

### **PROHIBITION OF RETALIATORY ACTION**

The Board of Education expects that any officer or employee holding a position of employment in the District shall comply with all applicable state and federal laws, rules and regulations.

The District shall not dismiss, take other disciplinary action or adverse personnel action affecting compensation, appointment, promotion, transfer, assignment, reassignment, reinstatement or evaluation of performance because the employee discloses to an officer of the District or the Board of Education any information concerning the following:

1. a violation of law, rule or regulation which violation creates and presents a substantial and specific danger to the public health or safety; or
2. which the employee reasonably believes to be true and reasonably believes constitutes an improper governmental action.

“Improper governmental action” means any action by a public employer or employee, or agent thereof, which is undertaken in the performance of that individual’s official duties, whether or not this action is within the scope of his employment, and which is in violation of any federal, state or local law, rule or regulation.

It is the responsibility of the employee, prior to disclosing any information referenced in the preceding paragraph, to have made a good faith effort to provide the Superintendent of Schools or designee the information to be disclosed, and the employee shall provide the Superintendent of Schools or designee a reasonable period of time to take appropriate action unless there is imminent danger to the public health or safety.

Once the review officer or panel has conducted a review and considers the investigation to be complete, the officer or panel will notify the Board President or designee of its completion. From the date of that notice, the review officer has 30 days to report his findings and make any recommendations he deems appropriate to the Board President or designee. The Board President or his designee, in conferral with the appropriate administrator, shall issue a letter of findings and recommendations to the complainant and the respondent, and the Board of Education.

Ref: Executive Law, Article 15

Adopted: February 7, 2007

Reaffirmed: March 16, 2011

Approved: August 26, 2015