

Whistleblower Policy

I. POLICY STATEMENT

Goucher College strives to provide an ethical and productive work environment where employees are encouraged to report issues and concerns about College operations. Therefore, the College's policy is that all employees are 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 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.

II. PURPOSE

This policy aims to allow College employees to report concerns about College operations through appropriate and confidential channels without risk of retaliation. In addition, this policy and its procedures aim to ensure that all College operations are conducted ethically and with integrity.

A. Protected Reports

This policy protects the reporting of 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 (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 College policies; 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.

B. Good Faith

A reporting person who acts in good faith is 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 knowingly makes a false report may be subject to disciplinary or other action. However, the failure of a report to result in a finding of misconduct is not alone evidence that the report was intentionally false.

III. REPORTING PROCESS

Employees who know about misconduct in College operations should report the misconduct promptly to the Associate Vice President for Human Resources or the College's outside general counsel. If, for any reason, a person does not want to report their concerns to such individuals, they may report the concerns directly to the Chair of the Board's Audit and Risk Management 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 email.

Non-employee members of the College community who know about misconduct in College operations are encouraged to report their concerns to the Associate Vice President for Human Resources. 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 email.

Crimes against person or property, such as assault, rape, or burglary, should immediately be reported to local law enforcement personnel.

A. Addressing Reports of Misconduct

Persons reporting misconduct in College operations should not investigate the matter independently. Doing so may compromise the integrity of an official investigation and adversely impact both the reporting person and the College.

The Associate Vice President for Human Resources and the College's outside general counsel will promptly and discreetly investigate any report of misconduct in College operations, with the assistance of other College officials, as appropriate. The Associate Vice President for Human Resources and the College's outside general counsel jointly will determine the scope, manner, and parameters of any investigation.

The Associate Vice President for Human Resources or College counsel will report the results of their investigation and any recommendations for appropriate corrective and/or disciplinary action directly to the College President. The President will consult with appropriate senior administrators before implementing corrective or disciplinary action. Any disciplinary actions will be in accordance with 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 any member of the president's cabinet 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 Risk Management Committee of the Board of Trustees, who will oversee the investigation process. The chair of the Audit and Risk Management Committee shall notify the chair of the Board about the complaint and keep the Chair informed throughout the investigation process. The Audit and Risk Management chair has the discretion to appoint an independent investigator to investigate the complaint. A written report of the investigation will be made to the Audit and Risk Management Committee, which shall recommend appropriate corrective and/or disciplinary action, when warranted by the investigation. A confidential report will be made to the Chair of the Board of Trustees after these investigations. Such report may be shared with the Board of Trustees, or any members thereof, at the Chair's discretion.

B. Record Keeping and Confidentiality

The College takes seriously its responsibility to enforce this Policy and therefore encourages any person reporting a concern to identify themselves so as to facilitate any resulting investigation. However, the reporting party may opt to make the report anonymously in the manner discussed above.

The College will take reasonable steps to ensure that the identity of the reporting person remains confidential. Further, reports and investigations will be kept confidential to the extent possible and consistent with College policies and applicable federal, state, and local laws.

The College will retain on a strictly confidential basis for a period of seven (7) Years (or otherwise as required under the College's Record Management Policy) all records relating to any reported concern and to the investigation and any resulting report. All such records are confidential to the College and will be considered privileged and confidential, subject only to a lawful subpoena or other recognized government authorities. Records shall be maintained in the Office of Human Resources or by the outside general counsel.

IV. PROTECTION AGAINST RETALIATION

The College and its employees are prohibited from engaging in retaliation, or any form of harassment, against 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 that they are being retaliated against must contact the Associate Vice President of Human Resources 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, 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.

V. CONTACT INFORMATION

Kristi Yowell is the Associate Vice President for Human Resources. Her office is located inside the lower-level entrance of Dorsey Center at the Office of Human Resources, Goucher College, 1021 Dulaney Valley Road, Towson, MD 21204. She can also be reached at 410-337-6135 or via email at Kristi.Yowell@goucher.edu.

Steve Frenkil, Principal at Miles & Stockbridge, is the College's outside general counsel. His office is located at 100 Light St., Baltimore, MD 21202, and he can also be reached at 410-385-3758 or via email at sfrenkil@milesstockbridge.com.

The Chair of the Audit and Risk Management Committee is Rich Davis. He can be reached by contacting the President's office or emailing him directly at Richard.Davis@rjdavislaw.com, or by mail, care of the President's Office, Goucher College, 1021 Dulaney Valley Road, Towson, MD 21204.

VI. RESPONSIBLE OFFICE

Any questions or concerns regarding this policy should be directed to the Office of the President.

VII. HISTORY

Adopted May 2016. Updated October 2022.