



Policy 5395 – Whistleblowing

The Board of Trustees expects employees of the District to be trustworthy and to conduct themselves in an honorable manner, abiding by all District policies and procedures and by all applicable State and federal laws and administrative rules.

When District employees know or have reasonable cause to believe that **serious** wrongful conduct has occurred, they should report such wrongful conduct to the Superintendent or **his or her** designee.

For the purposes of this policy, the term “wrongful conduct” shall mean:

1. Theft or misuse of District funds, property, or resources;
2. Fraud;
3. Violation of federal and state laws or administrative rules; and/or
4. Material violation of District policy or procedure aimed at protecting the health and safety of staff and students.

Disclosure and Investigation

Employees who know or have reasonable cause to believe that wrongful conduct has occurred shall report such activity to the Superintendent or **his or her** designee. Upon receiving a report of wrongful conduct, the Superintendent or designee shall take immediate steps to conduct an investigation.

If the person alleged to have committed the wrongful conduct is the designee, the Superintendent shall conduct the investigation. If the person alleged to have committed the wrongful conduct is the Superintendent, the investigation shall be addressed in accordance with **District policy. Policy 4120.**

The Superintendent or designee shall maintain a written record of the allegation; conduct an investigation, refer the matter to law enforcement or other appropriate authorities, if applicable; and notify the Board of the allegation and of the results of the investigation.

The Superintendent or designee shall attempt to protect the identity of a whistleblower, provided that doing so does not interfere with the investigation of the allegations or with the taking corrective action.

Complaints of Retaliation



Preston School District #201
Section 5000 - Personnel

The District shall not take adverse employment action against an employee who has notified the District of wrongdoing, allowing the District the opportunity to investigate and correct the misconduct. The District shall not take adverse action against an employee who has reported misconduct to another government agency or who has cooperated with an investigation of wrongful conduct. Likewise, District employees are prohibited from retaliating against an individual for these actions.

There shall be no adverse employment action or retaliation against an individual who refuses to carry out a directive which he or she believes constitutes a violation of state or federal law or administrative rule.

An employee who alleges they have been subject to retaliation in the form of adverse employment action may contest the action as specified in the appropriate employee grievance policy. The District shall investigate any complaints of such retaliation and take immediate steps to stop any retaliation.

District employees who have engaged in retaliation shall be subject to discipline, which may include dismissal.

These protections do not apply to cases in which an employee knew or reasonably ought to have known that the report is malicious, false or frivolous.

Nothing in this policy is intended to interfere with legitimate employment decisions.

The Superintendent **or designee** shall establish any procedures necessary to implement this policy.

This policy and any related procedures may be published in employee handbooks, posted in employee lounges, and/or given to all employees on an annual basis.

Legal References:

Legal References	Description
IC § 6-2101, et seq.	Protection of Public Employees

Cross References

Code	Description
-------------	--------------------



Preston School District #201
Section 5000 - Personnel

Code	Description
5250	<u>Certificated Staff Grievances</u>
5800	<u>Classified Employment, Assignment, and Grievance</u>
5800-P(1)	<u>Classified Employment, Assignment, and Grievance - Classified Employee Grievance Procedure</u>
7225	<u>Financial Fraud and Theft Prevention</u>

Adopted:

Revised:

Reviewed: