



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



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PUBLIC INSTRUCTION

February 11, 2010

MEMORANDUM

TO: Intermediate and Local School District Superintendents, Public School Academy Administrators, and Other Non-School Recipients

FROM: Carol Wolenberg, Deputy Superintendent *Carol*

SUBJECT: The American Recovery and Reinvestment Act (ARRA) and the Whistleblower Protection Act

Section 1553 of Division A, Title XV of the American Recovery and Reinvestment Act of 2009, P.L. 111-5, provides protections for certain individuals who make specific disclosures about uses of Recovery Act funds.

Who is protected?

Employees of non-federal employers receiving Recovery funds, including: state and local governments, contractors, subcontractors, grantees, and professional membership organizations acting in the interest of Recovery fund recipients.

What are whistleblowers protected from?

Being discharged, demoted, or otherwise discriminated against as a reprisal for making a protected disclosure.

What kinds of disclosures are protected?

To be protected, the disclosure must be made by the employee to one of the following: the Recovery Accountability and Transparency Board, an Inspector General, the Comptroller General of the United States, a Member of Congress, a state or federal regulatory or law enforcement agency, a person with supervisory authority over the employee, a court or grand jury, or the head of a federal agency or his/her representatives.

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What must the disclosure include?

The disclosure must include evidence of one of the following: gross mismanagement of a Recovery contract or grant, gross waste of Recovery funds, a substantial and specific danger to public health or safety as related to the use of Recovery funds, an abuse of authority related to the use of Recovery funds, a violation of law, rule, or regulation related to an agency Recovery contract or grant.

How do I report a whistleblower reprisal complaint?

If you have a reprisal complaint, use the online complaint form available at <http://www.recovery.gov/Contact/ReportFraud/Pages/fwa.aspx>.

All Recovery Act job sites must post signage of whistleblower protections available at <http://www.recovery.gov/Contact/ReportFraud/Documents/Whistleblower+Poster.pdf>.

In addition, all Recovery Act job sites are encouraged to post signage of the Recovery Act Fraud Hotline available at <http://www.recovery.gov/Contact/ReportFraud/Documents/RecoveryAct%20FraudHotlinePoster-RATBLogo.pdf>.

Questions regarding the content of this memo may be directed to the Grants Administration and Coordination Unit at (517) 373-1806.

cc: William Mayes, MASA
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