

**South Central Los Angeles Regional Center (SCLARC)
BOARD POLICY**

Policy Title: Whistleblower Policy

Policy Number: 051909

Date Approved: November 15, 2011

BOARD COMMITTEE RESPONSIBLE FOR THIS POLICY:

The Executive Committee

PURPOSE:

This policy is established to ensure that consumers, families, service providers, agencies, community members, and regional center staff can report suspicions, concerns, or evidence of illegal, unethical or other inappropriate activity without fear of retaliation.

POLICY:

Definition of Regional Center or Vendor/Contractor Whistleblower Complaints:

Regional Center or Vendor/Contractor Whistleblower complaints are defined as the reporting of an “improper regional center or vendor/contractor activity”.

- An “improper regional center activity” means an activity by a regional center or an employee, officer, or board member of a regional center, in the conduct of regional center business, that is in a violation of a state or federal law or regulation; violation of contract provisions; fraud or fiscal malfeasance; misuse of government property; or constitutes gross misconduct, incompetency, or inefficiency.
- An “improper vendor/contractor activity” means an activity by a vendor/contractor or an employee, officer, or board member of a vendor/contractor, in the provision of the Department of Developmental Services (DDS) funded services, that is in a violation of a state or federal law or regulation; violation of contract provisions; fraud or fiscal malfeasance; misuse of government property; or constitutes gross misconduct, incompetency, or inefficiency.

Complaint may be filed with SCLARC staff by contacting:

1. Executive Director – South Central Los Angeles Regional Center, 2500 South Western Ave., L.A., CA 90018, (213) 744-8412 dexterh@sclarc.org, Fax (213) 744-8412
- ~~2. Director, Administration – royd@sclarc.org, (213) 744 8484, Fax (213) 744 8484~~
3. Director, Consumer Supports Adult– jessier@sclarc.org, (213) 744-7003, Fax (213) 744-7003
4. Director, Consumer Support Children – jenicet@sclarc.org, (213) 744-8465, Fax (213) 744-8465
5. Director, Community Services and Family Supports – cheryllem@sclarc.org, (213) 744-8454, (213) 744-8454
- ~~6. Assistant Director, DCAS – jesser@sclarc.org, (213) 744 7068, Fax (213) 744 7068~~
7. Director, Clinical – maricelc@sclarc.org, (213) 765-3891, Fax (213) 765-3891
- ~~8. Program Manager II, Clinical Services – fezems@sclarc.org, (213) 744 8850, Fax (213) 744 8850~~
- ~~9. Chief, Community Services – kimb@sclarc.org, (213) 744 8454, Fax (213) 744 8454~~

10. Human Resources Director – karmellw@sclarc.org, (213) 744-8425, Fax (213) 744-8425

11. Fair Hearing Manager – tamis@sclarc.org, (213) 744-8899, Fax (213) 744-8899

Complaints may also be filed with DDS contacting:

- Community Operations Division (916) 654-1958, Fax (916) 654-1987, 1600 9th Street, Room 320, MS3-9, Sacramento, CA 95814.
- Community Services and Supports Division (for Early Start Program Services) (916) 654-2716, Fax (916) 654-3020, 1600 9th Street, Room 340, MS 3-24, Sacramento, CA 95814.

Filing a Complaint with the Board of Directors:

A complaint may also be filed with the President of SCLRC’s Board of Directors by contacting: ~~William West~~ Jesus Murillo via SCLARC’s Board Liaison rosmeryp@sclarc.org or via telephone at (213) 744-8877.

Filing a Complaint Anonymously:

An anonymous complaint may be lodged by placing the complaint in the SCLARC mailbox located in the parking lot outside of its headquarters. Address the complaint to any of SCLARC staff listed above.

1. NO RETALIATION

No individual who reports a violation of the law shall suffer harassment, retaliation or adverse consequence. A SCLARC staff member who retaliates against someone who has reported a violation is subject to discipline up to and including immediate termination of employment. This Whistleblower Policy is intended to encourage and enable consumers, families, service providers, agencies, community members, and SCLARC staff to report serious concerns within SCLARC prior to seeking resolution outside of the agency.

2. REPORTING VIOLATIONS

SCLARC has an open door policy and suggests that board members, directors, officers, employees and parents share their questions, concerns, suggestions or complaints, or evidence of wrongdoing, with someone who can address them properly. In most cases, an employee’s supervisor is in the best position to address an area of concern. However, if an employee is not comfortable speaking with his/her supervisor or the employee is not satisfied with his/her supervisor’s response, he/she is encouraged to speak with someone in the Human Resources Department or anyone in management whom he/she is comfortable in approaching. Supervisors and managers are required to report suspected violations of the Code to SCLARC’s Human Resources Director who will determine if referral is needed to Executive Boards Member Committee, who have specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when a person is not satisfied or uncomfortable with reporting to the aforementioned people, or following the SCLARC’s open door policy, individuals should contact the SCLARC’s Executive Board Member Committee directly.

3. ACCOUNTING AND AUDITING MATTERS

The Executive Committee, comprised of officers from SCLARC’s board of directors, shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Executive Committee shall immediately notify Boards of Directors of any such complaint and work until the matter is resolved.

4. CONFIDENTIALITY

SCLARC will do everything possible to maintain the confidentiality of a complainant making a whistleblower complaint if the complainant requests confidentiality. However, in the rare circumstances where SCLARC is unable to maintain confidentiality due to its statutory responsibilities (including ensuring the health and safety of consumers and regional center contract compliance), SCLARC will attempt to inform the complainant of its need to disclose certain information prior to releasing identifying information. Additionally, the identity of the complainant may be revealed to appropriate law enforcement agencies conducting a criminal investigation. All mandatory abuse reporting requirements will remain in effect as an exception to confidentiality.

5. NOTIFICATION OF WHISTLE BLOWER POLICY

SCLARC will notify employees, board members, consumers, families, and vendor community of both SCLARC's and the State Whistleblower policy within 30 days of SCLARC's effective date and annually thereafter by the following manner:

- Employees will receive an initial e-mail with attachments of the policies. Subsequently, employees will be reminded of the policy existence at the time they sign their annual performance evaluation policy review statement.
- Board Members will receive copies of the policies in their Board Packets and they will also receive an update during SCLARC's annual board meeting.
- Clients and families will receive a hard copy by mail their annual Services Cost Statement.
- The vendor community will receive copies in their invoices. Copies will also be distributed at the Vendor Advisory Committee Meeting.
- The Whistleblower Policy will be added to SCLARC's external website located at www.sclarc.org.

6. HANDLING OF REPORTED VIOLATIONS

A SCLARC Director or Executive Committee member will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

South Central Los Angeles Regional Center, Inc., reserves the right to employ its legal counsel in order to facilitate the investigation of complaints lodged against the regional center, its vendors or its staff.