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**POLICY:** **WHISTLEBLOWER POLICY**

**EFFECTIVE DATE:** **APRIL 9, 2010**

**REVISED DATE:** **SEPTEMBER 9, 2021**

**APPROVAL DATE:** **SEPTEMBER 17, 2021**

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## **DEFINITIONS**

### **Members:**

All voting members of the Associated Students, Inc. of California State University San Marcos (ASI) Board of Directors members, employees, and volunteers.

### **Whistleblower:**

A person, who could be a employee, former employee of a company, elected official, or a government agency, who discloses information, either internally (to managers, organizational hotlines, etc.) or externally (to lawmakers, regulators, the media, watchdog organizations, etc.), that they reasonably believe evidences:

- a violation of law, rule or regulation;
- gross mismanagement;
- a gross waste of funds;
- abuse of authority; or
- a substantial and specific danger to public health or safety.

This definition captures two key points about whistleblowers. First, whistleblowers typically are current or former members with direct, credible information about wrongdoing that they became aware of while on the job. Second, the concerns are serious and their disclosures reveal changes that must be made according to the law or in protection of the public interest.

## **PURPOSE**

To establish policy defining the responsibility of ASI Board of Directors members, employees, and volunteers to report possible ethics violation(s); procedures for reporting violation(s); and an individual's rights and protection in reporting violation(s).

## **POLICY**

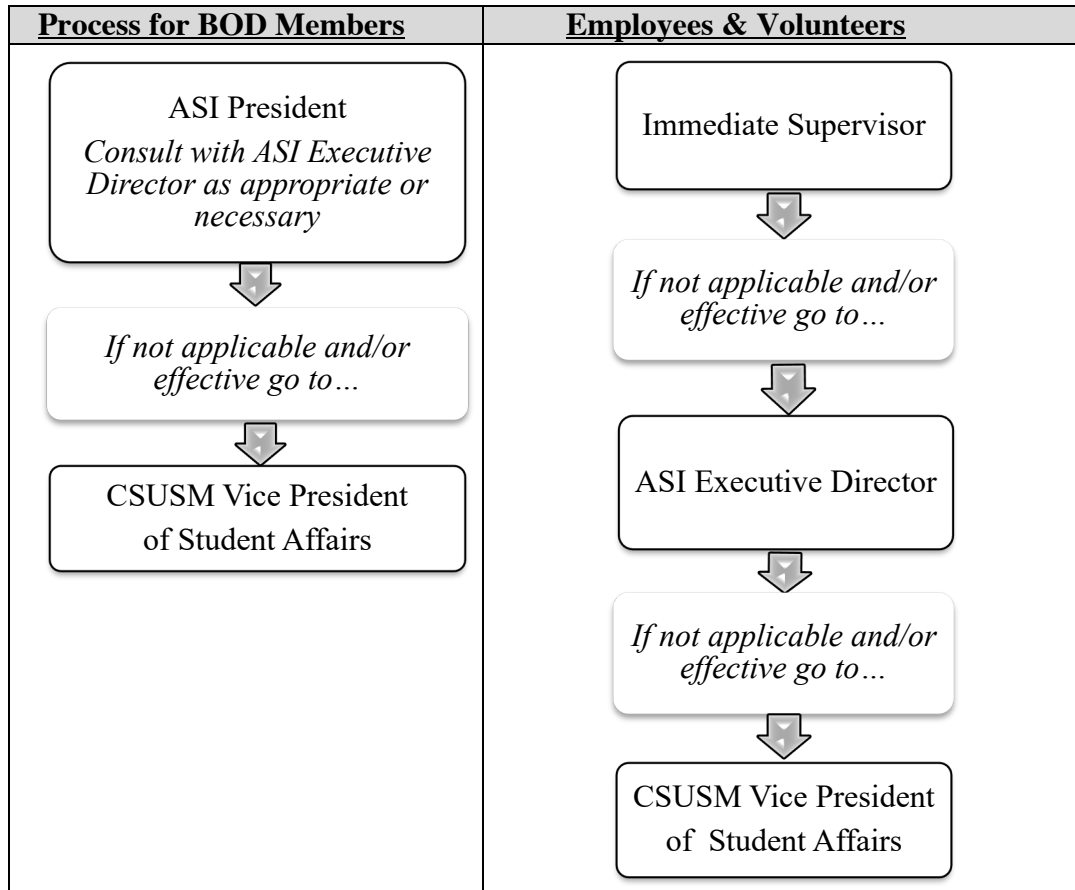
- I. In the performance of their official duties, the ASI Board of Directors members, employees, and volunteers (hereinafter called members) are prohibited from engaging in any violation of ethics, such as waste, fraud, abuse of authority, violation of law, improper activities, or activities that create significant threats to the health and/or safety of ASI or the campus community. It is the responsibility of all members to report violations or suspected violations as described above in accordance with this

## Whistleblower Policy.

- II. Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates an ethics violation. False allegations may result in disciplinary action.
- III. Suspected violations may be submitted on an anonymous or confidential basis by any member. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.
- IV. ASI members are encouraged to report ethics violation(s) without fear of retribution or retaliation. No member who in good faith reports a violation shall suffer harassment, retaliation, or adverse employment consequences. Retaliation against someone who has reported a violation is not permissible and may result in disciplinary action.

## **PROCEDURE**

- I. ASI encourages members to share their questions, concerns, suggestions, or complaints with someone who can address the issues properly. A member's supervisor is in the best position to address a concern. However, if the member suspects the supervisor of a violation and/or if the supervisor has not taken action, the member is encouraged to follow the process outlined below.
- II. The reporting process for members of the ASI Board of Directors (BOD) differs from that of employees and/or volunteers.



III. All reports will be investigated. Depending on the nature of the incident, various departments (Human Resources, legal counsel, University Police Department, etc.) may be consulted/involved in obtaining information for the violation and/or investigation. Corrective action will be taken as warranted by the investigation.

IV. Individuals who prefer to make a confidential report to the California State Auditor may do so by calling the Whistleblower Hotline at 800-952-5665; submitting a complaint online to <http://www.bsa.ca.gov/hotline/filecomp>; or mailing information to the following address:

Investigations, Bureau of State Audits  
 California State Auditor  
 555 Capitol Mall, Suite 300  
 Sacramento, CA 95814

**RELATED DOCUMENTS**

I. The California State University Whistleblower Policy  
<https://www.calstate.edu/csu-system/administration/chancellors-office-human-resource-services/Pages/policies/whistleblower-protection.aspx>

II. California State University San Marcos Corporation Employee Handbook  
<https://www.csusm.edu/corp/hr/hr/index.html>