

<p><b>TUCSON UNIFIED</b> SCHOOL DISTRICT</p> <p><b>GOVERNING BOARD POLICY</b></p>	<p><b>POLICY TITLE:</b></p> <p>Prohibited Personnel Practices</p>
	<p><b>POLICY CODE: GBP</b></p>

**Retaliation Prohibited**

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No district employee shall retaliate against an employee for the employee’s disclosure to a public body when the employee reasonably believes there has been a violation of law and/or mismanagement, gross waste of public monies or an abuse of authority. Retaliation is any adverse treatment of an individual because he or she disclosed to a public body a violation of law and/or mismanagement, gross waste of public monies or an abuse of authority. When the adverse treatment is reasonably likely to deter the individual or others from making such disclosures to a public body, it is grounds for discipline of the employee engaging in the retaliatory conduct. Retaliation, intimidation or harassment is strictly prohibited and will not be tolerated.

Any employee or former employee who believes that a district employee has retaliated against the employee for disclosure to a public body when the employee reasonably believes there has been a violation of law and/or mismanagement, gross waste of public monies or an abuse of authority shall make a complaint to the Governing Board in accordance with A.R.S. §38-532.

An employee who knowingly makes false accusations of retaliation or who knowingly makes false accusations that a district employee has engaged in a violation of any law, mismanagement, gross waste of monies, an abuse of authority or false accusation of retaliation for making disclosure as set forth above, is subject to disciplinary action, including dismissal. Pursuant to A.R.S. §38-532, an employee who knowingly makes a false accusation that a district employee has engaged in a violation of any law, mismanagement, a gross waste of monies or an abuse of authority is subject to a civil penalty of up to \$25,000.

**District Records Concerning Eligibility for Rehire**

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The District shall not designate, label or code in any record of the District that an employee or former employee is ineligible for rehire by the District.

Information contained in records kept and maintained by the District in accordance with

Board Policy GBJ, including but not necessarily limited to an applicant's evaluation, letters of direction, disciplinary action taken, terminations for cause, separation agreements or resignations, may be considered by hiring administrators in screening applicants that are reapplying for positions in the District.

A copy of this Policy shall be provided to employees in advance of signing a separation agreement.

Adopted: February 12, 2008

Revised: December 12, 2012 [cross reference correction only]

Reviewed: May 28, 2013 [legal ref added]

Revised: \_\_\_\_\_.

**LEGAL REF.:** A.R.S. § 15-514, 23-425, 38-532, 41-785

**CROSS REF.:**

AC – Nondiscrimination

GBA – Equal Employment Opportunity

JB – Equal Educational Opportunities