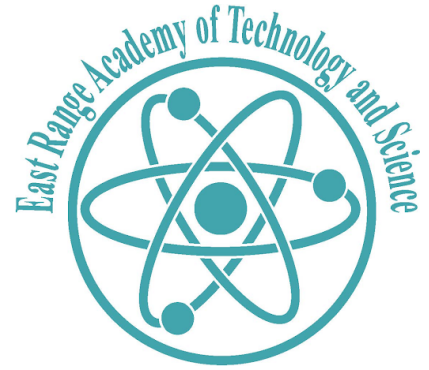


Board Policy
424

Whistleblower



Adopted: 9-14-2020

I. PURPOSE

The purpose of this policy is to outline the conduct protected by the whistleblower law in Minnesota (Minn. Stat. §181.932), and to identify the procedures for reporting suspected violations of law.

II. POLICY STATEMENT

It is the policy of East Range Academy of Technology and Science to fully comply with state and federal law regarding protection for individuals who report a violation or suspected violation of any federal or state law, or rule adopted pursuant to law.

III. PROTECTIONS FOR EMPLOYEES MAKING GOOD FAITH REPORTS

Prohibited actions. East Range Academy shall not discharge, discipline, threaten, otherwise discriminate against, or penalize an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment because:

1. The employee, or a person acting on behalf of an employee, in good faith, reports a violation or suspected violation of any federal or state law or rule adopted pursuant to law to the East Range Academy School Board or Director, or to any governmental body or law enforcement official;
2. The employee is requested by the School Board or Director to participate in an investigation, hearing, or inquiry;
3. The employee refuses an order from the School Board or Director, or the employee's supervisor, to perform an action that the employee has an objective basis in fact to believe violates any state or federal law or rule or regulation adopted pursuant to law, and the employee informs the employer that the order is being refused for that reason;
4. The employee, in good faith, reports a situation in which the quality of health care services provided by a healthcare facility, organization, or health care provider violates a standard established by federal or state law or a professionally recognized national clinical or ethical standard and potentially places the public at risk of harm; or
5. The employee communicates the findings of a scientific or technical study that the employee, in good faith, believes to be truthful and accurate, including reports to a

governmental body or law enforcement official. The disclosures protected under this policy do not authorize the disclosure of data otherwise protected by law.

IV. RETALIATION PROHIBITED

No director, officer, or employee who takes action as described above shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against an individual who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within East Range Academy.

V. REPORTING

East Range Academy has an open-door policy and encourages employees to share their questions, concerns, suggestions or complaints with someone who can address them properly. Following Policy 428 (Complaints) will resolve issues that can be addressed at a school or Board level.

VI. INDIVIDUAL RESPONSIBLE FOR INVESTIGATION

The Director of East Range Academy is ultimately responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The Director will advise the Board of all complaints and how each is resolved.

VII. ACCOUNTING AND AUDITING MATTERS

The Board's finance committee shall address all reported concerns or complaints regarding corporate accounting practices, internal controls, or auditing. The Director shall immediately notify the Board of any such complaint and work with the committee until the matter is resolved.

VIII. ACTING IN GOOD FAITH

Anyone filing a complaint concerning a violation or suspected violation of any federal or state law, or rule adopted pursuant to law, must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a legal violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious offense subject to discipline up to and including termination.

IX. CONFIDENTIALITY

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously to the Director or Human Resources. Reports of violations or suspected violations will be kept confidential to the extent permitted by law and consistent with the need to conduct an adequate investigation.

X. HANDLING OF REPORTED VIOLATIONS

All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.