

PALISADES CHARTER HIGH SCHOOL

WHISTLEBLOWER POLICY

The Board of Trustees believe employees who observe activities or behavior that may violate the law in some manner and who report their observations either to the Board of Trustees, management, designated anonymous hotlines, or to governmental agencies are provided protection from retaliation by their employers under certain laws and under...policy. For example, if an individual files a qui tam lawsuit under the FCA, he/she is entitled to recover damages if he/she is discharged, demoted, suspended, or discriminated against by his/her employer in retaliation for filing the false claims case. In order to recover damages for retaliation by an employer, the courts generally require the following:

- The employee must have been involved in an activity protected by the FCA in furtherance of a qui tam suit;
- The employer must have known of the employee's protected activity; and
- The employer must have retaliated or discriminated against the employee because of those actions.

If a court determines that a relator/whistleblower was terminated or otherwise retaliated against for filing a qui tam lawsuit, the employee is entitled to reinstatement at the same level, and 2 times the back pay owed, plus interest, litigation costs and reasonable attorneys' fees and compensation for any "special damages" sustained as a result of the discrimination.

While there are many state laws that prohibit retaliation, both the California Government and Labor Codes generally prohibit employers from retaliating against employees who disclose information to a government or law enforcement agency where the employee has reason to believe that information discloses a violation of state or federal law or regulation or is in furtherance of a false claims action.

Consistent with these laws, Palisades Charter High School prohibits the discharge, threatening, harassing, demotion, suspension or other discrimination or retaliation against any employee for:

- Disclosing information to a member of the Board of Trustees, administration, management, human resources, the Executive Director or any government or law enforcement agency, that the employee reasonably believes discloses a violation or failure to comply with state or federal laws, rules or regulations;
- Acting as a relator/whistleblower;
- Initiating, assisting or cooperating with Palisades Charter High School or government or law enforcement investigation or proceeding relating to the care, services or conditions, or operations of Pali High; or
- Refusing to engage in conduct that would violate or fail to comply with state or federal laws, rules or regulations.

Employees are protected from retaliation, even if they engaged in this legally protected conduct at a previous employer.

All concerns regarding retaliation should be immediately reported by Palisades Charter High School employees to one of the following:

- Executive Director, principal, or other individual in their line management;
- Board of Trustee member;
- Human Resources Director for Recruitment, Employee/Labor Relations and Workforce Planning;
- Chief Business Officer; or
- Anonymous School Compliance 'hotline' or post office address

As stated above, employees who engage in the protected activities described in this policy are protected from retaliation based upon those activities. However, employees should not expect to use the complaint procedure set forth in this policy as a means of avoiding discipline for matters that are unrelated to any protected activity.

Palisades Charter High School encourages its employees, agents and contractors to use its School's Compliance hotline, which allows anonymous reporting of suspected unlawful and fraudulent activity. Employees may also report suspected unlawful activity and/or retaliation against them for legally protected conduct to any governmental agency, including the California Attorney General's Whistleblower Hotline at (800) 952-5225.

Adopted [December 14, 2010]