



WHISTLE BLOWER (EMPLOYEE PROTECTION) POLICY

Washington College strives to operate in an ethical, honest and lawful manner and expects its employees, students, and third parties doing business with the College to conduct their activities in accordance with College policies and applicable law at all times.

A culture of compliance strengthens and promotes ethical practices and respectful treatment of all members of the College community and those who conduct business with the College.

The College strongly encourages any employee or student to report suspected or actual wrongful conduct by a College contractor/vendor, student or employee that may include but is not limited to any of the following:

- violation of state or federal law or regulations;
- fraud;
- misappropriation or misuse of College, or government resources (financial or human);
- action or failure to act that endangers the health or safety of the public, students or employees;
- abuses of authority;

Reports may be made to one's supervisor, in the case of employees, or to the College's Controller or Director of Human Resources. There are private telephone lines (without caller identification) for this purpose which cannot be traced without a directive from Public Safety and/or a court order. The Whistle Blower line can be reached by dialing **(855)-209-9562**.

No College employee or student may interfere with the good faith reporting of suspected or actual wrongful conduct. In addition, individuals who make such reports or participate in investigations of reports shall be protected from any retaliation such as harassment, adverse employment actions, or academic or educational consequences. Violations of the prohibition against retaliation will result in disciplinary action up to and including dismissal.

A. Filing a Report

1. Any person may report allegations of suspected violation of College policies or State or Federal laws. Knowledge or suspicion of such behaviors may originate from faculty, staff or administrators carrying out their assigned duties, external auditors, law enforcement, regulatory agencies, and customers, vendors, students or other third parties. Allegations of suspected improper activities may be reported anonymously.
2. Reports of allegations of suspected improper activities are encouraged to be made in writing so as to assure a clear understanding of the issues raised, but may be made orally. Such reports should be factual rather than speculative or conclusory, and contain as much specific information as possible to allow for proper assessment of the nature, extent and urgency of preliminary investigative procedures.
3. The College recommends that any reports by persons who are not College employees be made to the Controller. Such reports may also be made to another College official whom the reporting person may reasonably expect to have either responsibility over the affected area or the authority to review the alleged improper activity on behalf of the College.
4. Normally, a report by an employee of allegations of a suspected improper activity should be made to the reporting employee's immediate supervisor or other appropriate administrator or supervisor within the operating unit (such as the unit head), or to the Controller. However, in the interest of confidentiality, when there is a potential conflict of interest or for other reasons, such reports may be made to another College official whom the reporting employee may reasonably expect to have either responsibility over the affected area or the authority to review the alleged improper activity on behalf of the College.
5. When a person reports allegations of suspected improper activities to an appropriate authority the report is known as a *protected disclosure*. The rights of College employees and applicants for employment when making a protected disclosure are covered by the *Whistle Blower Policy*.
6. All College employees, and especially any academic or staff employee in a supervisory role, should be aware of and alert to either oral or written, formal or informal communications that may constitute a report of allegations of suspected improper activity. Anonymous Whistle Blowers must provide sufficient corroborating evidence to justify the commencement of an investigation. An investigation of unspecified wrong-doing or broad based allegations will not be undertaken without identifiable evidentiary support. Because investigators are unable to interview anonymous Whistler Blowers, it may be more difficult to evaluate credibility of the allegations and therefore, less likely to cause an investigation to be initiated.

B. Reporting to the Controller

1. Managers, administrators and employees in supervisory roles who receive a report alleging suspected improper activities shall ensure that the matter is promptly reported to their supervisor, an appropriate College official and/or the Controller. Such employees are charged with exercising appropriate judgment in determining which matters can be reviewed under their authority and which matters must be referred to a higher level of management or the Controller. Consulting with supervisors, the Controller or other appropriate College management is encouraged to err on the side of upward reporting. Oral reports should normally be documented by the supervisor by a written transcription of the oral report, and internal communications regarding allegations of improper activities should normally be in writing.
2. Managers, administrators and employees in supervisory roles shall report to the Controller any allegations of suspected improper activities— whether received as a protected disclosure, reported by their subordinates in the ordinary course of performing their duties, or discovered in the course of performing their own duties—when any of the following conditions are met:
 - a. The matter involves a significant threat to the health and safety of employees and/or the public;
 - b. The matter involves allegations or events that have a significant possibility of being the result of a criminal act (e.g., disappearance of cash);
 - c. The matter involves the misuse of College resources or creates exposure to a liability in potentially significant amounts;
 - d. The matter is the result of a significant internal control or policy deficiency that is likely to exist at other units within the institution or across the College system;
 - e. The matter is likely to receive media or other public attention; or
 - f. The matter is judged to be significant or sensitive for other reasons.

C. Reporting to the Office of the President and Others

1. The Controller shall have principal responsibility for meeting the reporting requirements to the Office of the President and senior management. The Controller shall consult with members of the Investigations Workgroup (see Section D.) as necessary in fulfilling this reporting responsibility and will inform the Investigations Workgroup of all reports made to the President.
2. In some instances, even an allegation of improper activity may be reportable to a funding entity or regulatory agency. More typically, at least preliminary investigation results are needed to assess

reporting obligations to parties outside the College. The Controller, in consultation with the leadership of the affected area, will determine the nature and timing of such communications.

3. Allegations of suspected losses of money, securities or other property shall be reported to the Senior Vice President of Finance and Administration as soon as it is discovered. The Senior Vice President of Finance and Administration shall report such matters in accordance with the terms of any contracts with insurance or bonding companies.
4. In the event that any person with a reporting obligation under this policy believes that there is a conflict of interest on the part of the person to whom the allegations of suspected improper activities are to be reported, the next higher level of authority shall receive the report.
5. Whistle Blowers frequently make their reports in confidence. To the extent possible within the limitations of law and policy and the need to conduct a competent investigation, confidentiality of Whistle Blowers will be maintained. Whistle Blowers should be cautioned that their identity may become known for reasons outside of the control of the investigators or College administrators. Similarly, the identity of the subject(s) of the investigation will be maintained in confidence with the same limitations.

D. Investigating Alleged Improper activities

1. A number of functional units within the College have responsibility for routinely conducting investigations of certain types of allegations of improper activities, and have dedicated resources and expertise for such purposes. In addition, other College parties may become involved in investigations of matters based on their areas of oversight responsibility or topical expertise.
2. The Controller chairs the Workgroup. Workgroup membership should include representatives from each functional unit that has routine responsibility for certain types of investigations. The Workgroup is composed of the Controller, Director of Human Resources, Director of Public Safety and the Chair of the Faculty Council. In addition, specialized expertise may be required on an ad hoc basis for investigation of certain matters.
3. The College establishes an Investigations Workgroup to ensure coordination and proper reporting of investigations. The Workgroup, acting in an advisory role, shall assist the Controller in assessing the planned course of action related to allegations and investigations, including determining that an adequate basis exists for commencing an investigation.
4. The Workgroup's responsibilities include:
 - a. Assisting the Controller in assuring that the proper investigative channels are utilized according to appropriate expertise and jurisdiction;

- b. Assuring that all appropriate administrative and senior officials are apprised of the allegations as necessary;
 - c. Assuring appropriate written reporting occurs to the Office of the President, regulatory agencies, Whistle Blowers and others as necessary or provided by this policy;
 - d. Assisting the Controller in ensuring appropriate resources and expertise are brought to bear to cause the timely and thorough review of reports of allegations of suspected improper activities;
 - e. Ensuring that there are no conflicts of interest on the part of any party involved in specific investigations;
 - f. Coordinating and facilitating communications across investigative channels as necessary to ensure comprehensive attention to all facets of the matter;
 - g. Assisting the Controller in monitoring significant elements and progress of investigations to ensure that allegations are timely and thoroughly addressed; and
 - h. Coordinating and facilitating in an advisory capacity the corrective and remedial action that may be initiated in accordance with applicable faculty or staff conduct and disciplinary procedures.
5. The purpose and authority of the Workgroup shall not be construed as to limit or halt investigations undertaken with proper authority granted by law or policy to any College investigative authority. Nor is the Workgroup empowered to initiate investigations without an adequate basis. Rather, the Workgroup's purpose is to provide guidance, advice and/or coordination for investigative activities as requested by the Controller and to facilitate communications among appropriate parties as requested by the Controller.
6. All employees of the College have a duty to cooperate with investigations initiated under this policy.
7. Consistent with applicable personnel policies and the approval of Human Resources, an employee may be placed on an administrative paid leave, as appropriate, when it is determined by the College that such a leave would serve the best interests of the employee, the College or both. Such a leave is not to be interpreted as an accusation or conclusion of guilt or innocence of any individual including the person on leave. The appropriate Vice President and the Office of Human Resources shall be consulted regarding any plan to place an employee on such a leave.