

CHESTER STREET FOUNDATION

Form 1023 Attachments

EIN 82-1952603

EXHIBIT 9



## CHESTER STREET FOUNDATION

A Texas Non-profit Corporation

### WHISTLEBLOWER PROTECTION POLICY

In keeping with the policy of maintaining the highest standards of conduct and ethics, Chester Street Foundation will investigate any suspected fraudulent or dishonest use or misuse of resources or property by staff, board members, advisers, consultants or volunteers.

Staff, board members, consultants and volunteers are encouraged to report suspected fraudulent or dishonest conduct (i.e., to act as a “whistleblower”) pursuant to the procedures set forth below.

#### *Reporting*

A person’s concerns about possible fraudulent or dishonest use or misuse of resources or property should be reported to the employee’s supervisor / Board member, or if suspected by a volunteer, to the staff member supporting the volunteer’s work. If, for any reason, a person finds it difficult to report concerns to a supervisor / Board member or staff member supporting the volunteer’s work, the person may report the concerns directly to the President / Chairman of the Board. If it is the President / Chairman of the Board who is suspected, concerns can be reported to the Board President. Alternately, to facilitate reporting suspected violations where the reporter wishes to remain anonymous, a written statement may be submitted to one of the individuals listed above.

#### *Definitions*

**Baseless Allegations:** Allegations made with reckless disregard for their truth or falsity or knowingly false allegations. Individuals making such allegations may be subject to disciplinary action by Chester Street Foundation and/or legal claims by individuals accused of such conduct.

**Fraudulent or Dishonest Conduct:** A deliberate act or failure to act with the intention of obtaining an unauthorized benefit.

Examples of such conduct include:

- Forgery or alteration of documents
- Unauthorized alteration or manipulation of computer files
- Fraudulent financial reporting
- Pursuing a benefit or advantage in violation of Chester Street Foundation Conflict of Interest Policy
- Misappropriation or misuse of Chester Street Foundation resources, such as funds, supplies or other assets
- Authorizing or receiving compensation for goods not received or services not performed
- Authorizing or receiving compensation for hours not worked

**Whistleblower:** An employee, consultant, adviser or volunteer who informs a supervisor / Board member, the President / Chairman of the Board or the Board President about an activity relating to Chester Street Foundation that the person believes to be fraudulent or dishonest.

### ***Rights and Responsibilities***

#### **Supervisors / Board members**

Supervisors / Board members are required to report suspected fraudulent or dishonest conduct to the President or Chairman of the Board. Reasonable care should be taken in dealing with suspected misconduct to avoid:

- Baseless allegations
- Premature notice to people suspected of misconduct and/or disclosure of suspected misconduct to others not involved with the investigation
- Violations of a person's rights under law

Due to the important yet sensitive nature of the suspected violations, effective professional follow-up is critical. Supervisor / Board member, while appropriately concerned about "getting to the bottom" of such issues, should not in any circumstances perform any investigative or other follow-up steps on their own. Accordingly, a supervisor / Board member who becomes aware of suspected misconduct:

- Should not contact the person suspected to further investigate the matter or demand restitution
- Should not discuss the case with attorneys, the media or anyone other than the President / Chairman of the Board
- Should not report the case to an authorized law enforcement officer without first discussing the case with the President / Chairman of the Board

#### **Investigation**

All relevant matters, including suspected but unproved matters, will be reviewed and analyzed, with documentation of the receipt, retention, investigation and treatment of the complaint. Appropriate corrective action will be taken if necessary, and findings will be communicated to the reporting person and his or her supervisor / Board member. Investigations may warrant investigation by independent people, such as auditors and/or attorneys.

### **Whistleblower Protection**

Chester Street Foundation will protect whistleblowers as defined below:

- Chester Street Foundation will use its best efforts to protect whistleblowers against retaliation. Whistleblower complaints will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Generally, this means that whistleblower complaints will only be shared with those who have a need to know so that Chester Street Foundation can conduct an effective investigation, determine what action to take based on the results of any such investigation, and in appropriate cases, with law enforcement personnel. (Should disciplinary or legal action be taken against a person or people as a result of a whistleblower complaint, such people may also have the right to know the identity of the whistleblower.)
- Employees, consultants and volunteers may not retaliate against a whistleblower for informing management about an activity which that person believes to be fraudulent or dishonest with the intent or effect of adversely affecting the terms or conditions of the whistleblower's employment, including but not limited to, threats of physical harm, loss of job, punitive work assignments, or impact on salary or fees. Whistleblowers who believe that they have been retaliated against may file a written complaint with the President / Chairman of the Board or the Board Chair. Any complaint of retaliation will be promptly investigated and appropriate corrective measures taken if allegations of retaliation are substantiated. Protection from retaliation is not intended to prohibit supervisor / Board members from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance- related factors.
- Whistleblowers must be cautious to avoid baseless allegations (as described earlier in the Definitions section of this policy).

Adopted by the Board of Directors on October 2, 2017.



Victoria Filippov Nemeth, Secretary