

**Adopted:** May 14, 2015

**Revised:**

## **HARBOR CITY INTERNATIONAL SCHOOL POLICY No. 4.10 WHISTLEBLOWER**

### **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 HCIS 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.* HCIS 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 HCIS Board or Executive Director, or to any governmental body or law enforcement official;
2. The employee is requested by HCIS Board, or Executive Director to participate in an investigation, hearing, inquiry;
3. The employee refuses an order from the HCIS Board or Executive 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 health care 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 HCIS.

#### **V. REPORTING VIOLATIONS**

The Executive Director has an open door policy and encourages employees to share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if an employee is not comfortable speaking with a supervisor or is not satisfied with the supervisor's response, the employee is encouraged to speak with the Executive Director. If the violation involves the Executive Director, the employee is encouraged to speak with the President of the Board of the Directors. Supervisors are required to report suspected violations of this policy to the Executive Director, who has the responsibility to investigate all reported violations. For suspected fraud, or when an employee is not comfortable with this open door policy, individuals should contact the appropriate HCIS Compliance Officer directly.

#### **VI. INDIVIDUAL RESPONSIBLE FOR INVESTIGATION**

The Executive Director is responsible for investigating and resolving all reported complaints and allegations concerning violations of this policy and shall advise the Board's Executive Committee.

#### **VII. ACCOUNTING AND AUDITING MATTERS**

The finance committee of the Board of Directors shall address all reported concerns or complaints regarding accounting practices, internal controls or auditing. The Executive Director shall immediately notify the finance committee 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 disciplinary offense.

## **IX. CONFIDENTIALITY**

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously to the Executive Director (or to the President of the Board of Directors, if the violation involves the Executive Director). 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.

***Legal Reference:*** Minn. Stat. §181.932 (Disclosure of Information by Employees)