

**Maryland Institute College of Art
Whistleblower Policy
Revised February 11, 2009**

Purpose

The purpose of this policy is to allow college employees to report concerns about the College operations through appropriate and confidential channels without risk of retaliation. The policy and its procedures are intended to ensure that all college operations are conducted ethically and with integrity.

Policy Statement

Maryland Institute College of Art (MICA) strives to provide an ethical and productive work environment in which employees are encouraged to report issues and concerns about College operations. It is the policy of MICA that all employees shall be free to report, without fear of retaliation, activity occurring in college operations that the reporting person believes in good faith to be illegal, dishonest, unethical, fraudulent, or not in compliance with college policy.

Reported allegations will be treated confidentially to the greatest extent possible, and will be promptly investigated. Neither the college nor any of its employees will take adverse employment or other action in retaliation against a person who reports information under this policy.

Protected Reports

This policy protects the reporting of knowledge of, or information about, activity occurring in college operations which the reporting person believes in good faith to be illegal, dishonest, unethical, fraudulent, or not in compliance with college policy. Examples of misconduct in college operations include, but are not limited to, violations of federal, state or local laws; misappropriation or misuse of college resources; bribery; forgery or alteration of documents; fraudulent financial reporting; and authorizing or receiving compensation for goods not received, services not performed, or hours not performed, or hours not worked.

Good Faith

A reporting person who acts in good faith will be protected from retaliation under this policy. Good faith means that the person has reasonable grounds to believe that the reported allegations are substantially true. A person who intentionally makes a false report may be subject to disciplinary or other action. A report that does not result in a finding of misconduct, is not alone evidence that the report was intentionally false. The college will not retaliate against a whistleblower acting in good faith.

Reporting Process

Employees who have knowledge of or information about misconduct in college operations should report the misconduct to the Director of Human Resources. If the reporting person desires anonymity, the report should be in writing and delivered via regular mail, campus mail or by hand, rather than by email. Insofar as possible, the anonymity of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, or to provide fair procedural review for accused individuals. In all cases, confidentiality will be maintained to the greatest extent possible.

Non-employee members of the college community who have knowledge of or information about misconduct in college operations are also encouraged to report their concerns to the Director of Human Resources.

Addressing Reports of Misconduct

Persons reporting misconduct in college operations should not attempt to investigate the matter independently, as doing so may compromise the integrity of an official investigation and adversely impact both the reporting person and the college.

The Director of Human Resources will promptly and discreetly investigate any report of misconduct in college operations, with the assistance of other college officials as appropriate. The Director will report the results of their investigation and any recommendations for appropriate corrective and or disciplinary action to the college President. The President will consult with appropriate senior administrators in the affected division before implementing corrective or disciplinary action.

If the Director of Human Resources or the college President is the subject of a report of misconduct in college operations, the Provost will be advised of the situation and will appoint an appropriate substitute for the Director or President in his investigative or decision making role.

Confidentiality of Reports and Investigations

Reports and investigations will be kept confidential to the extent possible and remain consistent with college policies and applicable federal, state and local laws.

Protection against Retaliation

The college and its employees are prohibited from engaging in retaliation against, or any form of harassment of, a person who reports a concern in good faith. This includes, but is not limited to, retaliation in the form of an adverse employment action, harassing behavior, or threats of physical or mental harm. Any reporting person who believes he or she is being retaliated against must contact the Director of Human Resources immediately so that the college may take timely and appropriate action.

Any employee who engages in retaliation or harassment against a reporting person may be subject to disciplinary action up to and including termination.

The right of a reporting person to protection against retaliation does not include immunity for any personal wrongdoing of the reporting person that is found to exist following an investigation.

Contact Information

Betty Enselein is the Director of Human Resources. Her office is located inside the Bunting Center, Third floor, room 310. She also can be reached at 410-225-2363 or benselei@mica.edu

Any questions or concerns regarding this policy should be directed to the Director of Human Resources.