

1.0 Purpose

1.1 *The purpose of this document is to define the whistleblower protection policy for the Columbia Community Foundation. The proper and legal handling of personnel who report a possible federal offense to law enforcement in the best interest of the Columbia Community Foundation is an important duty that protects the integrity of the foundation and its board members in balance with the complying with all federal laws and regulations.*

2.0 Definition of Whistleblower Protection

2.1 *Under section 1107 of the Sarbanes-Oxley Act signed into law in July 2002, retaliation by the foundation, its directors, or staff against anyone providing what he or she believes to be “truthful information” to a law enforcement officer relating to the commission or possible commission of a federal offense by the foundation or one of its officers is a Federal crime. The penalty for anyone who “with intent to retaliate, takes any action harmful to any person, . . . for providing to a law enforcement officer any truthful information relating to the commission or possible commission of any federal offense” includes fines up to \$250,000 for individuals and \$500,000 for organizations and/or imprisonment up to ten years.*

3.0 Whistleblower Protection

3.1 Procedure

- 3.1.1 Any officer, board member, or staff personnel who believes the foundation is violating any federal or state laws, is violating its conflict of interest statement, is engaging in self-dealing, is falsifying the foundation’s financial audit and/or federal tax return, or is engaging in discrimination or harassment, is encouraged to report the alleged illegal activities to the foundation’s legal counsel.
- 3.1.2 The foundation’s legal counsel will immediately notify the president, assuming the president is not involved, and the president in turn will notify immediately the other officers and directors, assuming none of these individuals is involved. If the president is involved, the foundation’s legal counsel will notify the vice-president. An investigation will be conducted.
- 3.1.3 The foundation’s legal counsel will conduct an investigation of the allegations. After conducting the internal investigation, the foundation’s legal counsel will determine if the allegations have merit and will determine if the allegations should be referred to law enforcement officers. The foundation’s legal counsel will submit a concluding written report to the directors and president of the foundation, and will notify the directors and president if further legal investigation is warranted.

3.2 Confidentiality

**Columbia Community Foundation Whistleblower Protection Policy
Version 1.0**

3.2.1 The officer, board member, or staff personnel reporting the allegations of wrongdoing has a right to confidentiality, and his or her name will not be disclosed during the internal investigation. Persons reporting allegations of wrongdoing must understand that protecting the identity of the reporting employee cannot be guaranteed if the allegation of wrongdoing results in a public investigation.

3.3 Retaliation

3.3.1 Retaliation by the foundation against any officer, board member, or staff personnel who brings an allegation of wrongdoing, as long as that officer, board member, or staff personnel believes the allegation is true and accurate, is specifically prohibited, and will result in immediate termination as staff if engaged in by staff personnel, and dismissal from the director body if engaged in by a foundation director.

3.4 Baseless Complaints

3.4.1 Any officer, board member, or staff personnel who reports an allegation of wrongdoing without having a reasonable belief in the truth of the wrongdoing will be immediately terminated from the staff of the foundation. Any director who reports an allegation of wrongdoing without having a reasonable belief in the truth of the wrongdoing will be immediately dismissed as a director.

4.0 Policy Activation

4.1 *This policy becomes active and binding immediately.*

Ronald B. Krisko
Columbia Community Foundation President

Deborah Hitchcock
Columbia Community Foundation Secretary

10/12/11
Date:

10/12/11
Date: