



02.300

## REPORTING AND INVESTIGATING MISUSE OR THEFT OF UNIVERSITY PROPERTY

Authority: Chancellor

History: Revised August 18, 2006; Reformatted on May 3, 2005; supersedes PSD 1.10, "Reporting and Investigating Misuse or Theft of University Property"

Source of Authority: N.C.G.S. 114-15.1; UNC Code, Section 300.8.04[G]

Related Links:

[http://www.northcarolina.edu/content.php/legal/policymanual/uncpolicymanual\\_300\\_8\\_4g.htm](http://www.northcarolina.edu/content.php/legal/policymanual/uncpolicymanual_300_8_4g.htm)

Responsible Office(s): Police Department; Internal Audit; General Counsel

---

### I. Purpose

This policy sets forth the process for the reporting and investigation of misuse and/or theft of university property.

### II. Scope

Applies to all university employees.

### III. Reporting Requirements

- A. Agency heads are required by [North Carolina General Statute 114-15.1](#) to report any information or evidence of an attempted arson, or arson, damage, theft, embezzlement, or misuse of any state-owned personal property, buildings, or other real property to the State Bureau of Investigation within ten days of receiving the initial request. To comply with this requirement, the chancellor delegates this reporting requirement to the chief of police.
- B. Any employee who receives information on possible misuse or theft must report the information or evidence to their supervisor, the UNCW Police Department, the general counsel, or director of internal audit within 72 hours. Individuals may report anonymously by calling the State Auditor hotline at 1-800-730-TIPS or online at [link] or by calling the UNCW Police Department at 962-TIPS or online at [link] or by notifying Internal Audit online at [link]. The director of internal auditor and general counsel will notify the chief of police immediately if they receive the information initially.

- C. Employees who, in good faith, report suspected criminal activity to an appropriate management of the university are protected against retaliation by the university for making such a report. Employees who are aware of criminal activity against the university and fail to report it may be subject to disciplinary action or prosecution, as appropriate. Employees are required to cooperate with any audit investigation, and may be requested by the university or an investigative unit to keep their knowledge of the investigation confidential, pending conclusion of any investigation.
- D. If management receives an allegation or information from an individual who has not already contacted the director of internal audit, general counsel, or University Police directly, management is responsible for reporting such allegations or information, to those offices within 72 hours of receiving the information. Management is responsible for facilitating police or audit investigators' prompt access to employees, facilities, and records within their divisions. Management is also responsible for ensuring that no retaliatory actions are taken by the university against those persons who report suspected criminal activity.
- E. Where the allegation of misuse or theft involves an identified department or employee, the chief of police will send a copy of the SBI notification to the appropriate vice chancellor to which the unit reports or where the employee works. The supervisor of the unit in which the suspected misuse is alleged to have occurred or of the employee must also be notified. These notifications will occur at a point in time to be determined by the chief of police based on the nature of the investigation.

### **III. Investigations**

- A. The chief of police will determine the nature and scope of the investigation and will consult with the general counsel and the director of internal audit concerning the investigation.
- B. The chief of police is responsible for the investigation of all crimes that occur on university properties or holdings. The chief of police will notify the director of internal audit when the loss implies a need to strengthen preventive or defective internal controls, or when the loss involves an employee's violation of fiduciary responsibilities. The chief of police will consult with the director of internal audit for assistance when needed, and will provide the director of internal audit and the vice chancellor for business affairs with a summary report at the conclusion of investigations that involve loss or damage to university property.

- C. If employee misconduct is involved, the chief of police will notify the director of human resources and the provost if the situation involves a faculty member, and the appropriate vice chancellor.
- D. The director of internal audit is typically responsible for investigations that involve suspected falsification of receipts, embezzlements, or other fraud perpetrated through university operations and records.
- E. The chief of police and the director of internal audit are responsible for reporting to the chancellor and senior officers the results of such investigations, including an analysis and related recommendations, if applicable, regarding the university's system of internal control.

#### **IV. Disciplinary Actions**

- A. If evidence supports the allegations, appropriate disciplinary action will be taken, up to and including discharge from employment. The relevant disciplinary procedures will be followed based on the category of employee.
- B. The division vice chancellor has primary responsibility for administrative discipline or employee terminations regarding employees who are accused of "gross misconduct." Such decisions will be made in consultation with the university counsel and director of human resources and shall be reported to the chancellor before final disciplinary action, if any, is imposed.
- C. Individuals will not be eligible for rehiring by the university if they are discharged for reasons of "gross misconduct" or if they resign and are subsequently determined to have acted while employed at the university in a manner that would have resulted in their discharge for "gross misconduct" had they not already resigned. Employee misconduct involves intentional behavior, which violates established policy, procedures, regulations, laws, or the rights of other members of the university community.
- F. For purposes of this policy, "gross misconduct" includes but is not limited to any criminal act; fraudulent representations and actions; intent to defraud; misappropriation of university assets; or flagrant abuse of supervisory authority, signature authority, or fiduciary trust.
- G. The decision to file criminal charges will be determined at the conclusion of the investigation by the chief of police, with consultation of the district attorney's office as needed.