

## POLICY ON REPORTING POTENTIAL MISCONDUCT

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### **Policy on Reporting Potential Misconduct National Black Law Students Association, Inc.**

#### **Article I** **Purpose**

The National Black Law Students Association, Inc. (“NBLSA” or the “Association”) expects members of the National Executive Board, officers and employees to observe high standards of business and personal ethics in performing their duties and responsibilities on behalf of the Association.

The Association intends to adhere to all applicable laws and policies, and the purpose of this policy is to further the Association’s goal of legal and ethical compliance. The support of all Association personnel is important in achieving this goal. This policy sets forth procedures for individuals to: (1) raise questions and concerns about potential misconduct, including potential violations of the law or Association policies; and (2) report potential misconduct. The enactment of this policy shall supersede and replace any prior Board policy or parliamentary interpretation on this matter.

#### **Article II**

#### **Raising Questions and Reporting**

**How to raise questions and report potential misconduct.** If an individual believes that a violation of Association policy may have occurred, as a first step, the individual should share questions or concerns with, and report potential misconduct to, someone who can help address the issue. To do so:

- File an official grievance: in the case of misapplication, misinterpretation, or procedural, non-disciplinary violations of the NBLSA Constitution, the NBLSA Bylaws, acts of the NBLSA General Assembly, or other NBLSA policy, the member observing or affected by this action should file a grievance in accordance with the NBLSA Grievance Policy.
- Regional or local Board members and chapter members should contact their chapter president or Regional Chair. If a member is not comfortable speaking with his or her chapter leadership or is not

satisfied with the response received, the individual should speak with the NBLSA General Counsel or NBLSA National Chair.

- Officers and directors should contact the General Counsel or National Chair.

If an individual believes that a violation of federal, state, or local law or serious violations of policy, including our code of conduct, code of ethics, or other governance policy has occurred or is occurring, the following steps should be taken:

**Disciplinary Matters.** An issue rising to the level of necessary disciplinary conduct should be reported via a written recommendation to the National Executive Board by sending it to the National Secretary at [secretary@nblsa.org](mailto:secretary@nblsa.org). Note: disciplinary action must be grounded in reasoning as may be found in Article XII, Section 1 of the NBLSA Constitution or other disciplinary policies enacted pursuant to that and other extant authority.

**Financial and accounting matters.** If a concern or potential misconduct relates to the Association's finances, accounting or auditing practices, or internal financial controls, individuals may also contact the NBLSA General Counsel at [generalcounsel@nblsa.org](mailto:generalcounsel@nblsa.org).

**Confidential and anonymous reporting.** Individuals can also report concerns and potential misconduct confidentially and anonymously, although the Association encourages individuals to provide their names to facilitate investigation and follow-up. To make a confidential, anonymous report, individuals should write to the NBLSA National Chair at [chair@nblsa.org](mailto:chair@nblsa.org) or the NBLSA General Counsel at [generalcounsel@nblsa.org](mailto:generalcounsel@nblsa.org).

### **Article III**

#### **Protection Against Retaliation**

The Association is committed to maintaining an environment where individuals feel free to raise questions and concerns in good faith. The Association will not tolerate retaliation in any form against an individual who raises questions or concerns about potential misconduct in good faith, or who reports potential misconduct in good faith, including any action or suspected action by or within the Association that is illegal, fraudulent or in potential violation of the law or Association policies. Retaliation includes actions such as intimidation, harassment, discrimination, other retaliatory behavior and, in the case of employees, adverse employment consequences. In addition, the Association will not tolerate retaliation against an individual who assists in the investigation of potential misconduct. Any individual who engages in retaliation will be subject to appropriate disciplinary action, up to and including expulsion and reporting to law school honor code enforcement

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bodies.

#### **Article IV**

#### **Investigating Questions and Concerns**

The Association will investigate reports of potential misconduct, and reports of retaliation, promptly and in a manner intended to protect confidentiality, consistent with a full and fair investigation. Every effort will be made to protect the identity of individuals who report potential misconduct, unless they agree otherwise. In some instances, it may not be possible to keep an individual's identity confidential because of the demands of conducting a thorough investigation or because of legal requirements.

#### **Article V**

#### **Administration of This Policy**

The National Chair, in conjunction with the General Counsel, is responsible for administering this policy under the oversight of the NBLSA Audit and Compliance Committee. The General Counsel will have the authority to communicate directly to the Audit and Compliance Committee about reports of potential misconduct, including, among other things, the way reports are being investigated, the status of investigations, recommended remedial actions and the disposition of reports.

A copy of this policy will be distributed to members of the National Executive Board, officers, and the organization at large.

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