

# Wellesley College

## Whistleblower Policy

*Adopted April 2009*

### 1. General

Wellesley College (the "College") requires all employees (including faculty) to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. The College is committed to having policies and procedures that comply with the laws and regulations to which it is subject. The College's internal controls and operating procedures are intended to detect and prevent or deter improper activities. However, even the best systems of control cannot provide absolute safeguards against irregularities.

### 2. Whistleblower Policy

The College has adopted a Whistleblower policy for employees to report a concern of **financial wrongdoing** outside of the traditional reporting mechanism. The Whistleblower Policy allows allegations to be made outside of the immediate area of which the suspected employee is associated.

This Whistleblower Policy governs only the reporting and investigation of improper financial related activities as defined below. The policy is not intended and may not be used for personal or employment grievances, general compensation and benefit complaints, opinions on policy, etc.

#### Definition

Improper Financial Related Activities: In general, an improper financial related activity is a deliberate act or failure to act with the intention of obtaining an unauthorized benefit from the College. The following constitute a non-exclusive list of improper financial related activities:

- improprieties in the handling or reporting of money or financial transactions
- misappropriation or misuse of College resources, including funds, supplies, or other assets and services
- embezzlement, theft, misappropriation or other financial irregularities
- forgery or alteration of documents (checks, time sheets, contractor agreements, purchase orders, invoices, other financial documents, electronic files)
- authorization or receipt of compensation for services not received or not performed, or hours not worked.

To make a report under this policy an employee is required to complete and sign a Whistleblower Disclosure Statement (Exhibit A). Reporting of the violation should be made through the Vice President for Finance and Treasurer, as follows:

In Person - Employees may visit the office of the Vice President for Finance and Treasurer during standard operating hours to file a report, or make arrangements for an appointment during nonstandard operating hours.

Mail - Employees may send to the Vice President for Finance and Treasurer a completed Whistleblower Disclosure Statement. The employee should understand that he/she may need to visit the office of the Vice President for Finance and Treasurer to answer any questions from the review of the statement.

If the report directly concerns the Vice President for Finance and Treasurer, the Whistleblower Disclosure Statement should be sent directly to the President.

Employees should be aware that the filing of the statement noted above acknowledges their understanding that an investigation will commence.

Since successful investigations are often based upon timely evidence, reports under this policy should be made as soon as possible, preferably within six months of the occurrence, but in any event within one year.

### **3. Protection from Retaliation**

An employee who in good faith reports a suspected violation of law or College policy shall not suffer harassment, retaliation or adverse employment consequence from other employees or the College. An employee who retaliates against someone who has reported a suspected violation in good faith is subject to discipline up to and including termination of employment. Any employee who believes that he/she has been retaliated against after making a good faith report may report this alleged retaliation to the Assistant Vice President and Director of Human Resources & Equal Opportunity or the Vice President for Finance and Treasurer.

### **4. Management Roles and Responsibilities**

College administrators at all levels of management, including academic department chairs, are responsible for establishing and maintaining proper internal controls that provide security and accountability for the resources entrusted to them. Administrators should be familiar with the risks and exposures inherent in their areas of responsibility and be alert for any indications of improper activities, misappropriation, or dishonest activity.

If you receive a report of an improper financial related activity you should ensure that the notification promptly reaches the Vice President for Finance and Treasurer. If the report directly concerns the Vice President for Finance and Treasurer, the incident should be reported directly to the President.

A supervisor/department head who is informed of suspected improper activities should NOT contact the person suspected and should NOT discuss the matter with anyone other than the Vice President for Finance and Treasurer.

### **5. Confidentiality Under the Whistleblower Policy**

Confidentiality of the reporter will be maintained to the extent practicable within the limitations of the law, College policy and the legitimate needs of the investigation. In addition, employees submitting a report should be aware that their public testimony might be needed to prove the case against the suspected employee.

Although an employee's report may possess merit, comments made to others regarding another employee could constitute defamation, invasion of privacy or other grounds for civil liability. Employees should not discuss allegations outside of the reporting and investigation process.

This is especially the case should the investigation prove that the suspected employee's actions were lawful or within College policy.

Note that if an employee self-discloses his or her identity directly or indirectly through his or her own actions outside of the official investigation process, the College is not obligated to maintain confidentiality.

Note that there is no such thing as “unofficial” or “off the record” reporting.

## **6. Investigation Under the Whistleblower Policy**

The Vice President for Finance and Treasurer will maintain the Whistleblower Disclosure Statements received in his/her office until the outcome of the investigation. The Vice President for Finance and Treasurer will actively participate in an investigation. The investigator/investigation team has access to all resources of the College and external counsel to ensure a fair and accurate resolution to the alleged violation.

The investigator/investigation team is responsible for documenting its investigation and its rationale for the resolution. The investigation is closed when a resolution is reached by the investigator/investigation team. Documents and evidence relating to a satisfactorily established closed investigation will remain in the office of the Vice President for Finance and Treasurer.

## **7. Results of Report Made Under the Whistleblower Policy**

If the result of the investigation is that the allegation is not satisfactorily established, the investigation will be deemed complete. If the investigation establishes that a violation of law, external regulation or College policy occurred, the Vice President for Finance and Treasurer will determine appropriate action based upon law and College policy, and will consult with the Human Resources Department or the Dean of the College, as appropriate, to determine if any immediate personnel actions are necessary. They will consult with College counsel as appropriate. An individual who has been deemed to have committed an act in violation of law or College policy will be subject to discipline, up to and including termination.

Whistleblower Disclosure Statements that have been satisfactorily established with related documentation will be delivered to the Audit Committee (Board of Trustees subcommittee) chairperson at the time of each Board Meeting on the Wellesley Campus. The Audit Committee chairperson will review these documents and communicate with the Vice President for Finance and Treasurer.

## **8. Sanctions for a False Report**

A report made under this policy can have considerable impact on the personal and professional lives of those charged both during the investigation and long term. An employee shall not intentionally misuse the College's Whistleblower Policy and procedures. Intentional misuse includes, but is not limited to, frivolous claims, attempts to treat a personal grievance or personnel dispute as an allegation of wrongdoing, lack of good faith in invoking the policy or any known false, malicious or misleading statements made at any time under the procedures of the policy. The Vice President for Finance and Treasurer will report to the Assistant Vice President and Director of Human Resources & Equal Opportunity, or to the Dean of the College the identity of any employee who is believed to have intentionally misused the Whistleblower Policy. After appropriate review by these individuals and the Director of the applicable office of the employee, the employee is subject to discipline up to and including termination.

## **9. General Reporting Outside of the Whistleblower Policy**

All employees are encouraged to report suspected violations of law or College policy directly to his/her supervisor, outside of the Whistleblower Policy. If the employee feels unable to do so or if there is any reason why this may not be appropriate, the employee should raise the issue with the department chair, dean, director or other College official/office having responsibility for overseeing compliance with the particular policy or procedure in accordance with the guidance below:

### Employment Policies

Assistant Vice President and Director of Human Resources & Equal Opportunity

### Academic Misconduct

Faculty Related – Dean of the College

Student Related – Dean of Students

### Student Matters (other than Academic Misconduct)

Dean of Students

### Environmental Health Matters

Director, Environmental Health and Safety

### Medical or Health Matters

Clinical Director

Administrative Director and Chief Psychologist

### Data Security

Vice President for Information Services

### Criminal Matters, Emergencies, Escort, Personal Harm

Director of Public Safety and Chief of Police

### All Other Matters

Vice President for Finance and Treasurer

**Wellesley College  
Whistleblower Disclosure Statement**

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***Personal Information:***

Name: \_\_\_\_\_ Email Address: \_\_\_\_\_ Campus Extension: \_\_\_\_\_

***Incident Information:***

Date(s): \_\_\_\_\_

Name of suspected employee(s):

Witness(es):

Description of the alleged violation (*please be as specific as possible and attach additional sheets, as necessary*):

Do you have any evidence supporting the allegation? *Circle* Yes                  No  
If yes, please describe:

Please describe any physical evidence left with the Vice President for Finance and Treasurer:

***Certification:***

I have read and understand the Wellesley College Whistleblower Policy. I represent that the facts outlined above are true and accurate to the best of my knowledge.

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Signature

Date

This disclosure statement has been received by the Vice President for Finance and Treasurer on the date noted below, and I am in custody of any evidence noted above.

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Vice President for Finance and Treasurer Signature

Date