

# REVISED

## PROHIBITION AGAINST RETALIATION

Policy Code: 1760/7280

1 Members of the Transylvania County Board of Education (the “board”) and employees are  
2 expected to be honest and ethical in the performance of their duties and to comply with  
3 applicable federal, state, and local laws, policies, and regulations. The board encourages  
4 employees to report possible financial improprieties, ethical violations, and other illegal practices  
5 and intends that employees who report such matters in good faith will not be subject to  
6 retaliation or other adverse employment consequences.

7  
8 If an employee reasonably believes that (1) there has been a violation of federal, state, or local  
9 law, policy, or regulation, public policy, or an individual’s ethical duties and (2) the violation is  
10 due to a practice, policy, act, or omission of the board of education, an individual board member,  
11 a school system employee, or an entity/person with whom the school system has a business  
12 relationship, the employee should report that matter in accordance with policy 1750/7220,  
13 Grievance Procedure for Employees, unless a policy with a more specific reporting or complaint  
14 procedure applies. Any complaint alleging a violation by the superintendent or the board should  
15 be filed with the board chair for investigation. The board chair will report the complaint to the  
16 board, and the board will authorize a prompt and thorough investigation or other action as  
17 necessary.

18  
19 The board prohibits and will not tolerate any form of reprisal, retaliation, or discrimination  
20 against any employee who (1) in good faith, has made or intends to make a report of wrongdoing  
21 described in this policy; or (2) has refused to carry out a directive which may constitute a  
22 violation of federal, state, or local law, policy, or regulation, or poses a substantial or specific  
23 danger to public health and safety.

24  
25 To be protected by this policy, employees who report violations or suspected violations must be  
26 acting in good faith based on a reasonable belief that the reported information represents ~~an~~  
27 ~~unlawful activity, policy, or practice~~ wrongdoing of the sort described in this policy. The  
28 protection extends to those whose allegations are made in good faith but prove to be mistaken.  
29 The board reserves the right to discipline employees who know or have reason to believe that the  
30 report is inaccurate. Further, except as otherwise required by law, the provisions of this policy  
31 apply only to those situations in which an employee brings the alleged ~~unlawful activity, policy,~~  
32 ~~or practice~~ wrongdoing to the attention of school officials or the board and provides school  
33 officials or the board with a reasonable opportunity to investigate and correct the alleged  
34 ~~unlawful activity~~ wrongdoing. If necessary, school officials or the board may specify reasonable  
35 steps to protect the complaining employee from retaliation.

36  
37 Each employee will receive a copy of this policy and sign a statement verifying his or her receipt  
38 and understanding of this policy.

39  
40 Legal References: Sarbanes-Oxley Act, 18 U.S.C. 1513(e); G.S. 115C-335.5; 126-5(c5), -84, -  
41 85, -86, -87, -88

42  
43 Cross References: Discrimination and Harassment Prohibited by Federal Law (policy  
44 1710/4020/7230), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process

# REVISED

## PROHIBITION AGAINST RETALIATION

*Policy Code:* **1760/7280**

---

45 (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy  
46 1726/4036/7237), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231),  
47 Grievance Procedure for Employees (policy 1750/7220), Code of Ethics for School Board  
48 Members (policy 2120), Board Member Conflict of Interest (policy 2121), Ethics and the  
49 Purchasing Function (policy 6401/9100), Discrimination and Harassment in the Workplace  
50 (policy 7232), Staff Responsibilities (policy 7300), Employee Conflict of Interest (policy 7730)

51

52 Adopted: January 21, 2014

53

54 Revised: September 21, 2015; May 16, 2016; February 15, 2021; DATE