

CHAPTER 6.00 - PERSONNEL

6.65

WHISTLEBLOWER PROTECTION

POLICY:

- (1) This policy shall be known as the Whistleblower Protection Policy.
- (2) Definitions
 - (a) Employee – Any person hired by the School Board after completing the personnel procedures required by the School Board.
 - (b) Independent Contractor – Any person or company other than a School Board employee, who provides goods and/or services to the School Board and enters into a contractual agreement with the School Board.
 - (c) Adverse Personnel Action – Discharge, suspension, transfer, demotion, reprimand, warning, withholding or reduction of salary or benefits of employee, or any other adverse action taken against an employee within the terms and conditions of employment by the School Board: or debarment, suspension, cancellation of contract of an independent contractor.
- (3) Prohibited Action
 - (a) Neither the School Board, Superintendent, department heads nor principals shall take or recommend to the School Board to take adverse personnel actions against an employee for disclosing information pursuant to the provisions of this policy.
 - (b) Neither the Superintendent nor the School Board shall take any adverse personnel action that affects the rights or interests of an independent contractor in retaliation for the contractor's disclosure of the information under this policy.

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- (c) The provisions of the policy shall not be applicable when an employee or independent contractor discloses information known to be false.
- (4) Disclosure of Information
 - (a) The information disclosed under this section shall include reporting of any violation or suspected violation of federal, state or local laws, School Board policy or administrative directive by a School Board member, employee, or independent contractor which presents a substantial and specific danger to interests of the School Board. Additionally, information disclosed, which indicates acts or suspected acts of malfeasance, misfeasance, gross waste of funds or neglect of duty committed by an agency, shall be included.
 - (b) The information shall be disclosed to the appropriate entity having the authority to investigate, police, manage, or otherwise remedy the violation of act.
- (4) Protection
 - (a) This policy protects employees and other persons who disclose information on their own motive in a written and signed complaint, or who are requested to participate in an investigation, hearing or other inquiry conducted by the Superintendent, School Board, state agency or federal government.
 - (b) Any employee who is subject to adverse personnel action has a right to file a grievance pursuant to the applicable collective bargaining agreement or School Board policy. An independent contractor may appeal to the School Board for administrative review.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 112.3187; 1001.32; 1001.43, F.S.

History:

Adopted: September 12, 2006 Revision Date(s): Formerly:
