

**Approved By:** Board of Trustees

**Date Approved:** March 10, 2017

**Effective Date:** March 10, 2017

1. **Summary:** Criswell College (the “College”) is committed to high standards of moral and legal business conduct. This policy establishes the right of all trustees, faculty, staff, volunteers, and contract service providers to raise concerns regarding any questionable financial reporting, unlawful activity, or other violations of policy occurring within the College, without the prospect of retaliation from the College.
2. **Rationale:** This policy is necessary to ensure that whistleblowers are protected from retaliation by other members of the College.
3. **Entities Affected:** all constituents of the College
4. **Definitions:** not applicable
5. **Policy:**
  - a. **Application:** This Whistleblower Protection Policy (hereinafter the “Policy”) applies to all of the College’s trustees, faculty, staff, whether full-time, part-time, or temporary employees, volunteers, and contract service providers, all of whom are protected under this Policy.
  - b. **Reporting Credible Information:** A protected person shall be encouraged to report information relating to questionable financial reporting or violations of policies of the College (each a “Violation”) that such a person in good faith has reasonable cause to believe is credible. All such information shall be reported to the Director of Human Resources (hereinafter the “Compliance Officer”), unless the report relates to the Compliance Officer, in which case the report shall be made to the President of the College.

Anyone reporting a Violation must act in good faith and have reasonable grounds for believing that the information shared in the report indicates that a Violation has occurred. If a person reports a Violation in bad faith, he or she is not protected under this Policy and may be subject to disciplinary action.

- c. **Investigating Information:** For reports against employees other than the President, the Compliance Officer shall promptly investigate each report and prepare a written report to the Executive Cabinet (if a complaint is made against a member of the Executive Cabinet, that member shall be required to recuse himself or herself from the investigation). If the Executive Cabinet finds the complaint is not credible, it will decide whether to report the complaint to the Board of Trustees. If the Executive Cabinet finds the complaint credible, it must submit a report to the Chair of the Board of Trustees within 30 days, as well as the complainant and the individual against whom the complaint was made. All actions of the Compliance Officer in receiving and investigating the report and seeking out any additional information shall be protected and

kept confidential by the Officer except for the reports he/she prepares and any requests for additional information made by either the Executive Cabinet or the Board of Trustees.

For reports against the President, the Board Chair shall promptly investigate each report and prepare a written report. If the Chair finds the complaint is not credible, he or she will decide whether to report the complaint to the Board of Trustees. If the Board Chair finds the complaint credible, he must submit a report to the Compliance Officer and Board of Trustees within 30 days, as well as the complainant and the individual against whom the complaint was made. All action of the Board Chair in receiving and investigating the report and seeking out any additional information shall be protected and kept confidential by the Board Chair and/or the Compliance Officer except for the reports he or she prepares and any requests for additional information made by the Board of Trustees.

- d. **Confidentiality:** The College encourages anyone reporting a Violation to identify himself or herself when making a report in order to facilitate the investigation of the Violation. Reports of Violations or suspected Violations will be kept confidential to the extent possible, with the understanding that confidentiality may not be maintained where identification is required by law or in order to enable the College or law enforcement to conduct an adequate investigation.
  
- e. **Protection from Retaliation:** No person entitled to protection under this Policy shall be subjected to retaliation, intimidation, harassment, or other adverse action for reporting information in accordance with this Policy. Any person entitled to protection under this Policy who believes that he or she is the subject of any form of retaliation, intimidation, harassment, or other adverse action for such participation should immediately report the same to the Compliance Officer as a Violation of the requirements of this Policy.

Any individual within the College who retaliates against, intimidates, harasses, or otherwise acts adversely toward another individual who has reported a Violation in good faith or who, in good faith, has cooperated in the investigation of a Violation, is subject to disciplinary action, up to and including termination of employment or volunteer status, or expulsion from the College.

## 6. Procedure:

- a. **Implementation:** The College shall adopt procedures for implementing this Policy, which shall include:
  - documenting reported Violations;
  - working with legal counsel to decide whether the reported Violation requires review by the Compliance Officer or should be directed to another person or department;
  - keeping the Board of Trustees informed of the progress of any investigations;
  - a process for communicating with a complainant about the status of the complaint;
  - interviewing employees and others and recording or otherwise preserving their statements;
  - requesting and reviewing relevant documents and/or requesting that an auditor or counsel investigate the complaint;
  - notifying the proper law enforcement agency or others, state or federal, when applicable; and
  - preparing a written record of the reported Violation and its disposition, to be retained for a specified period of time.
- b. **Responsibility for Compliance:** Director of Human Resources (Compliance Officer)
- c. **Notification:** This Policy will be posted on the College's website and disseminated in writing to all affected constituencies.

**d. Policy Review:** This policy will be regularly reviewed according to the College’s policy review procedure.

For the Office of the President only:

Policy version: 2.0	Policy number: 1.012
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**Policy History**

Version 1.0	November 13, 2012
Version 2.0	March 10, 2017