

# GOUCHER | college

## Whistleblower Policy

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### **Purpose**

The purpose of this policy is to allow college employees to report concerns about college operations through appropriate and confidential channels without risk of retaliation. The policy and its procedures are intended to ensure that all college operations are conducted ethically and with integrity.

### **Policy Statement**

Goucher College strives to provide an ethical and productive work environment in which employees are encouraged to report issues and concerns about college operations. It is the policy of Goucher College that all employees shall be free to report, without fear of retaliation, activity occurring in college operations that the reporting person believes in good faith to be illegal, dishonest, unethical, fraudulent, or not in compliance with college policy.

Reported allegations will be treated confidentially to the greatest extent possible, and will be promptly investigated. Neither the college nor any of its employees will take adverse employment or other action in retaliation against a person who reports information under this policy.

### **Protected Reports**

This policy protects the reporting of knowledge of, or information about, activity occurring in college operations which the reporting person believes in good faith to be illegal, dishonest, unethical, fraudulent, or not in compliance with college policy (collectively referred to in this policy as “misconduct in college operations”). Examples of misconduct in college operations include, but are not limited to, violations of federal, state, or local laws; misappropriation or misuse of college resources; bribery; forgery or alteration of documents; fraudulent financial reporting; and authorizing or receiving compensation for goods not received, services not performed, or hours not worked.

### **Good Faith**

A reporting person who acts in good faith will be protected from retaliation under this policy. Good faith means that the person has reasonable grounds to believe that the reported allegations are substantially true. A person who intentionally makes a false report may be subject to disciplinary or other action. The failure of a report to result in a finding of misconduct is not alone evidence that the report was intentionally false.

## **Reporting Process**

Employees who have knowledge of or information about misconduct in college operations should report the misconduct to the vice president for human resources or the general counsel. If, for any reason, a person does not want to report his or her concerns to such individuals, s/he may report the concerns directly to the Chair of the Board's Audit and Governance Committee. If the reporting person desires anonymity, the report should be in writing and delivered via regular mail, campus mail, or by hand, rather than via e-mail.

Non-employee members of the college community who have knowledge of or information about misconduct in college operations are also encouraged to report their concerns to the vice president for human resources or the general counsel.

## **Addressing Reports of Misconduct**

Persons reporting misconduct in college operations should not attempt to investigate the matter independently, as doing so may compromise the integrity of an official investigation and adversely impact both the reporting person and the college.

The vice president for human resources and general counsel will promptly and discreetly investigate any report of misconduct in college operations, with the assistance of other college officials as appropriate. The vice president and general counsel will report the results of their investigation and any recommendations for appropriate corrective and/or disciplinary action to the college president. The president will consult with appropriate senior administrators in the affected division before implementing corrective or disciplinary action. The imposition of discipline, if any, will be made in accordance with the Faculty Legislation (if the misconduct involves faculty), the Collective Bargaining Agreement (if the misconduct involves a union employee), and any other applicable college policies.

If the president, vice president for human resources, the general counsel, or any other member of the president's senior staff (a senior vice president, vice president or executive director) is the subject of a report of misconduct in college operations, either the reporter or the recipient of the report shall inform the chair of the Audit and Governance Committee of the Board of Trustees, who will oversee the investigation process. The chair of the Audit and Governance Committee shall notify the chair of the Board about the complaint, and shall keep the chair of the Board informed throughout the investigation process. The Audit and Governance chair shall have discretion to appoint an independent investigator to conduct an investigation of the complaint. A written report of the investigation shall be made to the Audit and Governance Committee, which shall recommend appropriate corrective and/or disciplinary action.

A confidential report will be made to the chair of the Board of Trustees at the conclusion of every investigation conducted under this policy. Such report may be shared with the Board of Trustees, or any members thereof, at the chair's discretion.

### **Recordkeeping and Confidentiality**

Reports and investigations will be kept confidential to the extent possible and consistent with college policies and applicable federal, state, and local laws. Such records shall be maintained in the office of the general counsel.

### **Protection Against Retaliation**

The college and its employees are prohibited from engaging in retaliation against, or any form of harassment of, a person who reports a concern in good faith. This includes, but is not limited to, retaliation in the form of an adverse employment action, harassing behavior, or threats of physical or mental harm. Any reporting person who believes he or she is being retaliated against must contact the director of human resources or the general counsel immediately so that the college may take timely and appropriate action.

Any employee who engages in retaliation or harassment against a reporting person may be subject to disciplinary action up to and including termination.

The right of a reporting person to protection against retaliation does not include immunity for any personal wrongdoing of the reporting person that is found to exist following an investigation.

### **Contact Information**

Deborah Lupton is the vice president for human resources. Her office is located inside the lower-level entrance of Dorsey Center, and she can also be reached at x6135 or [dlupton@goucher.edu](mailto:dlupton@goucher.edu).

Barbara Stob is the general counsel. Her office is located in the enrollment management area on the upper level of Dorsey Center, and she can also be reached at x6011 or [bstob@goucher.edu](mailto:bstob@goucher.edu)

The chair of the Audit and Governance Committee is Rich Davis. He can be reached by contacting the President's office or emailing him directly at [Richard.Davis@rjdavislaw.com](mailto:Richard.Davis@rjdavislaw.com), (212) 675-7050 (Phone), or by mail, care of the President's Office.

Any questions or concerns regarding this policy should be directed to the general counsel.

**Approved by Audit and Governance Committee, May 6, 2016.**