

FRAUD

Reference: California Labor Code 1102.5 and California Government Code 53296

I. GENERAL

A. Southwestern College is committed to protecting its assets against the risk of loss or misuse. Accordingly, it is the policy of Southwestern Community College District to identify and promptly investigate any possibility of fraudulent or related dishonest activities against the District and, when appropriate, to pursue legal remedies available under the law.

B. DEFINITIONS

1. Fraud – Fraud and other similar irregularities include, but are not limited to:

- a. Claim for reimbursement of expenses that are not job-related or authorized.
- b. Forgery or unauthorized alteration of documents (checks, promissory notes, time sheets, independent contractor agreements, purchase orders, etc.).
- c. Misappropriation of District assets (funds, securities, supplies, furniture, equipment, etc.).
- d. Improprieties in handling or reporting money transactions.
- e. Authorizing or receiving payment for goods not received or services not performed.
- f. Computer-related activity involving unauthorized alteration, destruction, forgery, or manipulation of data or misappropriation of District-owned software.
- g. Misrepresentation of information on documents.
- h. Any apparent violation of Federal, State, or Local laws related to dishonest activities or fraud.

C. It is the District's intent to fully investigate any suspected acts of fraud, misappropriation, or other similar irregularity. All District employees must report known or suspected misappropriations to their immediate supervisor, manager, department chair, or dean. Supervisors, managers, department chairs, and deans must inform the Vice President for Business and Financial Affairs who will assign an impartial three member team to investigate the

Business and Financial Affairs

suspected act. An objective and impartial investigation will be conducted regardless of the position, title, and length of service or relationship with the District of any party who might be or become involved in or becomes the subject of such investigation. If an immediate supervisor, manager, department chair, or dean is the subject of a suspected act, the employee should report known or suspected misappropriations to the next highest level of management.

- D. Each department of the District is responsible for instituting and maintaining a system of internal control to provide reasonable assurance for the prevention and detection of fraud, misappropriations, and other irregularities. Management should be familiar with the types of improprieties that might occur within their area of responsibility and be alert for any indications of such conduct.
- E. Employees will be granted whistle-blower protection when acting in accordance with this policy. When informed of a suspected impropriety, neither the District nor any person acting on behalf of the District shall;
 - 1. Dismiss or threaten to dismiss the employee,
 - 2. Discipline, suspend, or threaten to discipline or suspend the employee,
 - 3. Impose any penalty upon the employee, or
 - 4. Intimidate or coerce the employee.

Violations of the whistle-blower protection will result in discipline up to and including dismissal.

- F. Upon conclusion of the investigation, the results will be reported to the Vice President for Business and Financial Affairs.
- G. The Vice President for Human Resources and, following review of investigation results, will take appropriate action regarding employee misconduct. Disciplinary action can include termination, and referral of the case of the District Attorney's Office for possible prosecution.
- H. The District will pursue every reasonable effort, including court ordered restitution, to obtain recovery of District losses from the offender, or other appropriate sources.

Office of Primary Responsibility: Vice President for Business and Financial Affairs

Date Approved: