



Whistleblower Protection

The College maintains a policy that describes how fraudulent, illegal or improper activities can be reported and will be investigated and incorporates explicit protection against retaliation for those who come forward to report such activities. The full policy is available at <http://www.mtholyoke.edu/policies/docs/policies/whistleblower.policy-full.apr10rev.pdf>.

The term “fraudulent activities” generally includes any willful or deliberate act performed with the intention of obtaining an unauthorized benefit (such as money or property) by deception or other unethical means. The broader term used here—“fraudulent, illegal or improper activities”—includes actions and activities generally understood to be fraudulent, as well as other actions or activities involving financial improprieties, criminal behavior, violations of other laws, or serious or significant breaches of institutional policies.

Not included in this policy are allegations of certain specific types of (alleged) illegal or improper activities or actions, such as sexual harassment, certain environmental health and safety violations and any other areas, the reporting and investigation or evaluation of which is the subject of separate, more specific policies of the College. However, to the extent other College policies do not address the subject of whistleblower protection and non-retaliation, the provisions of this policy on those subjects shall apply in the context of the reporting and investigation of those specific types of improper activities or actions.

Procedure for Reporting Suspected Fraudulent Activities

Any member of the Mount Holyoke community may be in a position to observe, or learn about, behavior that appears to be fraudulent. If you believe that an instance of fraud has occurred, you should report the incident to an appropriate person. You may report your concerns to your immediate supervisor or department head, or to another College official, such as the Comptroller, one of the vice-presidents, the President or the Director of Campus Police. Use the channel of communication with which you are most comfortable and avoid reporting to anyone whom you think may be implicated or involved (directly or indirectly) in the suspected wrongdoing.

The report will then be investigated and appropriate actions taken. The Vice President for Finance and Administration or his/her designee will work with other College offices as needed in order to ensure that an appropriate investigation is conducted. The Vice President for Finance and Administration is available and receptive to receiving relevant information on a confidential basis and may be contacted directly by a whistleblower whenever fraudulent activity is suspected.

In any cases involving allegations against (or implicating) the Vice President for Finance and Administration, his/her responsibilities as described here will be handled by the

President. In cases involving allegations against (or implicating) the President, the Chair of the Trustee Audit Committee will fulfill that role.

Protection from Retaliation

An employee who reports an alleged fraudulent, illegal or improper activity, or information indicating that such an activity may have occurred, in the reasonable belief that such activity or information is true, may not be harassed, retaliated against or be subjected to other adverse employment consequence from other employees of the College. An employee who retaliates against someone who has reported in good faith a suspected violation 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 report of an improper activity under this policy may report this alleged retaliation to the Director of Human Resources, Vice President for Academic Affairs/Dean of Faculty, or Vice President for Finance and Administration, who will take appropriate action.

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.

While employees are encouraged to come forward with concerns, and to make reports under this policy in all appropriate cases, individuals making reports are also cautioned to take care to limit appropriately their discussions and communications about reported cases in order to minimize their exposure to possible claims by persons accused of wrongdoing. 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 therefore should, subject to exceptions discussed elsewhere in this policy, generally avoid discussing allegations outside of the reporting and investigation process. This is especially true in instances where, after full investigation by the College, it is determined that the suspected employee's actions were lawful or within College policy. It should also be noted 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 the confidentiality of that employee's identity.

Sanctions for a False or Baseless Allegation

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 who intentionally makes a false or baseless allegation against another will be subject to discipline up to and including termination of employment. A false or baseless allegation is one made with an awareness of its falsity, or one made without any substantial basis and with a reckless disregard for its truth or falsity.

Revised 4/8/10