

Human Resources

1 BP 7700 WHISTLEBLOWER PROTECTION

2 References:

- 3 Education Code, Sections 87160-87164;
- 4 California Labor Code, Section 1102.5;
- 5 Government Code, Section 53296;
- 6 Private Attorney General Act of 2004 (Labor Code, Section 2698)
- 7 Affordable Care Act (29 U.S.C. 218C)

8 The President/Superintendent shall establish procedures regarding the reporting and
9 investigation of suspected unlawful activities by District employees, and the protection
10 from retaliation of those who make such reports in good faith and/or assist in the
11 investigation of such reports. For the purposes of this policy and any implementing
12 procedures, “unlawful activity” refers to any activity—intentional or negligent—that
13 violates state or federal law, local ordinances, or Board Policy.

14 The procedures shall provide that individuals are encouraged to report suspected
15 incidents of unlawful activities without fear of retaliation, that such reports are investigated
16 thoroughly and promptly, remedies are applied for any unlawful practices and protections
17 are provided to those employees who, in good faith, report these activities and/or assist
18 the District in its investigation.

19 Furthermore, District employees shall not:

- 20 (1) retaliate against an employee or applicant for employment who has made a
21 protected disclosure, assisted in an investigation, or refused to obey an illegal
22 order;
- 23 (2) retaliate against an employee or applicant for employment because the
24 employee or applicant is a family member of a person who has made a protected
25 disclosure, assisted in an investigation, or refused to obey an illegal order; or
- 26 (3) directly or indirectly use or attempt to use the official authority or influence of
27 his or her position for the purpose of interfering with the right of an applicant or an
28 employee to make a protected disclosure to the District. The District will not
29 tolerate retaliation and will take whatever action may be needed to prevent and
30 correct activities that violate this policy, including discipline of those who violate it
31 up to and including termination.

32 Office of Primary Responsibility: President/Superintendent

Date Adopted: December 10, 2008
Date Revised: November 18, 2013
Date Reviewed: May 15, 2019