



## NYU Shanghai CAMPUS POLICY

### 上海纽约大学校园制度

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| <b>Title:</b>              | Compliance Complaint Policy               |
| <b>名称:</b>                 | 合规投诉制度                                    |
| <b>Effective Date:</b>     | January 1, 2019                           |
| <b>生效日期:</b>               | 2019年1月1日                                 |
| <b>Issuing Authority:</b>  | Vice Chancellor                           |
| <b>发布授权人:</b>              | 常务副校长                                     |
| <b>Responsible Office:</b> | Compliance and Risk Management Department |
| <b>负责部门:</b>               | 合规与风险管理部                                  |

#### **Purpose of this Policy/本制度的目的**

The purpose of this Policy is to encourage the good faith reporting of any concerns or complaints about possible Wrongful Conduct (defined below) and to set forth NYU Shanghai's commitment to protecting those who make such reports from retaliation.

本制度旨在鼓励善意报告潜在不端行为（定义如下）以表达任何顾虑或进行投诉，并且明确上海纽约大学致力于保护报告人免于遭受报复。

#### **Policy/制度**

NYU Shanghai is committed to operating ethically and lawfully and expects all Members of the NYU Shanghai Community to conduct their activities in compliance with NYU Shanghai policies and procedures and applicable law. Members of the NYU Shanghai Community have an affirmative duty to disclose and seek guidance if they believe that another Member of the NYU Shanghai Community or other person associated with or doing business with NYU Shanghai is engaging in Wrongful Conduct. Indeed, it is NYU Shanghai's policy to encourage the communication of good-faith concerns and complaints of Wrongful Conduct.

上海纽约大学致力于在日常运营中遵守法律及道德规范，并要求全体上海纽约大学社区成员在日常活动中均能严格遵守所有上海纽约大学的规章制度和适用法律。若上海纽约大学社区成员相信另一社区成员或其他与上海纽约大学有关联或存在业务往来的人员正在实施不端行为，其有义务主动揭露该不端行为并寻求专业建议。实际上，鼓励就不端行为的善意疑虑或投诉进行沟通是上海纽

约大学的政策。

It is also NYU Shanghai's policy to protect those who make such complaints from retaliation. No Member of the NYU Shanghai Community who in good faith reports any Wrongful Conduct or suspected Wrongful Conduct or who cooperates in good faith with an NYU Shanghai investigation of such a report will be subject to intimidation, harassment, discrimination, or other retaliation or, in the case of employees, adverse employment consequence.

同时保护投诉人不因其投诉行为而遭受报复，也是上海纽约大学的政策。善意投诉任何不端行为或疑似不端行为、或友好配合上海纽约大学调查某一项投诉事项的任何上海纽约大学社区成员，均应免受恐吓、骚扰、歧视或其他报复行为，或对上海纽约大学雇员而言免于遭受不利的职业后果。

This Policy provides an important – but not the only – avenue for Members of the NYU Shanghai Community to raise concerns or make complaints. Depending on the nature of the matter, other avenues available to Members of the NYU Shanghai Community may include going to Human Resources or the Office of Equal Opportunity, or availing themselves of processes addressing student, faculty and staff concerns and complaints (*see, e.g., [Community Standards and Student Conduct](#), the [Faculty Manual](#), and the [Staff Handbook](#)*, as applicable). In addition to these avenues, other options may be available as specified under applicable law or under an applicable NYU Shanghai policy. Members of the NYU Shanghai Community are encouraged to consult the [Policies and Guidelines](#) section of the NYU Shanghai website.

本制度为上海纽约大学社区成员提供了一条重要但非唯一的表达顾虑或提出投诉的途径。依事件性质而定，上海纽约大学社区成员可选择的其他途径可能包括向人力资源部或平等机会办公室寻求帮助，或者利用学生和教职员工投诉流程（例如根据适用，[社区标准及学生行为](#)、[《教师手册》](#)、[《员工手册》](#)）。除此之外，上海纽约大学社区成员还可以根据相关适用的法律规定或上海纽约大学政策寻求其他可用途径。本制度鼓励上海纽约大学社区成员查询上海纽约大学网站所发布的[政策与准则](#)部分。

## Procedure/流程

### A. Reporting Wrongful Conduct 报告不端行为

Any Member of the NYU Shanghai Community who becomes aware of or suspects Wrongful Conduct should report such Wrongful Conduct as soon as possible to one or more of the persons listed below unless the person is the subject of the complaint or otherwise involved in the Wrongful Conduct:

任何上海纽约大学社区成员若发现或怀疑存在不端行为，应尽快向以下所列的一名或多名人员报告，除非该人员系被投诉人或者涉嫌参与不端行为：

- His or her supervisor;  
报告人的上级；
- Compliance and Risk Management Department;  
合规与风险管理部；
- General Counsel; or

- 总法律顾问；或
- In the case of a complaint of Wrongful Conduct involving a member of the Board of Directors, an officer of the Board of Directors (e.g. Chairman, Vice Chairman), the supervisors or a member of senior management, the General Counsel.  
若被投诉的不端行为涉及理事会成员、理事会主席/副主席、监事、上级领导或领导层成员，则应向总法律顾问报告。

Members of the NYU Shanghai Community also may report Wrongful Conduct by:  
上海纽约大学社区成员也可以通过如下方式报告不端行为：

- (i) Submitting online (<https://compliance.report.shanghai.nyu.edu>); and/or  
在线提交 (<https://compliance.report.shanghai.nyu.edu>); 和/或
- (i) Emailing [nyush.compliance-risk@nyu.edu](mailto:nyush.compliance-risk@nyu.edu).  
发送电子邮件至[nyush.compliance-risk@nyu.edu](mailto:nyush.compliance-risk@nyu.edu)

Complaints submitted through the online system can be made anonymously.  
登录在线系统后可以通过匿名方式提交投诉。

## **B. Response to Concerns or Complaints** **顾虑或投诉反馈**

Any person who receives a report of Wrongful Conduct should disclose the report to the Compliance and Risk Management Department.  
任何收到不端行为报告的人员应向合规与风险管理部披露报告内容。

The Compliance and Risk Management Department will assess each report of Wrongful Conduct on a preliminary basis to determine to what extent an investigation is required and will direct any subsequent investigation. The Compliance and Risk Management Department will discuss the preliminary assessment of each report of Wrongful Conduct and any plan for an investigation with the General Counsel prior to beginning any investigation or making recommendations for any corrective action.

合规与风险管理部将对每一项不端行为报告进行初步评估，以便决定相应的调查范围，并且将负责指导所有后续的调查工作。在启动任何调查或就改正措施提出建议前，合规与风险管理部将与总法律顾问讨论相应的初步评估与调查工作计划。

Any person who receives a report of Wrongful Conduct involving the Compliance and Risk Management Department will contact the General Counsel rather than the Compliance and Risk Management Department, and the assessment of the report and subsequent investigation, if any, will be done by the General Counsel.

任何收到涉及合规与风险管理部不端行为报告的人员应联系总法律顾问（而非合规与风险管理部），总法律顾问将负责完成相关的报告评估以及后续的调查工作（如有）。

All investigations will be conducted in a sensitive manner and information will be disclosed only as needed to facilitate the review of the investigation materials and as otherwise required by law. The person who makes the report is expected to cooperate as necessary in connection with any report and investigation.

所有调查工作均将审慎开展。除为了方便审阅调查材料之需要，以及法律另有要求之外，所有信息均不得予以披露。报告人应当对其报告以及任何相关调查工作提供必要的配合。

Where complaints are reported on an anonymous basis, the anonymity will be maintained, subject to applicable law. In the case of complaints not made on an anonymous basis but where confidentiality is desired or appropriate, confidentiality will be maintained to the fullest extent possible, consistent with the need to conduct an adequate review and subject to applicable law.

若有匿名投诉，该投诉将保持匿名状态，并取决于适用法律的规定。若投诉并未匿名但该投诉需要保密或者予以保密更为适宜，则该投诉将在最大可能范围内予以保密，与开展充分审查的需要相一致并取决于适用法律的规定。

The Compliance and Risk Management Department will discuss the resolution of each report of Wrongful Conduct with the General Counsel and, as necessary, the Vice Chancellor. Prompt and appropriate corrective action will be taken as warranted by NYU Shanghai. The Compliance and Risk Management Department (or the General Counsel, as appropriate) will provide compliance oversight of any corrective action.

合规与风险管理部将与总法律顾问讨论所有不端行为报告的处理结果，并在必要时与常务副校长就处理结果进行讨论。上海纽约大学将保证采取及时且恰当的改正措施。合规与风险管理部（或总法律顾问，视本政策规定的情况而定）将对所有改正措施进行合规性监管。

### **C. Reporting and Retention of Records of Complaints and Investigations** **投诉及调查结果的汇报和记录的保管**

The Compliance and Risk Management Department will maintain a log of all complaints, tracking their receipt, investigation, and resolution. The Compliance and Risk Management Department will prepare regular reports summarizing the complaints received and will submit the report at least annually to the Chancellor and the Vice Chancellor, and to the New York University (NYU) Chief Global Compliance Officer. The Compliance and Risk Management Department also will inform the New York University Chief Global Compliance Officer as soon as practicable of any concern or complaint received.

合规与风险管理部将对所有投诉留存记录，追踪投诉的接收、调查以及解决过程。合规与风险管理部将整理收到的投诉制作定期报告并至少每年一次提交至上海纽约大学校长、常务副校长，以及纽约大学首席全球合规官。同时，合规与风险管理部在接到任何顾虑或投诉后将尽快通知纽约大学首席全球合规官。

### **Policy Definitions 制度定义**

“Members of the NYU Shanghai Community” means members of the Board of Directors, officers of the Board of Directors (e.g. Chairman, Vice Chairman), supervisors, employees, students, and volunteers.

“上海纽约大学社区成员”指上海纽约大学的理事会成员、理事会主席/副主席、监事、雇员、学生以及志愿者。

“Wrongful Conduct” means any action or omission, or suspected action or omission, taken by members of the NYU Shanghai Community or within NYU Shanghai that is illegal,

fraudulent, or in violation of NYU Shanghai policies and procedures. Wrongful Conduct includes, but is not limited to, violations of law including fraud, unauthorized use of NYU Shanghai property or resources, fraudulent or dishonest financial reporting, bribery, kickbacks, and research or other academic fraud.

“不端行为”指由上海纽约大学社区成员做出或在上海纽约大学校内存在的任何非法的、具有欺骗性的、或违反上海纽约大学规章制度的任何行为或疏漏，或可疑行为或疏漏。不端行为包括但不限于违法行为（包括欺诈）、擅自使用上海纽约大学的财产或资源、欺骗性的或不实的财务报告、贿赂、收取回扣，以及研究或其他学术欺诈行为。

## **Related Policies/相关政策**

[\*NYU Code of Ethical Conduct\*](#)  
[纽约大学道德行为准则](#)