situation showed up on the front page of the local newspaper or a blog, would I be embarrassed? Would FGCU be embarrassed?
GIFTS AND HONORARIA

We serve as stewards of the public funds that FGCU receives from state and federal entities; therefore, we must avoid the perception that favorable treatment is sought, received, or given in exchange for business courtesies.

You may not solicit or accept anything of value, such as a gift or honoraria, when acceptance gives the appearance of inappropriately influencing your objectivity with respect to University business. And, your spouse or minor child may not solicit or accept anything of value on your behalf when you know, or reasonably should know, the gift was given to influence an action on your part.

What is a gift?

“Gift” means anything accepted by you or on your behalf, whether directly or indirectly, for your benefit, and for which equal or greater consideration is not given within 90 days of the receipt of the gift.

“Gift” includes real property or the use thereof; tangible or intangible personal property or the use thereof; a preferential rate or term on a transaction not available to the general public; forgiveness of a debt; transportation, lodging, or parking costs unrelated to official University business; food or beverage; dues, fees, and tickets; plants and flowers; personal services for which a fee is normally charged by the provider; and any other thing or service having an attributable value.

What is an honorarium?

“Honorarium” means a payment of money or anything of value given to you, directly or indirectly, as consideration for a speech or other oral presentation or for any writing other than a book which has been published or is intended to be published.

Gift and Honoraria Policy

Side note: University Advancement employees responsible for fundraising on behalf of FGCU may accept gifts on behalf of the University through the FGCU Foundation.

In general, there is no prohibition against providing or accepting promotional items of nominal value (e.g., coffee mugs, pens, calendars or similar tokens) provided the gifts are allowed by law. In deciding whether a gift is appropriate, consider its value and whether the public disclosure of the gift could be perceived as an attempt to influence a University matter.
OUTSIDE ACTIVITIES

An outside activity is a professional or business activity, including additional teaching and research, conducted outside the normal course and scope of your University position that may or may not involve compensation.

While there generally is no prohibition against a University employee conducting an outside activity, you must remember that your primary loyalty and duty must be to your University position. Accordingly, your outside activity cannot materially interfere with your obligation to the University.

What behavior is expected?

- Inform your supervisor, in writing, about your outside activity by completing an Outside Activity Form.
- Be aware of potential conflict of interest situations and contact your supervisor or the Chief Compliance and Ethics Officer with any questions or concerns.
- Avoid any outside activity that interferes with the proper and effective performance of your University duties.
- Ensure all outside activities are conducted on your own time using your own resources, unless you obtain pre-approval from your supervisor to use University resources.

Executive Service, Administrative and Professional, and Support Personnel employees, as well as out-of-unit faculty should refer to the University’s Regulation on Outside Activities/Employment for the requirements to receive approval for an outside activity.

In-unit faculty should refer to the collective bargaining agreement (Article 19 Conflict of Interest/Outside Activity), which provides criteria by which a faculty member’s Outside Activity Form will be reviewed by the University.

FGCU encourages its employees to engage in activities beyond their regular University duties when such activities contribute to individual growth, extend knowledge, or advance the mission of the University. To avoid conflicts of interest, submit an Outside Activity Form to your supervisor.

Q I have a Support Personnel position at FGCU and belong to the YMCA where I coach a youth basketball league. Do I need to obtain approval to conduct this activity?

A No. Volunteer activities that involve hobbies, sports, civic, or religious non-profit organizations and do not relate in any way to the University or its mission are not considered outside activities.

Q I am a professor at FGCU conducting research under a sponsored program. I have been asked by a pharmaceutical company in SW Florida to perform similar research. Do I need to notify my supervisor about this activity?

A Yes. Whenever you conduct an outside activity that is similar to or relates to your FGCU position or duties, you must submit an Outside Activity Form to your supervisor for conflict of interest considerations. In addition, as the recipient of sponsored program funds, FGCU has a fiduciary responsibility to safeguard the intellectual property that could result from the research.

Q How do I obtain approval for an outside activity?

A You should complete the Request for Approval of Outside Activity form.

- Outside Activity Form
PRINCIPLES OF ETHICS AND INTEGRITY

ACADEMIC FREEDOM

FGCU promotes academic freedom, including the freedom to discuss all relevant matters in the classroom; explore all avenues of scholarship, research, and creative expression; speak openly on all matters of University governance; and speak or write as a private citizen without institutional restraint or discipline.

You are expected to foster intellectual honesty and freedom of inquiry, respect those with differing views, and acknowledge when speaking as a private citizen that you neither represent nor speak for the University.

Academic freedom means that:

- FGCU faculty and students may engage in intellectual debate without fear of censorship or retaliation.
- FGCU faculty and students have the right to challenge one another’s views and not be penalized for holding differing views.
- FGCU faculty have latitude in deciding how to teach the courses for which they are responsible.

Academic freedom does NOT mean that:

- FGCU faculty may harass, threaten, intimidate, ridicule, or impose their views on students.
- FGCU faculty have the right to ignore University regulations and policy.
- FGCU faculty are protected from disciplinary action for misconduct and sanction violations proven through due process investigations.

FGCU faculty members help the University meet its commitment to maintaining an environment that respects diversity and is free from discrimination and harassment.

Source: Article 5, Academic Freedom and Responsibility, CBA. Article on Defining Academic Freedom; Cary Nelson, AAUP President; December 21, 2010
PRINCIPLES OF ETHICS AND INTEGRITY

RESPONSIBLE CONDUCT IN RESEARCH

You are responsible for ensuring the integrity of the research process, including the conduct and reporting of research, in order to sustain the highest degree of intellectual honesty and integrity and appropriate regard for human and animal subjects. FGCU adheres to Federal guidelines that prohibit research misconduct. You are not to fabricate data or results; change or knowingly omit data or results to misrepresent results in the research record; or intentionally misappropriate the ideas, writings, research, or findings of others. You are also expected to demonstrate accountability for sponsored research funds and comply with specific terms and conditions of contract and grant fund requirements.

Behavior expectations:

Exercise intellectual honesty, discipline, adherence to professional ethics and good judgment in extending the boundaries of knowledge and in transmitting and applying new information.

For information on intellectual property, responsible conduct in research, and information on the FGCU Institutional Review Board, contact the Associate Vice President for Research and Dean of Graduate Studies.
PRINCIPLES OF ETHICS AND INTEGRITY

ACCURATE REPORTING

All FGCU records including but not limited to accounting, financial, and tax matters; expense, timesheet, and effort reports; analyses that show support for and progress towards meeting BOG metrics; and all those submitted to a state or federal entity for compliance or other purposes, must be accurate and complete. All published financial reports will make full, fair, accurate, and timely disclosures, as required.

Reports include:

- Time records
- Revenue and expense reports
- Employment applications
- Performance on metrics for the Board of Governors
- Responses to audits and inquiries

Behavior Expectations:

- Accurately and honestly provide information in reports and records
- Do not mislead or misinform others by supplying inaccurate information in University records
- Comply with public records requests but do not compromise proprietary or confidential information

RECORDS MANAGEMENT

University records and documents, including both hardcopy and electronic, must be retained, secured, and disposed of in accordance with University policy, as well as state and federal law.

For further information, refer to Records Management Policy 3.032.

- Records Management Policy
PRINCIPLES OF ETHICS AND INTEGRITY

EMAIL, INTERNET AND INFORMATION SYSTEMS

You must use University email and internet accounts responsibly and protect the security of our information systems.

FGCU’s information technology systems are a key component of our University operations and are provided for authorized business purposes. Your use of these systems must comply with our Acceptable Use Policy and Email Policy.

• Acceptable Use Policy
• Email Policy

You may engage in reasonable incidental personal use of phone, email and the internet as long as such usage does not:

› Consume large amounts of time and resources
› Interfere with your work performance or that of others
› Involve illegal, sexually explicit, discriminatory or otherwise inappropriate material

› Relate to outside business interests
› Violate any University policy or regulation

To safeguard FGCU information systems, you should never:

› Share your University system passwords with anyone
› Leave laptops or other mobile devices unattended while traveling or in an exposed location where they can be stolen
› Download unauthorized or unlicensed software on University computers

If you suspect a data breach or become aware of any situation in which data has been compromised, including the loss or theft of a laptop or handheld device, immediately report the situation to the Business Technology Services Help Desk: (239) 590-1188 or helpdesk@fgcu.edu.
PRINCIPLES OF ETHICS AND INTEGRITY

ENVIRONMENTAL HEALTH AND SAFETY

You are expected to comply with all applicable environmental laws and regulations which govern environmental health and safety; make every reasonable effort to ensure that students, faculty, staff, and visitors are protected from undue health risks and unsafe conditions; ensure that FGCU has obtained all necessary licenses, permits, and approvals for environmental matters; and employ the proper procedures and controls in the handling and disposition of radioactive and toxic materials and the handling and disposition of hazardous and biohazardous wastes.

You should always speak up and raise a concern if you:

- Are asked to complete a task you consider unsafe
- Are asked to complete a task for which you are not properly trained and that may harm you or others
- Suspect that a golf cart or piece of equipment is not operating properly and may be unsafe
- Observe or are made aware of an unsafe condition or a potential danger to yourself or others

Safety is everyone’s responsibility; support FGCU’s efforts to maintain a healthy and safe workplace.
SUSTAINABILITY

FGCU promotes and practices environmental sustainability and is dedicated to environmental operations that foster a sustainable future and lead to improvements in SW Florida. We provide our students with the knowledge and skills to be environmentally responsible citizens. We are committed to continuous improvements in:

- Demonstrating institutional practices that promote sustainability, protecting our natural resources, and actively reducing our environmental impact.
- Enhancing the health of campus ecosystems and increasing the diversity of native species.
- Promoting health, productivity, and safety practices on campus through education, maintenance, and design of campus buildings.
- Incorporating environmentally responsible concerns in University decision making.

The FGCU EMERALD GREEN and COBALT BLUE school colors are symbols of the earth and water, in keeping with the University’s environmental mission.

The FGCU sustainability symbol is representative of the words sustainability and stewardship. The “S” in the shape of the infinity symbol represents unlimited capacity, energy, excellence, or knowledge.

SUBSTANCE ABUSE

FGCU prohibits you from:

- Being under the influence of alcohol, illegal drugs, or controlled substances while on campus;
- Possessing, selling, using, transferring, or distributing illegal drugs or controlled substances while on campus; and
- Using tobacco products and smoking devices on campus.

Consuming alcohol and/or using an illegal substance can negatively impact your ability to perform safely, be productive, and serve as a role model to our students.

- FGCU Drug Free Environment
- FGCU Smoke Free and Tobacco Free Campus
- FGCU Alcohol Policy
SEEKING GUIDANCE AND REPORTING CONCERNS

If you have a concern and cannot find an answer in this Code of Conduct, or if you have questions on how to interpret the Code, please seek guidance. Similarly, if you are aware of something that may be a violation of our guiding principles, Code of Conduct, University policies or regulations, or state or federal laws or regulations, you should speak up and report it so the matter can be addressed.

You have several resources to seek guidance or make a report:

- **Your supervisor or manager**
- **University Ombuds for informal conflict resolution**
- **Director of Institutional Equity and Compliance for harassment, discrimination, and sexual misconduct allegations**
- **Director of Internal Audit for fraud, waste, and abuse allegations**
- **Chief Compliance and Ethics Officer for violations of University policies or regulations and state or federal laws, regulations, and rules**

If you choose to use one of the University’s internal resources to seek guidance or make a report, you have the right to remain confidential to the extent permitted under the law.

In addition to the resources listed above, you may ask questions, raise concerns, or make reports of suspected violations through the university’s **EthicsPoint Hotline**. If you choose to use the Hotline, you have the option of remaining anonymous.
When should you seek guidance?

If you are about to take action on a University matter and you are not sure it is the appropriate action, ask yourself:

- Am I sure this course of action is legal?
- Is it consistent with the University’s mission, vision, and guiding principles?
- Does it align with the University’s Code of Conduct, policies, and regulations?
- Could it be considered unethical or dishonest?
- Could it hurt FGCU’s reputation?
- If it winds up on the front page of a local newspaper or on a blog, how will it make my parents, my spouse, or my children feel?

If you are not sure about the answers to any of the above questions, please seek additional guidance to make the right decision before you take action on behalf of FGCU.
If you believe that FGCU’s ethical standards are being compromised, you can do something about it.

TELL US, IT MATTERS

Call the University’s Hotline to report:
HARASSMENT, DISCRIMINATION, RETALIATION / SAFETY
MISUSE OF SPONSORED FUNDS / THEFT / MISCONDUCT
FRAUD, WASTE, ABUSE

(844) 300-1073
or fgcu.ethicspoint.com
24 HOURS A DAY / 365 DAYS A YEAR

For further information, contact FGCU’s Chief Compliance and Ethics Officer at 239-590-1039.

The Hotline is an alternative mechanism for any employee, student, vendor, contractor, or concerned citizen to ask questions; report good-faith concerns alleging fraud, waste, or abuse of University resources; or report violations of University policies or regulations or state or federal laws or regulations.

FGCU has collaborated with third party provider Navex Global to offer the EthicsPoint case management reporting system for individuals who may be reluctant to report suspected misconduct to University administrators. The EthicsPoint Hotline is available 24 hours a day, 365 days a year and offers a way to report with complete anonymity. EthicsPoint does not generate or maintain any internal connection logs to identify IP addresses, and telephone calls are not traced or recorded.

You can contact the EthicsPoint Hotline by:

- Calling the Hotline at (844) 300-1073 or
- Completing an online form at the following link:
  - FGCU Ethics Point

After you submit your report, you will be assigned a unique code called a “report key.” You will use this report key along with the password of your choosing to return to EthicsPoint through the website or telephone to get a response to your question, review follow up questions based on the information you provided, submit more information, or receive a status update.

You should provide as much information as possible regarding suspected violations and you should expect some follow-up questions to clarify the information you provide. Your confidentiality will be protected to the extent permitted under the law or you may choose to remain anonymous. What matters is what is being reported, not who reports it.
The University prohibits retaliation and will take no adverse action against an employee who in good-faith:

- Reports a suspected violation of this Code, our policies or regulations, or the law;
- Raises a compliance question or seeks advice about a particular University business practice; or
- Cooperates in an investigation of a potential violation

**What is an adverse action?**

An adverse employment action occurs when the terms and conditions of your FGCU employment are materially affected for bringing forward a protected activity and there is a connection between bringing forward a concern and the adverse action. An adverse action includes things like termination, demotion, change in job duties, reassignment to a less desirable task, or a disciplinary suspension.

**What is a good-faith report?**

A good-faith report is the honest belief that the information you provide about a potential violation is truthful based on your knowledge of a situation.

Conversely, you are not operating in good faith if you report a potential violation or make statements during an investigation that are knowingly false or that involve willful disregard or purposeful ignorance of the facts. Moreover, disciplinary action can be taken against you if you attempt to use the Hotline, or any other University reporting process, to intentionally harm or slander another employee through false accusations.

**What is retaliation?**

Retaliation is an adverse employment action (or credible threat of an adverse employment action) taken against a University employee for raising a good-faith concern or participating in an investigation of a potential violation.

**What happens when I contact the EthicsPoint Hotline?**

EthicsPoint Hotline calls are answered by an independent third party with expertise in handling hotline calls. An interview specialist will ask you questions and then send a report to FGCU’s Chief Compliance and Ethics Officer for review. Appropriate university compliance liaisons will investigate concerns, and if warranted, remedial actions will be taken.