

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

ADMINISTRATIVE POLICY

Name: Whistleblower

Section: Required Policies

Code: GBMA-AP

When a district employee has good faith and reasonable belief that the district has violated any federal, state or local law, rule or regulation; has engaged in mismanagement, gross waste of funds or abuse of authority; or created a substantial and specific danger to public health and safety by its actions, and an employee then discloses or plans to disclose such information, it is unlawful employment practices for the district to:

1. Discharge, demote, transfer, reassign or take disciplinary action against an employee or threaten any of the previous actions described.
2. Withhold work or suspend an employee.
3. Discriminate or retaliate against an employee with regard to promotion, compensation or other terms, conditions or privileges of employment.
4. Direct an employee or to discourage an employee to not disclose or to give notice to the employer prior to making any disclosure.
5. Prohibit an employee from discussing, either specifically or generally, the activities of the state or agency or political subdivision in the state, or any person authorized to act on behalf of the state or agency of, or political subdivision in the state, with:
 - a. Any member of the Legislative assembly;
 - b. Any Legislative committee staff acting under the direction of any member of the Legislative assembly; or
 - c. Any member of the elected governing body of a political subdivision in the state or any elected auditor of a city, county or metropolitan service district.

This policy does not authorize any district employee to disclose exempt public records or information required to be confidential under the law, or to represent the employee's personal opinion as the opinion of the district. Nothing in this policy precludes disciplinary action against an employee if the information disclosed by the employee is known by the employee to be false, if the employee discloses the information with reckless disregard for its truth or falsity, or if the information disclosed relates to the employee's own violations, mismanagement, gross waste of funds, abuse of authority or endangerment of the public health or safety.

Complaints that this policy has been violated shall be made in writing and the district will use the complaint process as outlined in KL-AR: Public Complaints.

The district shall make this policy accessible to all employees, in written or electronic format.

END OF POLICY

Legal Reference(s):

ORS 192.501 to -192.505

ORS 659A.199 to -659A.224

OAR 581-022-1720

OAR 581-020-1342

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984)

Connick v. Myers, 461 U.S. 138 (1983)

Reviewed: 5/22/17

Approved: 6/2017