



EAST TENNESSEE STATE
UNIVERSITY

General Investigations

Policy Name: General Investigations

Policy Purpose

This policy specifies when investigations will be initiated related to allegations of wrongdoing, ethical misconduct, or violations of East Tennessee State University (ETSU or University) policy or rule or state or federal law.

Applicability

This policy applies to ETSU faculty, staff, students, visitors, and third-party vendors.

Responsible Official, Office, and Interpretation

The Office of University Counsel is responsible for the review and revision of this policy. For questions about this policy, please contact the Office of University Counsel. The Office of University Counsel has the final authority to interpret this policy.

Defined Terms

A defined term has a specific meaning within the context of this policy.

N/A

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Policy

The Office of University Counsel or its designee has the discretion to initiate or delegate the investigation of any allegations of wrongdoing, ethical misconduct, and/or any violation of ETSU policy or rule or state or federal law involving ETSU students or employees or contractors.

Investigations may only be conducted pursuant to this policy where no other ETSU policy or rule or state or federal law with an investigative directive or procedure applies (e.g., Policy on Discrimination, Harassment, and Sexual Misconduct; ETSU's Title IX Rule; etc.).

1. General Investigations.

- 1.1. Investigations will commence under this policy at the request of the Office of University Counsel. The breadth and scope of such investigations will be determined by the Office of University Counsel.
- 1.2. ETSU employees involved in an investigation pursuant to this policy will be asked to keep information related to the investigation confidential.
- 1.3. Reports drafted as a result of investigations initiated pursuant to this policy will be kept confidential to the extent allowed by law. Any reports distributed pursuant to this paragraph will be redacted for any privacy and/or attorney-client privilege concerns.
- 1.4. ETSU employees are required to cooperate with and participate in any investigation conducted pursuant to this or any other ETSU policy.
- 1.5. Investigations initiated pursuant to this policy and any disciplinary actions will comply with all due process requirements.
- 1.6. Neither the University nor any employee may retaliate or attempt to retaliate against anyone for making a report, assisting in an investigation, or being regarded as making a report or assisting in an investigation. All suspected reports of retaliation should be reported immediately to the Office of University Counsel.
- 1.7. Recommendations regarding employee discipline will be made to the supervisor and the Office of Human Resources pursuant to the appropriate ETSU policy.
- 1.8. Nothing in this policy requires an employee to breach legally protected confidences or privileges.

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Procedures

Employees or students may request an investigation of alleged wrongdoing, ethical misconduct, or violations of ETSU policy or rule or state or federal law by contacting the Office of University Counsel. Investigations will be conducted at the Office of University Counsel's discretion.

Applicable Forms and Websites

[The Office of University Counsel](#)

Authority and Revisions

Authority: TCA § 49-8-203, et seq.

Previous Policy: Reporting and Investigating Allegations of Wrongdoing

The ETSU Board of Trustees is charged with policy making pursuant to TCA § 49-8-203, et seq. On March 24, 2017, the Board delegated its authority to ETSU's President to establish certain policies and procedures for educational program and other operations of the University, including this policy. The delegation of authority and required process for revision to this policy can be found on the [Policy Development and Rule Making Policy webpage](#).

To suggest a revision to this policy, please contact the responsible official indicated in this policy. Before a substantive change to the policy section may take effect, the requested changes must be: (1) approved by the responsible office; (2) reviewed by the Office of University Counsel for legal sufficiency; (3) posted for public comment; (4) approved by either Academic Council or University Council; and (5) approved by ETSU's President.