

**BOARD OF EDUCATION
School District #33 (Chilliwack)**

**404.1
ADMINISTRATIVE REGULATION
Whistleblower Protection**

Duty to Disclose

The Board expects that an employee who is aware of or has witnessed any improper activity or wrongdoing will, in good faith, bring the matter to the attention of the Superintendent to provide a reasonable opportunity for investigation and corrective action appropriate to the circumstances.

Good faith is evident when a report is made without malice or consideration of personal benefit and there is a reasonable basis for the individual reporting to believe that the report is true.

Reportable activities include any unlawful, illegal or inappropriate behavior and may include:

- an unlawful act, whether civil or criminal
- questionable accounting practices
- falsifying district records
- theft of cash, goods, services, time or fraud
- inappropriate use of district assets or funds
- decision making for personal gain
- a dangerous practice likely to cause physical harm or damage to property
- abuse of power or authority
- retaliation for reporting under the policy, including discipline or discharge.

This list is not all-inclusive but is intended to provide an indication of the type of conduct that may be considered a “reportable activity”. This list does not include personnel actions taken in the course of conducting the district’s business where

Cross Refs:

Adopted: April 7, 2015
Reviewed:
Revised:

such matters are most appropriately addressed by reference to the applicable contract or collective agreement.

Reporting a Complaint

Complaints may be submitted about any reportable activity to the Superintendent by confidential email or otherwise in writing in a sealed envelope, with identification of the reporter.

All reports will be maintained in confidence and information that will allow the identification of the reporter will only be shared to the extent necessary to conduct a complete and fair investigation.

Protection of Employee and Employer

Employee

An employee who files a report under this policy will be protected if the employee:

- provides information in good faith
- believes the report to be substantially true
- does not act maliciously or make false allegations, and
- does not seek any personal gain.

If an investigation reveals that the report was frivolous, fraudulent or made with malicious intent, or otherwise made in bad faith, disciplinary action may be taken.

Employer

Nothing in this policy shall be deemed to diminish or impair the rights of the district to manage its employees under any policy, contract or collective agreement or to prohibit any personnel action which otherwise would be taken regardless of the reporting of the information.

Investigation Procedure

1. Upon receiving a complaint, the Superintendent or designate will determine whether the matter is, in fact, a reportable activity under this procedure.
2. If it is determined that the complaint relates to a reportable activity, an investigation will be conducted as soon as possible.

3. The investigation will include discussions with the reporting individual, the party against whom the allegations have been made and any witnesses as appropriate.
4. Outside legal, accounting or other advisors may be retained as appropriate to assist in the investigation.
5. It is the obligation of all employees to cooperate with an investigation.
6. If the investigation establishes that improper activity has occurred, the Board will take appropriately corrective action in a timely manner.
7. Records of all formal and informal reports and investigations will be kept by the Superintendent or designate.

Reporting to Board

The Superintendent shall submit to the Board, in an “in-camera meeting”, an annual summary of reports and investigations conducted under this policy. The summary will include reports received and acted upon during the school year, July 1 to June 30.