Gordon College Policy on Suspected Misconduct and Whistleblower Protection

General

The College’s Life and Conduct Statement creates standards for our community life requiring that all trustees, officers and employees observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of Gordon College, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations. 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 purpose of this policy is to encourage and enable good-faith reports by College employees and others of observed or suspected misconduct or noncompliance with law or with College policies and procedures resulting in excess personal benefit.

Scope

This policy is intended to encourage and enable employees and others who have good-faith serious concerns about misconduct, including violations of law, regulations or College policies and procedures or other conduct (“Misconduct”) to raise them with the College before seeking external resolution. This Policy is not intended to supplant, but rather to complement and supplement, existing College policies. It thus does not affect any rights, responsibilities or procedures set forth in other College policies addressing misconduct. For example, complaints or grievances such as those regarding discrimination or harassment, other personnel and employment matters, academic and disciplinary matters, academic freedom, research misconduct and other matters as to which there are specific College policies, should ordinarily be made and addressed in accordance with the College policies applicable to such matters and applicable law.

Reporting Responsibility

Each member of the College community shares responsibility for stewardship of College resources and for compliance with laws and policies. Therefore, College faculty, staff and students are encouraged to report, in accordance with this Policy, any Misconduct by College employees, or actions of other parties that may result in financial loss to the College or other harm to members of our community. For purposes of this Policy, a Reporting Person is any employee or student who makes a report under this Policy.

Guidance on Reporting

Employees who have questions about the propriety of any practice under College policies or procedures should ordinarily seek guidance from their supervisors or a College official
with compliance oversight responsibility for the particular policy or procedure. Employees also may seek guidance from the Office of the College Counsel.

Confidentiality

A Reporting Person may request that a report made under this Policy be handled as confidentially as possible under the circumstances. Although the College will endeavor to handle all such reports with discretion and due regard for privacy, other obligations and considerations may preclude the College from maintaining confidentiality in all circumstances.

Anonymous Reports

A Reporting Person may make an anonymous report. However, it should be understood that any investigation may be hampered or be impracticable if the Reporting Person cannot be identified and questioned about the allegations and related facts.

Persons to Whom Reports May be Made

A Reporting Person ordinarily should make the report to his or her immediate supervisor. If the Reporting Person believes it inappropriate to report to an immediate supervisor, the Reporting Person should raise the issue with another person with supervisory authority, such as his or her manager, department chair, dean, director or the College office or official responsible for overseeing compliance with the policy or procedure at issue. If a Reporting Person believes further reporting is appropriate, a report under this Policy may be made to the following offices.

- Reports about a staff member may be filed with the Human Resources Office by e-mail, telephone or mail.
- Reports about a faculty member may be filed with the Academic Dean in the Provost’s Office by e-mail, telephone or mail.
- Reports about a student may be filed with the Dean of Students by e-mail, telephone or mail.

Financial Misconduct and Dishonesty

Reports involving the President, a Vice President, the Provost, a Dean or a trustee of the College, or any report concerning accounting practices, finances, internal controls, inappropriately managed conflicts of interest, and/or auditing may be submitted to the Chair of the Audit Committee of the Gordon College Board of Trustees by submitting the report in an envelope addressed to the Chair of the Audit Committee in care of the College Counsel at West Campus. Reports submitted in this manner will be delivered to the Chair of the Audit Committee for evaluation. The Audit Committee of the Board of Trustees will exercise discretion in determining whether to conduct further review, initiate an investigation or refer the matter to a College office the Committee deems appropriate to handle it, or what other steps, if any, are warranted.
No Retaliation

No individual who in good faith reports a violation or suspected violation shall suffer harassment, retaliation or adverse employment and/or academic or educational consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. Individuals who believe they have suffered retaliation may report it to one of the reporting venues identified above.

False Reports

Reports made in bad faith or with knowledge of their falsity will subject individuals to disciplinary or other appropriate action. Making a report under this Policy shall not insulate an individual from personnel or other actions that are warranted, based on performance or other factors, and are not caused by the making of a complaint under this Policy.

Document Retention

The Office of the College Counsel will document, as appropriate, the processing and resolution of reports under this Policy, and shall retain such documents in a secure location.

Interpretation

The Office of the College Counsel is responsible for implementing and interpreting this policy.

SCM – 9/17/07

Approved by Gordon College Board of Trustees - September 25, 2007