

BP 7700 Whistleblower Protection

Reference:

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

- 1.0 The Chancellor shall establish procedures regarding the reporting and investigation of suspected improper governmental activities by District employees, and the protection from retaliation of those District employees 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, an “improper governmental activity by a District employee” is defined as any activity by a District employee that is undertaken in the performance of the employee’s official duties, whether or not such action is within the scope of his or her employment, or by an individual or company performing work for the District, and that is:
 - 1.1 In violation of any Federal or State law or regulation including, but not limited to, corruption, malfeasance, bribery, theft of District property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of District property and facilities, or willful omission to perform duty.
 - 1.2 In violation of the District’s policies or administrative procedures including but not limited to harassment, discrimination, or conflict of interest.
 - 1.3 Economically wasteful, or involves gross misconduct, incompetence, or inefficiency.
 - 1.4 A substantial and specific danger to public health or safety.
- 2.0 Individuals are encouraged to report suspected incidents of improper governmental activities without fear of retaliation, and such reports will be investigated thoroughly and promptly. Employees who in good faith report these activities and/or assist the District in its investigation will be protected.
- 3.0 District employees shall not:
 - 3.1 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.
 - 3.2 Retaliate against an employee or applicant for employment because the employee or applicant is a family member of a person who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order.
 - 3.3 Directly or indirectly use or attempt to use the official authority or influence of their position for the purpose of interfering with the right of an applicant or an employee to make a protected disclosure to the District.

BP 7700 Whistleblower Protection

- 4.0 The District will not tolerate retaliation and will take whatever action may be needed to prevent and correct activities that violate this policy, including discipline of those who violate it up to and including termination.

See Administrative Procedure 7700.

Date of Adoption: November 28, 2017