

## WHISTLEBLOWER PROTECTION

It is the responsibility of employees and officers of the Schodack Central School District to report any actions or violations of a law, rule or regulation that create and present a substantial and specific danger to the public welfare, health or safety, which such individuals reasonably believe to be true and improper on the part of the Board of Education, an officer, employee or agent of the School District. Examples include, but are not limited to, reporting evidence of fraud, waste or abuse regarding the funds or assets of the School District, other illegal acts involving the schools or matters that imperil public health and safety.

In accordance with law, it is expected that prior to making a public disclosure of such information, the employee or officer will make a good faith effort to provide to the Board of Education and/or the Superintendent of Schools (unless the matter involves the Superintendent), the information to be disclosed, whereupon the Board or the Superintendent, depending upon which was informed, shall be given a reasonable period of time to respond with corrective action or an explanation as to why no action will be taken. In cases involving imminent and serious danger to public health or safety, prior notice need not be given before making a public disclosure, in which event the Board and/or the Superintendent of Schools shall be notified immediately after public disclosure has been made.

In cases involving financial practices in the school district, good faith reports of violations of law may be reported in the first instance to a school district official, the State Comptroller, the Commissioner of Education or law enforcement officials.

An employee or officer who provides information in accordance with this policy shall have "whistleblower protection" against retaliation in the nature of adverse action affecting compensation, appointment, promotion, transfer, assignment, reassignment or evaluation of performance. Any whistleblower who is concerned that retaliation for providing information in accordance with this policy has occurred or is occurring should report the same immediately to the Board of Education or Superintendent of Schools, who shall cause an independent investigation of any such allegation. Any officer or employee who is determined to have retaliated in violation of this policy shall be subject to corrective action up to and including termination of office or employment, in accordance with law and any applicable collectively negotiated agreement.

An employee or officer may invoke a whistleblower defense pursuant to this policy in any disciplinary proceeding or litigation if he or she believes that adverse action has occurred by reason of whistle blowing as described above.

Parents, volunteers, and other community members are encouraged to report violations of law to the Board and/or Superintendent without fear of reprisal or retaliation by any officer, employee or agent of the School District.

Ref: §3028-d Education Law; § 75-b Civil Service Law  
Approved 12-5-13 (2<sup>nd</sup> reading and adoption 12/5/13, 1<sup>st</sup> reading )