

Book	Policy Manual
Section	Board
Title	Protection for Reporting Safety and Fraud Violations (Whistleblowers)
Code	EBCE
Status	
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Protection for Reporting Safety and Fraud Violations (Whistleblowers)

The Board is concerned with the safety of everyone present on District property and has directed the Superintendent/designee to develop and maintain a comprehensive safety plan, in accordance with State law, that addresses potential safety issues that may arise within the District.

In addition to the comprehensive safety plan, staff members are encouraged to participate in the safety practices of the District by providing recommendations that ensure a safe environment for all.

The Board also is concerned with the prevention of fraud, including the misuse and misappropriation of public money. **In accordance with State law, all employees and Board members are provided with training materials detailing the Auditor of State's (AOS) fraud reporting system and the means of reporting fraud, waste and abuse. New employees and Board members must confirm receipt of the materials within 30 days of beginning employment or taking office. Employees and Board members must complete the training every four years. The District maintains records verifying receipt of materials using the form provided by AOS.**

The Board shall put forth its best efforts in prevention and correction of safety and fraud issues; however, there may be times when such violations may occur. Staff members who report these violations in good faith have the right to do so without any retaliation by the Board, District administrators or other staff members.

Timely notification to AOS via the AOS fraud reporting system or other means must be made by the following individuals if, during their term of office or in the course of their employment, they become aware of fraud, theft in office or the misuse or misappropriation of public money as defined in State law:

1. **Board members;**
2. **employees with a fiduciary duty to the District;**
3. **employees in a supervisory position;**
4. **employees of District departments or offices that are responsible for processing any revenue or expenses of the District.**

The Board does not condone, nor does it tolerate, any act of discrimination, harassment or other acts of retaliation at any time for the reporting of safety and fraud violations. Staff members in violation of this policy will be disciplined in accordance with the negotiated agreement, Board policy and/or State law.

Legal References
 ORC 117.01
 ORC 117.103
 ORC 124.341

ORC 4113.52

Cross References

EB - Safety Program

EBC - Emergency Management and Safety Plans

Emergency/Safety Plans Handbook

NOTE: Ohio Revised Code Section (RC) 4113.52 contains the provisions for:

- the protection of employees who report safety violations (whistleblowers);
- what should happen if the District does not correct the violations;
- notifying the employees who report violations of the status of those violations;
- the prohibitions against retaliation for making reports and
- legal remedies for retaliation.

A summary of these prohibitions is outlined in the regulation that follows.

RC 117.103 requires the Auditor of State (AOS) to maintain a system for the reporting of fraud, including the misuse of public money by a public office or public official. The system allows anonymous complaints to be made through a toll-free telephone number, the AOS's website or through the U.S. mail.

It requires the AOS to maintain a log that contains:

- the date the complaint was received;
- a general description of the complaint;
- the public office or agency against whom the complaint is directed and
- a general description of the status of the review by the Auditor's office.

AOS must develop training materials detailing Ohio's fraud reporting system and the means of reporting fraud, waste and abuse that are as concise as practicable. AOS must provide the training materials to school employees and Board members. Each new employee and Board member must confirm receipt of this material within 30 days of beginning employment or taking office and every four years thereafter.

Districts are audited for compliance with the requirement to provide employees and public officials with the training materials. Districts should use the model AOS forms to track compliance.

Under RC 4113.52, as revised by Senate Bill 91, timely notification to AOS via the AOS fraud reporting system or other means must be made by defined individuals if, during their term of office or in the course of their employment, they become aware of fraud, theft in office or the misuse or misappropriation of public money.

Misappropriation of public money is defined as "knowingly using public money or public property for an unauthorized, improper, or unlawful purpose to serve a private or personal benefit or interest."

Misuse of public money is defined as "knowingly using public money or public property in a manner not authorized by law."

Legal

[ORC 117.01](#)[ORC 117.103](#)[ORC 124.341](#)[ORC 4113.52](#)