

## STAFF MISCONDUCT REPORTING

All Evansville Community School District officials and employees of the district are expected to fulfill the public's trust and to conduct themselves in an honorable manner, abiding by all district policies and regulations and by all applicable state and federal laws and regulations.

When District employees know or have reasonable cause to believe that serious instances of wrongful conduct (e.g., mismanagement of District resources, violations of law and/or abuse of authority) have occurred, they should report these incidences to the Board of Education, District Administrator or designee.

For purposes of this policy, the term "wrongful conduct" shall be defined to include:

- Theft of district money, property, or resources.
- Misuse of authority for personal gain or other non-district purpose.
- Fraud.
- Willful violations of applicable federal and state laws and regulations.
- Serious violations of District policy, regulation, and/or procedure.

Employees who know or have reasonable cause to believe that wrongful conduct has occurred shall report such mismanagement, fraud or abuse to the Board, District Administrator or designee. If the alleged wrongful conduct includes the District Administrator, the report may be directed to the Board President. Upon receiving a report of alleged wrongful conduct, appropriate steps shall be taken to verify the validity of the report. The District Administrator or designee shall maintain a written record of the allegation, conduct an investigation to ensure that the appropriate unit (auditors, police, etc.) investigates the disclosure, and notify the Board when appropriate to do so. Except as otherwise provided in either state and/or federal law, the Board, District Administrator or designee shall make all reasonable attempts to protect the identity of the employee making the disclosure as long as doing so does not interfere with an investigation of the specific allegations or corrective action.

An employee who has been subject to an adverse employment action based on his or her prior disclosure of alleged or actual wrongful conduct may contest the action by filing a written complaint of reprisal with the District Administrator or designee. The District Administrator, or designee will review the complaint expeditiously to determine:

- Whether the complainant made a disclosure of alleged wrongful conduct before an adverse employment action was taken.
- Whether the responding party could reasonably have been construed to have had knowledge of the disclosure and the identity of the disclosing employee.
- Whether the complainant has in fact suffered an adverse employment action after having made the disclosure.
- Whether the complainant alleges that adverse employment action occurred as a result of the disclosure.

If the District Administrator or designee determines that all of the above elements are present, he or she shall appoint a neutral review officer or panel to investigate the claim and make a recommendation. At the time of appointment, the District Administrator or designee shall inform the complainant and the respondent, in writing, of:

- The intent to proceed with an investigation.
- The specific allegations to be investigated.
- The appointment of the review officer or panel.
- The opportunity for each party to support or respond, in writing, to the allegation.

Once the review officer or panel has conducted a review and considers the investigation to be complete, the officer or panel will notify the District Administrator or designee of its completion. From the date of that notice, the review officer has 45 days to report his or her findings and make any recommendations he or she deems appropriate to the District Administrator or designee. The District Administrator or designee shall issue a letter of findings to both the complainant and the respondent. The District Administrator or designee will follow the recommendation of the officer.

The decision of the review officer or panel is final but may be appealed to the Board, who may accept, reverse or modify decisions. Nothing in this policy is intended to interfere with the normal course of business or legitimate employment decisions.