



EKA Whistleblower Policy

A whistleblower as defined by this policy is an employee of Explore Knowledge Academy who reports an activity that the employee considers to be illegal, dishonest, or unethical to one or more of the parties specified in this policy. The whistleblower is not responsible for investigating the alleged activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state, or local laws; billing for services not performed or for goods not delivered; other fraudulent financial reporting, risk or actual damage to the environment, danger to someone's health/safety.

If an employee has knowledge of or a concern of illegal, dishonest, or unethical fraudulent activity, the employee is to contact the HR Department or the Superintendent. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to disciplinary action, up to and including termination.

All reports of illegal, dishonest, and unethical activities will be promptly reported to the Superintendent, who is responsible for investigating and coordinating corrective action. Employees with any questions regarding this policy should contact the HR Department.

- I. Whistleblower protections are provided in two important areas -- confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.
- II. Explore Knowledge Academy will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes they are being retaliated against must contact the HR Department or Superintendent immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.
- III. Individuals protected include
 - a. the employee, or a person acting on behalf of the employee, who reports to a public body or is about to report to a public body a matter of public concern; or
 - b. the employee who participates in a court action, an investigation, a hearing, or an inquiry held by a public body on a matter of public concern.



IV. The provisions of this policy do not

- a. Require Explore Knowledge Academy to compensate an employee for participation in a court action or in an investigation, hearing, or inquiry by a public body; or
- b. Prohibit Explore Knowledge Academy from compensating an employee for participation in a court action or in an investigation, hearing, or inquiry by a public body; or
- c. Authorize the disclosure of information that is legally required to be kept confidential.

V. Limitation to protections

- a. An employee is not entitled to the protections under this policy unless they reasonably believe that the information reported is, or is about to become, a matter of public concern; and reports the information in good faith.
- b. An employee is entitled to the protections under this policy only if the matter of public concern is not the result of conduct by the individual seeking protection, unless it is the result of conduct by the employee that was required by their employer
- c. Before an employee initiates a report to the public body on the matter of public concern under this policy, the employee shall submit a written report concerning the matter to the Superintendent or HR Department. However, the employee is not required to submit a written report if they believe with reasonable certainty that the activity, policy, or practice is already known to the Superintendent or HR Department, or that an emergency is involved.



Supplemental information

Definitions

1. *"Whistleblower"* is defined by this policy as an employee who reports, to one or more of the parties specified in this policy, an activity that he/she considers to be illegal, dishonest, unethical, or otherwise improper.
2. *"Employee,"* or *"public employee"* means a person who performs a service for wages or other remuneration under a contract of hire, written or oral, express or implied, for Explore Knowledge Academy.
3. *"Matter or public concern"* means
 - a. a violation of a state, federal, or municipal law, regulation, or ordinance;
 - b. a danger to public health or safety; and/or
 - c. gross mismanagement, substantial waste of funds, or a clear abuse of authority.
4. *"Public Body"* includes an officer or agency of
 - a. the federal government;
 - b. the state;
 - c. a political subdivision of the state including a municipality or a school district;