

Whistleblower Protection Policy

Montezuma Valley Volunteer Community Service Organization (MVVCSO)

Effective Date: June 28, 2025

1. Purpose

The purpose of this policy is to encourage the reporting of suspected misconduct while protecting individuals who make such reports in good faith from retaliation. This policy ensures a transparent, confidential, and fair process for investigating reported concerns, fostering an ethical and accountable environment within MVVCSO. It supports the organization's mission to serve the Ranchita community by maintaining integrity in all operations.

2. Authority

This policy is authorized by **Article XI** of the MVVCSO 2025 Bylaws, which mandates protection for individuals reporting suspected misconduct. It is further supported by:

- **California Corporations Code § 5231**: Requires directors and officers to act in good faith and in the organization's best interests.
 - **Nonprofit Integrity Act (NIA, Government Code § 12586)**: Promotes transparency and accountability in nonprofit governance.
 - **IRS 501(c)(3)**: Ensures organizational activities align with its exempt purpose and prevent private benefit.
 - **Unruh Civil Rights Act (California Civil Code § 51)**: Prohibits discrimination and ensures equal access to organizational processes.
 - **California Labor Code § 1102.5**: Provides whistleblower protections under state law.
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3. Scope

This policy applies to all individuals associated with MVVCSO, including but not limited to:

- Directors and officers
- Committee members
- Volunteers

- Contractors
- Program participants
- Any individual engaging with MVVCSO's services or activities

It covers reports of suspected misconduct, including:

- Violations of MVVCSO's bylaws, policies, or Code of Ethics
 - Financial improprieties (e.g., fraud, embezzlement)
 - Harassment, discrimination, or retaliation
 - Misuse of organizational resources
 - Actions that harm MVVCSO's reputation or operations
 - Violations of federal, state, or local laws
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4. Definitions

- **Whistleblower:** Any individual who, in good faith, reports suspected misconduct.
 - **Misconduct:** Actions that violate laws, bylaws, policies, or ethical standards.
 - **Retaliation:** Any adverse action taken against a whistleblower for reporting misconduct, including harassment, demotion, or exclusion.
 - **Good Faith:** Reports made honestly, without malice, and with a reasonable belief that the information is true.
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5. Reporting Misconduct

5.1 Reporting Channels

To ensure accessibility and confidentiality, MVVCSO provides multiple reporting options:

- **Direct Report:** Submit a written or verbal report to the Ethics Committee via the Secretary at 37370 Montezuma Valley Rd, Ranchita, CA 92066, or ranchita@mvvcsso.org.
- **Anonymous Report:** Use the **Misconduct Report Form** (available at the food bank or online), which allows for anonymous submissions.
- **Third-Party Hotline:** If established, a confidential hotline for reporting concerns.

5.2 Report Content

Reports should include:

- A detailed description of the suspected misconduct
- Names of individuals involved (if known)
- Dates, locations, and any supporting evidence

- Contact information (optional for anonymous reports)

5.3 Good Faith Requirement

- Reports must be made in good faith. Malicious or knowingly false reports may result in disciplinary action.
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6. Confidential Investigation Process

6.1 Initial Review

- The Ethics Committee will acknowledge receipt of the report within 7 days.
- The Committee will conduct a preliminary review to determine if an investigation is warranted.

6.2 Investigation

- If warranted, the Ethics Committee will investigate within 14 days, ensuring confidentiality.
- The investigation may include interviews, document reviews, and consultations with legal or financial experts if necessary.
- The whistleblower's identity will be protected to the fullest extent possible, unless disclosure is required by law.

6.3 Findings and Resolution

- The Ethics Committee will provide a report of findings to the Board within 30 days of the investigation's start.
 - The Board will take appropriate action based on the findings, which may include disciplinary measures, policy changes, or legal referrals.
 - The whistleblower will be informed of the investigation's outcome, with details limited to protect confidentiality.
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7. Prohibition of Retaliation

- Retaliation against whistleblowers is strictly prohibited.
- Any individual found to have retaliated against a whistleblower will face disciplinary action, up to and including removal from their position or termination of their relationship with MVVCSO.
- Whistleblowers who experience retaliation should report it immediately to the Ethics Committee for investigation.

8. Confidentiality

- All reports and investigations are confidential, with access limited to those directly involved in the process.
- The whistleblower's identity will be protected unless they consent to disclosure or it is legally required.
- Records of investigations are stored securely by the Secretary, in compliance with the California Consumer Privacy Act (CCPA).

9. Training and Education

- All Covered Persons will receive annual training on this policy, including how to report misconduct and the protections available.
- Training will be provided in accessible formats (e.g., large print, Spanish translations) to ensure inclusivity for all community members.
- New members and volunteers will receive training as part of their onboarding process.

10. Accessibility and Non-Discrimination

- This policy is available in multiple formats and languages to ensure accessibility for all community members, including those with disabilities or limited English proficiency.
- MVVCSO ensures that the reporting process is non-discriminatory and equitable, in compliance with the Unruh Civil Rights Act.

11. Public Availability and Transparency

- This policy is publicly posted at the food bank lot, community bulletin boards, and online (if available), in compliance with the Nonprofit Integrity Act and MVVCSO's transparency North Star.
- Summaries of investigations (excluding confidential details) may be included in the annual report to promote accountability.

12. Review and Amendment of the Policy

- The Board will review this policy annually by January 31 to ensure it remains effective and compliant with evolving laws and community needs.
 - Amendments require a majority vote of the Board and 30 days' notice to Voting Members, per **Article VIII** of the bylaws.
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13. Compliance with Legal Standards

- **2025 Bylaws:** Complies with **Article XI**, ensuring whistleblower protections.
 - **California Labor Code § 1102.5:** Provides state-level whistleblower protections.
 - **Nonprofit Integrity Act (NIA):** Supports transparency through public reporting of investigation outcomes.
 - **IRS 501(c)(3):** Ensures misconduct does not result in private benefit or harm to the organization's exempt purpose.
 - **Unruh authoritativelyUnruh Civil Rights Act:** Guarantees non-discriminatory access to the reporting process.
 - **CCPA:** Protects personal information collected during investigations.
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14. Alignment with MVVCSO North Stars

- **Community Focus:** Protects the community by encouraging ethical governance.
 - **Transparency:** Ensures investigations are conducted openly, with outcomes shared as appropriate.
 - **Inclusivity:** Provides accessible reporting channels and training for all members.
 - **Serving All Members:** Safeguards individuals who report misconduct, especially those from underserved groups.
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Appendix A: Misconduct Report Form

Available online or upon request.
