

## **Protection from Retaliation Policy**

### **1 Purpose and scope**

New Meridian University prohibits retaliation against a person for raising an ethical concern, reporting suspected misconduct, or participating in an authorized review. This policy explains protected activities, prohibited conduct, reporting routes, and measures to protect complainants, witnesses, and other participants. The President oversees its administration and the university response.

This policy applies to students, applicants, faculty, staff, supervisors, contractors, volunteers, and others participating in or acting on behalf of NMU. It covers academic work, research, employment, contracts, services, and university communications, including online activities. Conduct outside a university setting is covered when it has a substantial connection to NMU or materially affects access to NMU education or employment. Protection may continue after a case closes or a person leaves the university, within NMU's authority.

The applicable conduct standard is the standard in force when the conduct occurred. This policy establishes the prohibition on retaliation and works with NMU's existing complaint procedures. It preserves specialized decision authority, response periods, evidence requirements, serious-sanction safeguards, and appeal rights.

### **2 Protected activities and good faith**

Protected activities include asking for ethical guidance, raising a good-faith concern, reporting suspected misconduct, opposing prohibited conduct, requesting an accommodation or protective measure, and seeking advice or support. Protection extends to providing information or evidence, serving as a witness, responding to an allegation, participating in an inquiry or hearing, and using an authorized complaint or appeal route. A person may report to NMU or seek assistance from an appropriate outside authority.

Protection applies when a person is believed to have engaged in a protected activity or to be preparing to do so, even if that belief is mistaken. Assisting another person with a protected activity is also covered. A person may decline a voluntary informal resolution without retaliation. Applicable duties to preserve records or cooperate with an authorized review remain in effect, subject to the rights and protections in the governing procedure.

A good-faith report reflects an honest concern based on the information available. The person does not have to prove a violation before reporting. A mistaken, incomplete, unsubstantiated, or withdrawn complaint does not alone establish dishonesty. Conflicting recollections or a finding of no violation do not remove protection. Knowingly providing materially false information or deliberately fabricating evidence requires a separate supported allegation and the applicable notice and response process.

### **3 Prohibited retaliation**

Retaliation is an adverse action, threat, intimidation, coercion, or interference directed at a person because of a protected activity or intended to prevent that activity. Conduct is assessed in

context, including whether it would reasonably discourage participation or harm educational, employment, research, or service access. Retaliation may be direct or indirect, involve one incident or a pattern, and occur while a case is pending or after its resolution.

Academic retaliation may include lowering a grade for reporting, applying assessment criteria selectively, delaying dissertation feedback or approval as punishment, withholding required supervision, excluding a student from an available academic opportunity, or obstructing access to records or services. Research retaliation may include removing a person from a project, manipulating publication credit, denying authorized access to research materials, or withholding a reference because of protected participation.

Employment or contract retaliation may include punitive assignments, an unjustified adverse evaluation, threats to an appointment, or changes to duties, pay, schedules, access, or contractual opportunities because of a protected activity. An official may not use supervisory authority or influence over future opportunities to pressure a person into silence.

Prohibited interference includes pressuring a complainant to withdraw, threatening a witness, directing a person to alter truthful information, initiating an allegation solely to punish protected participation, or disclosing private case information to expose a participant to hostility. Encouraging another person to retaliate, or targeting an associate to intimidate a participant, is also prohibited. A retaliatory threat may violate this policy even if the threatened action is not carried out.

A complaint does not prevent legitimate academic evaluation, required correction, or authorized employment action. Reviewers examine the actual reasons, evidence, consistency, and timing of the challenged conduct. Timing may be relevant but does not alone prove or disprove retaliation. Ordinary disagreement, a supported adverse finding, or proportionate protective action is assessed on its circumstances. Protected activity does not excuse a separately established violation.

#### **4 Responsibilities and impartiality**

The President designates reporting officials, ensures prompt assessment of retaliation concerns, authorizes appropriate protections, and appoints qualified investigators and independent reviewers. The Office of Ethical Compliance receives and records concerns, coordinates referral, preserves relevant information, and tracks protective and corrective actions under the President's authority. Supervisors and instructors must maintain fair treatment and comply with authorized measures.

An implicated person, a material witness, or an official with a relevant personal, supervisory, financial, or other conflict must not investigate, decide, or hear an appeal in that case. The President appoints an uninvolved replacement. Investigation, initial decision, and appeal functions remain separate as required by the governing procedure.

Reports personally implicating the President go to the independent external reviewer designated in advance under NMU's reporting procedures. That reviewer appoints impartial officials to perform the President's case responsibilities. The President does not control the investigation,

decision, or appeal in that case. The independent external reporting arrangement must be designated and made accessible when this policy is implemented.

## **5 Reporting retaliatory conduct**

A person may report suspected retaliation verbally or in writing to the President or the designated official within the Office of Ethical Compliance through NMU's published reporting contacts. Academic or research integrity concerns may also be reported through the integrity officer and alternate arrangements in the Academic Integrity and Research Misconduct policy. A person does not have to confront the alleged retaliator, report through an implicated supervisor, or wait for the original case to end. Another NMU official receiving the concern must forward it promptly, preserving the original receipt date and applicable deadlines.

Describe the protected activity, the suspected retaliatory conduct, who was involved, when and where it occurred, and why the events may be connected. Identify witnesses, relevant communications, assignment or evaluation records, earlier reports, ongoing risk, and assistance requested. Distinguish firsthand information from uncertainty. An incomplete report is assessed rather than automatically rejected. Preserve original records and do not access accounts without authorization or disclose unnecessary confidential information.

An unnamed report is assessed on the information available, although lack of follow-up contact may limit the review or an individual remedy. NMU cannot guarantee anonymity through ordinary email, telephone, or correspondence. Information is shared only for legitimate safety, review, response, implementation, or legal needs. Fair review may require sufficient disclosure for the subject to respond. Privacy instructions must preserve access to advice, support, relevant evidence, and outside assistance.

Report threats or continuing interference promptly and describe any immediate protection needed. The complaint process is not an emergency service. Contact local emergency services, including 911 in the United States, for an immediate threat to life or safety.

## **6 Protective measures and continuing access**

The President or impartial conflict replacement assesses safety, evidence preservation, and continuing access when a retaliation concern is received. Appropriate protection may be considered before a final finding and without requiring a formal complaint. A measure addresses an identified need and does not establish that misconduct occurred.

Depending on the circumstances, measures may include an alternative academic evaluator or supervisor, limits on case-related contact, preserved access to learning or research materials, adjusted communication arrangements, or independent review of a proposed adverse academic or employment action. The university considers the affected person's preferences and the effect on each participant. Measures concerning employment or contracts follow the applicable terms and requirements.

The official issuing a restriction provides written reasons, its scope and expected duration, a review date, and the route for requesting reconsideration. An affected person may seek prompt review by an uninvolved official under the governing procedure. Urgent action receives prompt

notice and an opportunity to challenge it. Measures must be proportionate, reviewed as circumstances change, and implemented without unnecessary educational or employment disadvantage.

The responsible official monitors whether protections are being followed. Where a continuing risk exists, a written plan identifies required conduct, the official responsible for follow-up, review dates, and how to report renewed concerns. Protection may continue after the original complaint or retaliation case closes. Participants should report noncompliance or recurrence without waiting for a scheduled review.

## **7 Assessment investigation and decisions**

Retaliation is assessed as a separate allegation even when the original complaint was not substantiated, was withdrawn, or has concluded. The receiving official identifies the governing procedure and responsible officials in writing. Retaliation connected with discrimination, harassment, or bullying follows the Nondiscrimination Harassment and Fair Treatment policy. Academic or research integrity retaliation follows the Academic Integrity and Research Misconduct policy when that policy governs the allegation. Other matters use the general procedure in the Reporting Ethical Concerns and Complaint Procedures policy unless another adopted process or controlling requirement applies.

Identifiable reports are ordinarily acknowledged within five business days when contact information is available. Initial assessment ordinarily takes ten business days under the nondiscrimination or general procedure and fifteen business days under the integrity procedure. Investigation, response, decision, and appeal periods follow the identified process. Referral does not restart applicable clocks or replace specialized deadlines. Delays and revised expected dates are communicated as required by that procedure.

The respondent receives specific allegations, the applicable standard, material evidence relied upon, and a meaningful opportunity to respond. An impartial review examines the protected activity, challenged conduct, evidence of a connection, and any supported explanation. Relevant evidence may include communications, decision records, changes in treatment, inconsistent explanations, comparable treatment, and witness accounts. Under NMU's identified procedures, responsibility is determined by a preponderance of the evidence, meaning that the alleged violation is more likely than not to have occurred. An accusation alone is insufficient. Any controlling requirement with a different standard remains applicable.

Under the nondiscrimination and general complaint procedures, the President or impartial conflict replacement makes the initial decision. Integrity cases retain the Provost's finding authority and the President's specified sanction responsibilities. The investigator and original decision-maker do not decide an appeal of that decision.

The decision is communicated in writing with findings, reasons, any corrective action or sanction, and the applicable review or appeal route. Parties receive information necessary to exercise their rights, subject to appropriate privacy protections. A reporter who is not a party receives an appropriate completion notice and information about that person's own safety or access.

## **8 Correction and disciplinary action**

Established retaliation requires a response proportionate to the conduct and harm. Corrective action may include a fresh academic or administrative review under proper criteria, correction of affected records, restoration of an improperly denied opportunity where feasible, alternative supervision, or strengthened oversight. The university identifies the responsible official and time for completion and verifies that the correction occurred.

Disciplinary action may include required instruction, a formal reprimand, restrictions on supervisory duties, suspension, expulsion, or employment or contract action when authorized by the applicable standard. Serious sanctions retain the required investigation, notice, offered hearing, independent appeal, and implementation protections in the governing NMU procedure. Expulsion or termination imposed as a misconduct sanction remains stayed during the applicable appeal period and any timely appeal.

Degree revocation follows the Academic Integrity and Research Misconduct policy and its requirements concerning the validity of an awarded credential. Retaliation unrelated to those requirements does not by itself justify revocation. Failure to follow an authorized protective measure or further interference may be reviewed as a separate allegation with the applicable safeguards.

## **9 Review and appeal rights**

The written notice identifies who may seek review, the permitted grounds, filing period, receiving official, and assistance available. Specialized appeal rights remain controlling. The President must not hear, direct, or override an appeal of the President's own decision. Independent or external review is arranged as required by the governing policy, including for serious sanctions and leadership conflicts.

Under the nondiscrimination procedure, an eligible complainant or respondent may appeal dismissal or an initial responsibility decision within ten business days after receipt. Under the general complaint procedure, an eligible complainant or respondent may appeal the initial decision within ten business days after receipt. Integrity cases retain the three-member independent appeal panel, filing period, and eligibility rules in that policy. A general intake closure or referral may receive the limited reconsideration described in the Reporting Ethical Concerns and Complaint Procedures policy. This policy does not create an additional appeal of a final specialized decision.

A witness or reporter in an original case may be the affected complainant in a separate retaliation case. Rights in that separate case are determined under its governing procedure. That status does not provide access to another person's private records or an appeal of another person's sanction in the original case. New evidence, procedural concerns, or further retaliation may be reported through the appropriate route. An appeal does not end continuing protection or authorize retaliation against any participant.

## **10 Records follow up and policy review**

The Office of Ethical Compliance maintains reports, relevant evidence, protective measures, notices, review records, decisions, appeals, and implementation records securely under the President's authority. Access is limited to authorized people with a legitimate need. Records are ordinarily retained for at least seven years after final resolution. Longer or permanent retention required by a specialized policy, applicable requirement, ongoing proceeding, or preservation hold remains controlling.

The responsible official checks completion of corrective actions and monitors an identified continuing risk for the period stated in the protection plan. Review considers whether academic, employment, or service access has been restored and whether further retaliation has occurred. A renewed concern is brought promptly to the President or independent official handling a President-related case.

The President reviews implementation periodically, approves amendments, and ensures that reporting officials and reviewers understand retaliation, impartiality, privacy, and the applicable procedures. Instructors and supervisors communicate the prohibition and follow authorized protections. Material changes are communicated through the ethical compliance manual and appropriate university channels. Individuals may seek outside assistance without first exhausting NMU's process; internal review does not extend an external filing deadline.

Approval date October 1, 2026

Effective date October 1, 2026

Billy Whisnant, Ph.D., President