

KANSAS STATE UNIVERSITY FOUNDATION

POLICY NAME: **WHISTLEBLOWER POLICY**

DATE APPROVED: **11/10/2011**

DATE DISTRIBUTED: **11/21/2011**

SUPERSEDES: **WHISTLEBLOWER POLICY dated 05/01/2011**

RESPONSIBLE AUTHORITY: **Governance Committee**

(See final page for review and revision dates)

The Board of Directors (hereinafter the "Board") for The Kansas State University Foundation (hereinafter the "Foundation") has adopted a strategic plan that includes a formal mission statement, vision statement and values statement. All board members, officers and employees of the Foundation are expected to be diligent in conducting all activities in a manner consistent with the Foundation's values of respect, diligence and integrity which should guide interactions, decisions and work. It is therefore the responsibility of all board members, officers and employees to report violations or suspected violations of the Foundation's policies in accordance with this Whistleblower Policy.

It is the purpose of this policy to protect persons who report suspected incidents of theft; financial reporting that is intentionally misleading; improper or undocumented financial transactions; improper destruction of records; improper use of assets; violations of the Foundation's conflict-of-interest policy and any other improper occurrences including but not limited to cash, financial procedures, or reporting.

Should any board member, officer or employee know or have a reasonable belief that persons associated with the Foundation plan to engage or have engaged in illegal or unethical conduct in connection with the finances or any other aspect of the Foundation's operations that person should immediately file a good faith complaint with the Compliance Officer unless the complaint relates to acts of the Compliance Officer and then it should be filed with the President/CEO of the Foundation. The allegation or complaint should be in writing. (See Procedure for filing a complaint). Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, as is consistent with the need to conduct an adequate investigation.

The Compliance Officer is responsible for investigating and resolving all reported complaints and allegations. The Compliance Officer will notify the sender (if known) an acknowledgement receipt of the reported violation or suspected violation within ten business days. If the reported concerns or complaints are with regards to corporate accounting practices, internal controls or auditing and taxation the Chairman of the Finance & Audit Committee should address the issues. The Compliance Officer should immediately notify the Finance & Audit Committee of any such complaint and work with the committee until the matter is resolved. Reports of investigations of complaints should be provided to the Leadership Team and the Finance & Audit Committee. As appropriate the complainant should be notified of the resolution of the investigation.

The Foundation shall take appropriate action in response to any complaint, including, but not limited to, disciplinary action (up to and including termination) against any person who, in the Foundation's assessment, has engaged in misconduct. In addition, the Foundation shall report such misconduct to the relevant civil and criminal authorities as required by law.

No board member, officer or employee who in good faith reports suspected misconduct shall suffer harassment, retaliation or adverse employment consequences. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the Foundation prior to seeking resolution outside the Foundation. An employee who retaliates against someone who has reported a violation in good faith is subject to disciplinary action, up to and including termination of employment.

Any board member, officer or employee who knowingly or with reckless disregard for the truth gives false information or knowingly makes a false report of wrongful conduct or a subsequent false report of retaliation will be subject to disciplinary action, up to and including termination.

This policy will be distributed annual to all board members and officers in conjunction with the completion of the conflict of interest statement. Foundation employees will receive this policy as a part of their new employee orientation. Additionally, the policy will be distributed electronically to employees in a manner that provides for documentation that the employee has had the opportunity to read and understand the policy as well as ask questions about the policy.

*Policy reviewed and revised on 11/10/2011 (changed "Executive Committee" to "Board of Directors"; changed "trustees" to "board members"; changed "Management Team" to "Leadership Team"; added distribution policy)
Originating Policy adopted on 05/01/2009*