

THE ASSOCIATION FOR MENTALLY ILL CHILDREN OF WESTCHESTER, INC.
(d/b/a The Clear View School & AMIC Supportive Families)
&
AMIC HOLDING CO, INC (An Affiliated Corporation)

WHISTLEBLOWER POLICY

1. **INTRODUCTION**

The Association for Mentally Ill Children of Westchester, Inc. and its affiliated corporation, AMIC Holding Co., Inc., (jointly referred to as AMIC) are not-for-profit corporations incorporated under the laws of the State of New York and tax exempt pursuant to section 501 (c) (3) of the Internal Revenue Code. AMIC is governed by its Board of Directors in accordance with its certificate of incorporation and by-laws.

AMIC, as The Clear View School, is approved by the New York State Department of Education to provide education services and programming pursuant to sections 4401 and 4410 of the Education Law and certified by the New York State Office of Mental Health to provide children's day treatment services and programming pursuant to article 31 of the Mental Hygiene Law. As AMIC Supportive Families, AMIC is certified by the New York State Office of People with Developmental Disabilities to provide services and programming for individuals with developmental disabilities pursuant to article 16 of the Mental Hygiene Law.

As a New York not-for-profit corporation, AMIC is governed by New York's Not-for-Profit Corporation Law (NFPL). In section 715-b of the NFPL, AMIC is required to adopt, implement and enforce a "Whistleblower Policy." (See NFPL section 715-b (a).) Its purpose is to "protect from retaliation persons who report suspected improper conduct [and to] provide that no director, officer, employee or volunteer of a corporation who in good faith reports any action or suspected action taken by or within the corporation that is illegal, fraudulent or in violation of any adopted policy of the corporation shall suffer intimidation, harassment, discrimination or other retaliation or, in the case of employees, adverse employment consequences."

2. **ADOPTION, IMPLEMENTATION AND ENFORCEMENT**

In its Corporate Compliance Program to which this Whistleblower Policy is attached as part of Attachment C, a Whistleblower Policy in compliance with the provisions of NFPL section 715-b, has been adopted. (See Corporate Compliance Program, **Section 8. Policy of Non-intimidation and Non-retaliation**, pp. 13-14.) The adoption of this policy includes the following, statutorily required elements:

- a. Procedures for the reporting of violations or suspected violations of laws or corporate policies, including procedures for preserving the confidentiality of reported information (see Corporate Compliance Program, Section 1, paragraph iii, **How to Communicate Actual or Suspected Compliance Issues to Appropriate Personnel**, pp. 6-7);
- b. A requirement that an employee, officer or director of the corporation be designated to administer the Whistleblower Policy and to report to the Audit Committee (see Corporate Compliance Program, **Section 2. Designation of Compliance Officer**, pp. 9-10), and

- c. A requirement that a copy of the policy be distributed to all directors, officers, employees and to volunteers who provide substantial services to the corporation (see Corporate Compliance Program, **Section 3. Training and Education of all Affected Employees, Executives and Directors**, pp. 10-11).

In its Corporate Compliance Program, AMIC has provided for the implementation and enforcement of the Whistleblower Policy adopted therein. Its Whistleblower Policy is substantially consistent with the provisions of paragraph (b) of section 715-b of the Not-for-Profit Corporation Law, which renders AMIC in compliance with provisions of the Not-for-Profit Corporation Law, section 715-b.

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