6Gx53-5.018 WHISTLE-BLOWER:

I. School Board employees, former employees, applicants, or contractors who report certain violations of law or policy are protected from retaliation by the Florida "Whistle-Blower's Act" set out in Florida Statutes 112.3187 – 112.31895.

II. A whistleblower is defined by law as someone who reports an activity to School Board as specified in this Policy that he/she considers being illegal or dishonest that creates a substantial and specific danger to the public's health, safety, or welfare. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate School Board officials are charged with these responsibilities.

III. The School Board is committed to the highest possible standards of ethical, moral, and legal business conduct. Along with a commitment to open communication, this policy aims to provide a way for employees to raise concerns and to allege wrong-doing, with full assurance that they will be protected from reprisal or retaliation for whistle-blowing in good faith. The whistle-blower policy intends to address violations of law that include, but are not limited to:

A. Dishonest, illegal, or fraudulent acts,

B. Improper use of government office,

C. Gross waste of public funds or mismanagement,

D. Neglect of duty,

E. Criminal activity,

F. Harassment,

G. Egregious violation of policy, or

H. Any other abuse or gross neglect of duty on the part of the School Board, its public officers, or its employees.

IV. Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

V. Employees with any questions regarding this policy should contact the Director of Employee Relations or designee.

VI. If an employee has knowledge of or a concern of illegal or dishonest or fraudulent activity, the employee may report the incident to his/her immediate supervisor, the Employee Relations Director or designee, the Superintendent or designee, the School Board Chair or designee, or the School Board Audit Committee. The employee must exercise sound judgment to avoid baseless allegations. An employee who knowingly files a false report of wrongdoing will be subject to discipline up to and including termination.

VII. All reports of illegal and dishonest activities will be promptly submitted to the Director of Employee Relations or designee who is responsible for investigating and coordinating corrective action.

VIII. Whistleblower protections are provided in two important areas -- confidentiality and retaliation.

A. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.

B. The School Board will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse personnel action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Employee Relations Director or designee immediately.

C. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

IX. This is not a vehicle for protesting a performance evaluation, making a complaint about a fellow employee, or otherwise disputing or disagreeing with management decisions. In such cases, staff members must respect and use the established organizational lines of authority, communication, and grievance processes. This whistle blower policy is created to allow legitimate recourse for addressing any of the inappropriate behaviors identified above.

Statutory Authority: Florida Statutes 1001.32, 1001.41, 1001.42, and 1001.43

Laws Implemented: Florida Statues 112.3187, et seq. 112.31895

Adopted: August 14, 2007

Amended: