



Whistleblower Policy

The purpose of this whistleblower policy (this “Policy”) is to establish a culture within New York State Association for College Admission Counseling (the “Association”) that promotes prevention, detection, and resolution of instances of conduct that do not conform to laws and regulations that apply to the Association, the policies of the Association, or clear mandates of public policy. This Policy is intended to supplement but not replace any laws or regulations governing whistleblowing that apply to the Association. The Secretary of the Association, or any other individual otherwise designated by the Executive Board, shall be the Administrator of this Policy (the “Administrator”).

If any director, officer, employee, or volunteer of the Association (each a “Covered Person”) reasonably believes that some policy, practice, or activity of the Association is in violation of law, any policy of the Association or any clear mandate of public policy, a written complaint may be filed by that Covered Person with the Administrator. Anonymous written complaints may also be filed with the Administrator.

The Administrator will track complaints and report to the Executive Board. The Administrator shall follow the investigative procedures established by the Executive Board when investigating a complaint. All written complaints, and all investigations pertaining thereto, will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation, and information regarding the investigation will be kept with the Association’s confidential records.

Directors who are employees may not participate in any Board deliberations or voting relating to the administration of this Policy. The person who is the subject of a whistleblower complaint may not be present at or participate in Board or committee deliberations or vote on the matter relating to that complaint; provided that this sentence shall not prohibit the Board from requesting that the person who is subject to the complaint present information as background or answer questions at a Board meeting prior to the commencement of deliberations or voting related thereto.

It is the intent of this Policy that the Association adhere to all laws and regulations that apply to the Association, and the underlying purpose of this Policy is to support the Association’s goal of legal compliance. No Covered Person who in good faith reports any action or suspected action taken by or within the Association that is illegal, fraudulent, or in violation of any adopted policy of the Association shall suffer intimidation, harassment,

discrimination or other retaliation or, in the case of employees, adverse employment consequence.

The Association shall not take any retaliatory action against any Covered Person because any such Covered Person discloses or threatens to disclose to the Administrator, a supervisor or public body any activity, policy, or practice of the Association that is in violation of law, rule, or regulation which violation creates and presents a substantial and specific danger to the public health or safety, or which constitutes fraud, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such violation of a law, rule, or regulation by such employer, or objects to, or refuses to participate in any such activity, policy, or practice in violation of a law, rule or regulation. Any person who is found in violation of the policies designed to protect persons who report improper conduct from retaliation shall be subject to appropriate disciplinary action.

This Policy may be amended, modified, or rescinded, in whole or in part, by the Executive Board of the Association. A copy of this Policy will be disseminated to all directors, officers, employees, and volunteers who provide substantial services to the Association.