

**Lower Merion School District**

**ADMINISTRATIVE REGULATIONS**

No.: 832  
Section: OPERATIONS  
Title: REPORTING OF WASTE AND  
WRONGDOING IN DISTRICT OPERATIONS (WHISTLEBLOWER)  
Date Adopted: 10/15/18  
Reviewed: 10/9/20

**R332, 432, 532, 832 REPORTING OF WASTE AND WRONGDOING IN DISTRICT OPERATIONS  
(WHISTLEBLOWER)**

**Compliance Officer**

For purposes of this Administrative Regulation and the accompanying Board Policy, the Superintendent designates the Assistant to the Superintendent for District Administration as the Compliance Officer.

**Guidelines**

**Employee Education**

All current employees will receive a copy of this Administrative Regulation and the accompanying Board Policy.

All new employees will be required to sign a statement indicating that they have read and understand this Administrative Regulation and the accompanying Board Policy as part of orientation.

The District will periodically inform all employees of this Administrative Regulation and the accompanying Board Policy, including the identification of the Compliance Officer.

**Protection of Employees**

*Persons Not To Be Discharged —*

No employee may be discharged, threatened, or otherwise discriminated or retaliated against regarding the employee's compensation, terms, conditions, location or privileges of employment because the employee or a person acting on behalf of the employee makes a good faith report or is about to report, verbally or in writing, to the employer or to an appropriate authority an instance of wrongdoing or waste.

*Discrimination Prohibited —*

No employee may be discharged, threatened or otherwise discriminated or retaliated against regarding the employee's compensation, terms, conditions, location, or privileges of

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employment because the employee is required by an appropriate authority to participate in an investigation, hearing or inquiry held by an appropriate authority or in a court action.

Reporting Procedure

An employee who has knowledge of or a concern about waste or other wrongdoing, as defined in the accompanying Board Policy, or illegal or dishonest activities reasonably believed to be violations of federal, state or local laws, billing for services not performed or goods not delivered, and/or other fraudulent activity, should contact his or her immediate supervisor. If the behavior of the immediate supervisor is of concern to an employee, the employee is to contact the Superintendent. If the behavior of the Superintendent is of concern to any employee, the employee is to contact the President of the Board. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to further disciplinary action including but not limited to discharge from employment.

Good Faith Reporting

Anyone reporting waste or abuse must act in good faith and have reasonable grounds for believing that there is truth to their report. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with foreknowledge that the allegations were false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

Investigation Procedures

The Compliance Officer shall receive written complaints from employees who allege that this Administrative Regulation or the accompanying Board Policy has been violated. The Compliance Officer shall investigate these complaints and, within fifteen (15) business days of receipt of the complaint, issue a summary of the investigation, a determination of whether the complaint has been substantiated as factual, whether a violation of this Administrative Regulation or the accompanying Board Policy was found, and a recommended disposition of the complaint. A copy of the findings shall be provided to the complainant to the extent permitted by law. The time period may be extended due to extenuating circumstances such as the unavailability of persons with knowledge of the underlying issue or concern.

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If the investigation results in finding that the complaint is factual and constitutes a violation of this Administrative Regulation or the accompanying Board Policy, the District shall take prompt, corrective action to prevent reoccurrence of such action and to correct its effect on the complainant and others, if applicable.

Disciplinary action shall be consistent with Board Policy, Administrative Regulations, applicable collective bargaining agreements, and state and federal laws.

Appeals

- If the complainant is not satisfied with a finding of no violation of this Administrative Regulation or the accompanying Board Policy, or with the corrective action recommended in the investigative report, he or she may submit a written appeal to the Superintendent within thirty (30) days of receipt of the written investigation report.
- The Superintendent will review the investigation and the investigative report, and may also conduct a reasonable investigation.
- The Superintendent shall issue a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to complainant to the extent permitted by law.