

WHISTLEBLOWER POLICY OF ALBANY LAW SCHOOL
(Adopted May 14, 2009; amended September 19, 2014)

Policy

Albany Law School is responsible for the stewardship of the resources that enable it to achieve its mission and is committed to operating in an ethical and lawful manner. Internal controls and operational procedures have been implemented to prevent and detect illegal or improper activities related to its financial assets or business relationships. Albany Law School takes seriously allegations of suspected illegal or improper activities involving its assets or business relationships and will promptly investigate those reports.

Procedure for Filing Reports of Suspected Illegal or Improper Activities

Each member of the Albany Law School community shares responsibility for stewardship of its resources and compliance with laws and policies. Trustees, deans, officers, faculty, staff and volunteers who provide substantial services to the organization (“Covered Individuals”), and students are encouraged and expected to report misconduct that may result in financial loss or other harm to Albany Law School. Reports should be made in good faith with reasonable grounds for making the complaint. When an individual reports, in good faith, allegations of suspected illegal or improper activities to an appropriate authority, the report will be treated as a protected and confidential disclosure to the extent reasonably possible, consistent with the need to investigate and applicable law.

All reports should be made in writing and should be as specific as possible, including such information as: the name of the individual or individuals involved, the nature of the illegal or improper activities, details as to how this knowledge or information was obtained, any written proof, and names of others who are believed to be witnesses.

Covered Individuals should direct reports to their immediate supervisor. If the individual making the report feels it is inappropriate to report to an immediate supervisor, they should make the report to another person with supervisory authority, such as a department head, vice president, or dean.

Students should direct reports to the Assistant Dean for Student Affairs or the Associate Dean for Academic Affairs.

Individuals may also make a report to the following:

- Reports about a staff member may be filed with the Director of Human Resources, U-226 or (518) 472-5852.
- Reports about a faculty member may be filed with the Associate Dean for Academic Affairs, M-202A or (518) 445-3235.
- Reports about a student may be filed with the Assistant Dean for Student Affairs, M-202A or (518) 445-3235.
- Reports involving the President and Dean, a Vice President, Associate Dean, Assistant Dean, trustee, or volunteer may be made to the Chair of the Audit Committee of the Board of Trustees (directly or c/o the Executive Assistant to the President and Dean).

When deemed appropriate by management following an initial assessment, a report may be referred to the Chair of the Audit Committee (directly or c/o the Executive Assistant to the President and Dean) for further action.

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Any report received by the Executive Assistant to the President and Dean, the Executive Assistant shall immediately be transmitted to the Chair of the Audit Committee.

Retaliation Prohibited

Albany Law School prohibits retaliation against individuals for making a protected disclosure or cooperating in good faith with an Albany Law School investigation. Retaliation includes, but is not limited to, intimidation, harassment, discrimination or other retaliation, or, in the case of employees, adverse employment consequences.

An Albany Law School community member may not:

1. retaliate against an individual for making a protected disclosure, for refusing to obey an illegal or improper order, or for cooperating in good faith with an Albany Law School investigation; nor
2. directly or indirectly use the official authority or influence of his/her position for the purpose of discouraging any individual from making a protected disclosure to Albany Law School or cooperating with an Albany Law School investigation of alleged wrongdoing.

An individual who retaliates against someone in violation of this policy is subject to discipline under the rules that govern Trustees, deans, officers, faculty, staff, volunteers and students. Individuals who believe they have suffered retaliation should immediately report it to one of the persons listed above.

Investigating the Alleged Illegal or Improper Activities

Upon receipt of a report, Albany Law School may enlist outside legal, accounting, or other advisors, as appropriate, to investigate complaints under this policy. Albany Law School or its chosen investigator(s) shall prepare a written statement of the investigation and its conclusions. Formal action, including appropriate corrective action, is generally expected to be taken within 90 days of the close of the investigation.

Albany Law School cannot guarantee the anonymity of an individual making a report. Disclosures will be kept confidential to the extent reasonably possible, consistent with the need to investigate and applicable law.

The Executive Assistant to the President and Dean shall maintain records of each report, the investigation of the report and any formal action taken as a result. These records will be retained for a period of 7 years.

Discipline for Reports in Bad Faith or Interfering with an Investigation

An individual is subject to discipline under the rules that govern Trustees, deans, officers, faculty, staff, volunteers and students if the individual is found to have made a frivolous report or to have made a report with malicious intent or intentional dishonesty.

Similarly, an individual is subject to discipline for interfering with an Albany Law School investigation. Such misconduct includes, but is not limited to, withholding, altering, or destroying information or

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documents, refusing to cooperate with designated investigators, or improperly attempting to influence the testimony or cooperation of witnesses.

Distribution of Policy

This policy shall be distributed to all Trustees, deans, officers, faculty, staff and volunteers who provide substantial services to the organization upon commencement of services to Albany Law School and students, and annually thereafter or when a revision to the policy warrants distribution, electronically. The policy will also be posted on the Albany Law School's portal.

Administration of Policy

The Vice President for Finance and Business is responsible for administering this policy and for reporting on matters concerning this policy to the Audit Committee. For clarification or questions regarding this policy, please contact the Audit Committee Chair of the Board of Trustees, Vice President for Finance and Business, the Director of Human Resources, or the Associate Dean for Academic Affairs.