



Approving University Officials: Provost; Executive Vice President
Responsible Offices: Office of the Provost; Office of Human Resources;
Dean of Students Office
Effective date: February 2022
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POLICY ON NON-RETALIATION

Policy Statement

Northwestern strictly prohibits retaliation against any member of its community for reporting or inquiring in good faith about what the member believes to be wrongful or unlawful activity, or for participating in an investigation or proceeding related to such activity. The University considers such reporting, inquiring, or participating to be protected activities in which all members of the Northwestern community may freely engage.

Purpose

Northwestern is committed to operating with fairness and integrity and expects members of its community to act legally, honestly, and ethically. The purpose of this Policy is to promote an academic, research, and work environment that encourages community members to report any activity they believe in good faith to be wrongful or unlawful.

Audience

All Northwestern community members, including faculty, staff, students, postdoctoral scholars, researchers, visitors, contractors, and volunteers.

Definitions

In good faith: done with honest belief that wrongful or unlawful activity may have occurred.

Materially adverse: sufficiently harmful to deter a reasonable person from engaging in protected activities.

Protected activities: include (i) reporting (whether internally or externally) or inquiring, in good faith, about suspected wrongful or unlawful activity; (ii) assisting others in making such a report; or (iii) participating in an investigation or proceeding related to suspected wrongful or unlawful activity.

Retaliation: an action, performed directly or through others, that is aimed to deter a reasonable person from engaging in a protected activity or is done in retribution for engaging in a protected activity. Retaliation can take many forms, as described in Section II below. Action in response to a protected activity is not retaliatory unless (i) it would not have occurred in the absence of the protected activity.; and (ii) it has a materially adverse effect on the individual.

Wrongful or unlawful activity: activity of a community member that violates the law, Northwestern policy, or professional standards of conduct, including the laws, policies, and standards referenced in Section I below.

Policy Implementation

I. *Reporting Obligations and Expectations*

Applicable law and University policies mandate the reporting of certain unlawful activity, including:

- suspected child abuse and/or neglect (see the [policy on Minors at Northwestern](#)¹);
- discrimination, harassment, or sexual misconduct (see the [Interim Policy on Title IX Sexual Harassment](#) and [Policy on Institutional Equity](#)²);

Additionally, Northwestern expects, and in some cases requires, members of its community to report all information regarding any activity related to the University they reasonably believe to be wrongful or unlawful, including activities that may constitute:

- fraud;
- unethical business conduct (see the [Standards for Business Conduct](#));
- academic misconduct (see the [Student Handbook](#)³);
- research misconduct (see the [Policy for Reviewing Alleged Research Misconduct](#));
- fraud, waste, abuse, or mismanagement in connection with a federal contract or grant (see Section IV below);
- circumstances of substantial, specific, or imminent danger to faculty, staff, or students or the public's health and/or safety;
- other violations of University policies or procedures; or
- other violations of local, state, or federal laws or regulations.

The University is firmly committed to a policy of encouraging timely disclosure of concerns and prohibits retaliation against any member of the Northwestern community who, in good faith, reports concerns.

II. *Protection from Retaliation*

Members of the community are prohibited from engaging in retaliation as defined above. In addition, no community member may be retaliated against for refusing to carry out a directive ordering the member to engage in wrongful or unlawful activity.

¹ The Minors at Northwestern policy and Illinois law require community members to report suspected abuse and/or neglect of a child to the Illinois Department of Children and Family Services.

² The Policy on Institutional Equity and Interim Policy on Title IX Sexual Harassment require all University employees (including student employees) as well as graduate students with teaching or supervisory authority to promptly report discrimination, harassment, and sexual misconduct (including Title IX Sexual Harassment) of which they become aware in the scope of their work to the Office of Equity. As an exception to this requirement, certain confidential support resources (as defined in these policies) are not required to report alleged discrimination, harassment, or sexual misconduct to the Office of Equity.

³ Academic conduct policies are also contained in the Undergraduate Catalog, the Graduate Student Bulletin, and other policy documents issued by Northwestern's schools, departments, and programs.

Examples of materially adverse actions that could constitute retaliation if taken in response to a protected activity include, but are not limited to:

- reducing one’s compensation or access to add pay or bonuses;
- giving a negative performance evaluation that cannot be directly tied to documented performance shortcomings;
- decisions relating to one’s work assignments, vacation, or promotion or advancement opportunities (whether employment-related or academic);
- terminating employment;
- reducing a student’s grade;
- removing one from a student organization, academic program, lab, or research assignment;
- stripping one of co-authorship on a publication;
- interfering with one’s job search;
- engaging in harassing conduct that is sufficiently severe, pervasive, and/or persistent to create a hostile environment; for this purpose, the existence of a hostile environment is to be judged *both* objectively (meaning a reasonable person would find the environment hostile) *and* subjectively (meaning the affected individual felt the environment was hostile); or
- threats to engage in any of the actions listed above.

These actions in and of themselves may not constitute retaliation if they are taken for academic or professional reasons or justifications that are independent from a protected activity.

III. *Reporting and Investigation Process*

A. *Reporting*

1. Members of the Northwestern community may report suspected wrongful or unlawful activity, including retaliation, via [EthicsPoint](#) or by contacting one or more of the following individuals or offices⁴:

- the reporter’s immediate supervisor, department chair, dean, or administrative head;
- the Office of the Provost;
- the Office of Human Resources;
- the Dean of Students Office;
- the Dean’s Office in the school where a student is enrolled
- the Office for Research Integrity (ORI);
- the Office of Equity
- the Title IX Coordinator; or
- University Compliance
(see “Contacts” below for additional information).

Additional guidance and contact information for reporting specific types of misconduct is available on the [University Compliance website](#). The reporter may report to the

⁴ Upon receipt and review of a report, individuals and Offices have an obligation to appropriately respond to reports in accordance with applicable University policies, which may include referring the matter elsewhere.

individual(s) or office(s) that best suits the concern. Any instances of suspected retaliation may be reported in the same manner.

2. Northwestern community members who prefer to report anonymously may do so by utilizing [EthicsPoint](#), the University's phone- and web-based system for confidential reporting of suspected misconduct, which includes the option to disclose or withhold name and contact information. EthicsPoint is available 24 hours a day, 365 days a year.
3. Reports should be made as promptly as possible after the suspected wrongful or unlawful activity, or retaliation occurs in order to facilitate appropriate review of the report. All reports will be handled as promptly and discreetly as possible, with facts made available only to those who need to know to respond to and/or resolve the matter.

B. *Report Response and Resolution*

1. In situations where the individual(s) believed to have engaged in suspected wrongful or unlawful activity is not a member of the University community (including where the individual(s) has graduated or left the University), the University typically will not conduct an investigation. However, in such situations the University may still address the situation and provide resources to affected individuals.
2. The University will consider community members' rights to free expression and academic freedom when reviewing and responding to reports of wrongful or unlawful activity (or reports of retaliation) that involve an individual's statements or other expression.
3. Additional information regarding the report review and response process, including investigations, can be found in applicable University policies and procedures (see "Related Information" below).

IV. *Whistleblower⁵ Protection in Connection with Federal Contracts or Grants*

Federal law⁶ protects Northwestern employees who work on federal contracts or grants from reprisal for reporting fraud, waste, or other misconduct relating to such contracts or grants. Research misconduct regulations adopted by federal agencies funding sponsored research at Northwestern similarly require the University to protect the positions and reputations of community members who report misconduct in good faith or participate in good faith in misconduct proceedings.

A printable summary of whistleblower protections available under federal law is available [here](#).

Consequences of Violating this Policy

Individuals who are found to have engaged in retaliation as defined above may be subject to discipline up to and including termination of employment or academic dismissal under University policies and procedures (including the policies and procedures listed in "Related Information" below). Retaliatory

⁵ A whistleblower is a person, usually an employee, who reports misconduct in an organization.

⁶ Applicable federal regulations include but are not limited to: 10 U.S.C Section 2409; 41 U.S.C Section 4712, and Federal Acquisition Regulation Subpart 3.908.

actions taken in violation of law could also subject the individual found to have engaged in retaliation to legal liability.

Related Information

University policies and procedures

[Faculty Handbook](#)

[Interim Policy on Title IX Sexual Harassment](#)

[Minors at Northwestern](#)

[Policy on Institutional Equity](#)

[Procedures for Reviewing Alleged Research Misconduct](#)

[Policy for Reviewing Alleged Research Misconduct](#)

[Staff Handbook](#)

[Student Handbook](#)

Other information

[EthicsPoint](#)

[Standards for Business Conduct](#)

[Summary of employee whistleblower protections under federal law](#)

[University Compliance website](#)

Contacts

The following individuals and offices can address questions regarding this Policy:

1. For faculty issues: Associate Provost for Faculty, at (847) 491-8543 or assoc-prov-faculty@northwestern.edu
2. For student issues: Dean of Students at (847) 491-8430 or dos@northwestern.edu
3. For staff issues: Human Resources Business Partners, Office of Human Resources, hrbp@northwestern.edu
4. For graduate student issues: TGS Associate Dean for Graduate Student and Postdoctoral Programs, at tgs-adsa@northwestern.edu

To report evidence of discrimination, harassment, or sexual misconduct, contact: Office of Equity, at (847) 467-6165 or equity@northwestern.edu

To report evidence of research misconduct, contact: Office for Research Integrity (ORI), at (312) 503-0054 or researchintegrity@northwestern.edu

History

Supersedes policy dated April 6, 2018. This Policy also supersedes any protections against retaliation contained in other University policies or in handbooks, including the Student, Staff, and Faculty Handbooks.

Policy URL:

<http://policies.northwestern.edu/docs/non-retaliation-policy-FINAL.pdf>