

Reporting of Waste and Wrongdoing (Whistleblower)

Compliance Officer

For purposes of this Regulation and the accompanying Board Policy, the Superintendent designates the Director of Assessment and Accountability as the Compliance Officer.

Protection of Employees

Persons Not To Be Discharged

No employee may be discharged, threatened, or otherwise discriminated or retaliated against regarding the employee's compensation, terms, conditions, location or privileges of employment because the employee or a person acting on behalf of the employee makes a good faith report or is about to report, verbally or in writing, to the employer or to an appropriate authority an instance of wrongdoing or waste.

Discrimination Prohibited

No employee may be discharged, threatened or otherwise discriminated or retaliated against regarding the employee's compensation, terms, conditions, location, or privileges of employment because the employee is required by an appropriate authority to participate in an investigation, hearing or inquiry held by an appropriate authority or in a court action.

Reporting Procedure

An employee who has knowledge of or a concern about waste or other wrongdoing, as defined in the accompanying Board Policy, or illegal or dishonest activities reasonably believed to be violations of federal, state or local laws, billing for services not performed or goods not delivered, and/or other fraudulent activity, should contact their immediate supervisor. If the behavior of the immediate supervisor is of concern to an employee, the employee is to contact the Superintendent. If the behavior of the Superintendent is of concern to any employee, the employee is to contact the President of the Board. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to further disciplinary action including but not limited to discharge from employment.

Anyone reporting waste or abuse must act in good faith and have reasonable grounds for believing that there is truth to their report. The act of making allegations that prove to be unsubstantiated, and that prove to have been made

maliciously, recklessly, or with foreknowledge that the allegations were false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

Investigation Procedures

The Compliance Officer shall receive written complaints from employees who allege that this Administrative Regulation or the accompanying Board Policy has been violated. The Compliance Officer or designee shall investigate these complaints and, within thirty (30) business days of receipt of the complaint, issue a summary of the investigation, a determination of whether the complaint has been substantiated as factual, whether a violation of this Administrative Regulation or the accompanying Board Policy was found, and a recommended disposition of the complaint. A copy of the findings shall be provided to the complainant to the extent permitted by law. The time period may be extended due to extenuating circumstances such as the unavailability of persons with knowledge of the underlying issue or concern.

If the investigation results in finding that the complaint is factual and constitutes a violation of this Administrative Regulation or the accompanying Board Policy, the District shall take prompt, corrective action to prevent reoccurrence of such action and to correct its effect on the complainant and others, if applicable.

Disciplinary action shall be consistent with Board Policy, Administrative Regulations, applicable collective bargaining agreements, and state and federal laws.

Appeals

If the complainant is not satisfied with the outcome of the investigation or with the corrective action recommended in the investigative report, they may submit a written appeal to the Superintendent within thirty (30) days of receipt of the written investigation report.

The Superintendent will review the investigation and the investigative report, and may also cause additional investigation to be conducted.

The Superintendent shall issue a written response to the appeal within thirty (30) business days. Copies of the response shall be provided to complainant to the extent permitted by law.