

*Santa Monica Community College District*  
*Board Policy#\_\_\_\_\_*

## **WHISTLEBLOWER PROTECTION**

The Superintendent/President shall establish procedures regarding the reporting and investigation of suspected improper activities by District employees, and the protection from retaliation of those who make such reports in good faith and/or assist in the investigation of such reports. For the purposes of this policy and any implementing procedures, “improper activity” refers to any activity, intentional or negligent, that violates state or federal law, local ordinances, or District policy, and may include but are not limited to theft of District or other public property, coercion, willful omission to perform duty, mismanagement, fraud, waste and abuse of public resources, and legal infractions or suspected incidents of unlawful activities by District officials and/or employees. Serious or substantial violations of District policy may be determined to constitute improper activities.

~~Pursuant to Board Policy 6116, Santa Monica College is committed to the responsible stewardship of its resources and supports an internal appraisal function that includes the investigation of alleged fraud, irregularities, abuse, illegal acts and suspected misconduct of college employees. Managers, faculty, staff, students and interested citizens are encouraged to report known or suspected dishonest acts by employees, outside contractors or vendors.~~

Procedures shall be in place to ensure that individuals are encouraged to report suspected incidents of improper activities without fear of retaliation; that such reports are investigated thoroughly and promptly; that remedies are applied for any improper activities; and that protections are provided to those employees who, in good faith, report these activities and/or assist the College in its investigation. Anyone who files a complaint in which he or she knowingly makes a false accusation may be subject to appropriate discipline.

Furthermore, the District shall not: (1) retaliate against an employee or applicant for employment who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order; or (2) directly or indirectly use or attempt to use the official authority or influence of his or her position for the purpose of interfering with the right of an applicant or an employee to make a protected disclosure to the College. The College will not tolerate retaliation, and will take whatever action may be needed to prevent and correct activities that violate this policy, including discipline, up to and including dismissal, of those who are in violation of this policy.

### References:

Education Code Sections 87160-87164

Labor Code Section 1102.5.

Government Code Section 53296

Private Attorney General Act of 2004 (Labor Code Section 2698)

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Board Policy 6116 (Reporting Fraud, Waste or Abuse)

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