



Whistleblower Policy

Adopted by ABSW Board of Trustees

October 25, 2014

PURPOSE

The American Baptist Seminary of the West seeks to operate with highest standards of personal, professional, and business conduct. Employees are expected and encouraged to report suspected material violations of these standards, of laws and regulations, or of school policies and procedures. In order to encourage employees to comply with this expectation, the ABSW will protect any employee or member of the ABSW community who makes a good faith disclosure of suspected wrongful conduct or refuses to obey an unlawful order. Moreover, it

1. encourages an environment that allows individuals to disclose violations of law and regulations, and material breaches of ABSW policies and procedures;
2. informs individuals how to disclose wrongful conduct;
3. protects individuals from adverse academic or employment action taken within the ABSW as a result of having disclosed wrongful conduct, and,
4. provides individuals who believe they have been subject to reprisal a process to seek relief from retaliatory acts that fall within the authority of the ABSW.

POLICY

Faculty, staff and administrators are expected to abide by federal, state, and local laws and regulations, as well as ABSW policies and procedures. Furthermore, an employee of the ABSW cannot be compelled by a supervisor or administrator to violate a law, regulation, or ABSW policy. In order to protect the best interests of the ABSW, individuals who have knowledge of specific acts which he or she reasonably believes violates the law, applicable regulations or ABSW policy, must disclose those acts to an appropriate school official.

Individuals who make a good faith report of wrongful conduct or activity are protected from retaliatory academic or employment action including dismissal, reassignment, demotion, suspension, harassment or any other discrimination.

Definitions

Wrongful conduct or activity. Wrongful conduct or activity is a violation of federal, state or local laws and regulations, or a material breach of ABSW policy.

Good faith report. A good faith report is an allegation of wrongful conduct or activity made by an individual who believes that wrongful conduct or activity may have occurred. However, an allegation is not in good faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the allegation.

Retaliation complaint. Any written complaint by an employee that alleges retaliation for having made a good faith report of wrongful conduct or activity or for having refused an illegal order, together with a sworn statement, made under penalty of perjury, that the contents of the complaint are true or are believed by the complainant to be true.

Making Disclosures

Any faculty, staff or administrator who believes wrongful conduct or activity has taken place should report the conduct or activity to his or her immediate supervisor, the Chief Financial Officer, or the Academic Dean; or by completing a report by visiting www.gtu.ethicspoint.com. A link to the reporting site may be found on the GTU website under the section titled "Consumer Information". Reports of wrongful conduct or activity may be made anonymously if you wish.

Retaliation Complaint

Any faculty, staff or administrator who makes a good faith report of wrongful conduct or activity and believes he or she has been retaliated against, should file a retaliation complaint with the Chief Financial Officer (CFO). If the complaint involves the CFO, the complaint should be filed with Chair of the ABSW Board of Trustees. The complaint should be written and include the original report and the alleged retaliation. The statement should be signed, under penalty of perjury.

Upon receipt of the complaint, the Chief Financial Officer will determine whether the complaint is timely and whether it sets forth the necessary facts to support a claim of retaliation for having made a good faith report or having disobeyed an illegal order. If the complaint is received by a Chair of the Board of Trustees, the complaint will be reviewed by the Executive Committee.

The CFO may appoint one or more individuals to oversee the investigation of the complaint. The CFO will then render a decision and determine corrective action, if any.