

REPORTING OF FRAUD AND OTHER IMPROPER GOVERNMENTAL ACTIVITIES

Community college employees, when performing their duties, have an obligation to be vigilant of wrongdoing by others and to report in good faith what they reasonably believe to be evidence of improper governmental activities. “Improper governmental activities” as used in this policy is defined in Education Code section 87162(c) which provides:

- (c) “Improper governmental activity” means an activity by a community college or by an employee that is undertaken in the performance of the employee’s official duties, whether or not that activity is within the scope of his or her employment, and that meets either of the following descriptions:
 - (1) The activity violates a state or federal law or regulation, including, but not limited to, corruption, malfeasance, bribery, theft or government property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of government property, or willful omission to perform duty.
 - (2) The activity is economically wasteful or involves gross misconduct, incompetency, or inefficiency.

Such report shall be submitted in writing to the Vice President, Business Services, or his or her designee, unless the reporting employee (“employee”) has reason to believe that the Vice President/ designee may be involved in the improper governmental activity, in which case the employee shall submit his/her report in writing to the college President or his/her designee. If the employee has reason to believe that the President or his or her designee may be involved in the improper governmental activity, he or she shall submit the report in writing to the President of the Governing Board.

The administrator who received the employee’s report of improper governmental activities shall provide the employee with a copy of Education Code sections 87160-87164 (Reporting by Community College Employees of Improper Governmental Activities Act) and shall inform the employee of his/her right to be free of retaliation by District employees for having filed his report.

Upon receipt of an employee report hereunder, the administrator, Board member or their designees will take all steps necessary to investigate the report and prepare a written decision containing its findings and conclusions on the issues. The employee shall be advised in writing of the District’s decision.

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