



Book	Policy Manual
Section	800 Operations
Title	Reporting of Waste and Wrongdoing in District Operations (Whistleblower)
Code	828 – (Administrative Guideline)
Status	Active
Adopted	January 25, 2024
Last Revised	January 25, 2024

## **Guidelines**

### **Employee Education**

The District will periodically inform all employees of this Administrative Guideline and the accompanying Board Policy.

A copy of this Administrative Guideline and the accompanying Board Policy will be posted on the District's website for review by all District employees.

### **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 the Compliance Officer. If the

behavior of the Superintendent is of concern to any employee, the employee should contact the Assistant to the Superintendent for Human Resources. 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.

### Good Faith Reporting

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 Superintendent shall receive written complaints from employees who allege that this Administrative Guideline or the accompanying Board Policy have been violated. The Superintendent shall investigate these complaints and, generally within fifteen (15) 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 Guideline 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 Guideline 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 Guidelines, applicable collective bargaining agreements, and state and federal laws.

### Appeals

1. If the complainant is not satisfied with a finding of no violation of this Administrative Guideline or the accompanying Board Policy, or with the corrective action recommended in the investigative report, s/he may submit a written appeal to the Superintendent within thirty (30) business days of receipt of the written investigation report.
2. The Superintendent will review the investigation and the investigative report and may also conduct a reasonable investigation.

The Superintendent shall issue a written response to the appeal, generally within fifteen (15) business days. Copies of the response 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.

§