

Napa Valley College District Auxiliary Services Foundation (DAS)

Governance Policies and Procedures

AO 7700 Whistleblower Protection

The Napa Valley Community College District Auxiliary Services (DAS) Foundation recognizes the importance and desirability of implementing an anonymous procedure by which employees may submit, to the Board of Directors or any governmental or law enforcement agency, their concerns regarding, possible violations of law and/or improper accounting, internal control or auditing practices. For the purposes of this policy and any implementing procedures, “violations of law” refers to any activity—intentional or negligent—that violates state or federal law, local ordinances, or District policy.

The Foundation shall not:

- A. Retaliate against any employee who, in good faith, notifies the Executive Committee, government, or law enforcement agency when they have reason to believe that the Napa Valley College DAS is violating laws that protect members, employees, or the general public; or they are being asked to participate in activities that would result in a violation of law or regulation.
- B. Retaliate against any employee who refuses to participate in an activity which would violate a state or federal law, or cause noncompliance with a state or federal rule or regulation.
- C. Adopt or enforce any rule preventing employees from disclosing information to a government or law enforcement agency when there is reasonable cause to believe that the information discloses a violation of, or noncompliance with, a state or federal law, rule, or regulation.

The Foundation’s Board of Directors, or a designated subcommittee, shall be responsible for receiving and investigating any complaint submitted by an employee. The employee should first discuss the complaint immediately with the Board Chair unless the nature of the concern affects that individual. Such complaints may then be sent directly to the Board of Directors, or designated subcommittee, and may be submitted anonymously. Complaints being submitted should contain a description of the alleged violation and a clear explanation as to why the employee feels the action(s) are in violation of state or federal law, policy, rule, or regulation. The employee does not need to sign his/her name but should provide sufficient information that will enable the Board of Directors, or designated subcommittee to begin its investigation. An objective investigation shall take place as directed by the Board Chair or Board of Directors or designated subcommittee, and all parties involved will be interviewed. Confidentiality shall be maintained to the extent the

circumstances permit. The Board Chair or Board of Directors shall review all such complaints and investigations and if needed, take whatever further investigatory actions it deems necessary within a reasonable time frame. Actions may include, at the discretion of the Board Chair or Board of Directors, the hiring of an outside consultant, auditing firm, or other unbiased external expert necessary to fully investigate the situation. Where appropriate, the Board Chair may provide the Board of Directors a report of its findings and recommended corrective action.

Adopted, DAS Foundation Board 11/03/13