



Office of the Washington State Auditor
Pat McCarthy

Whistleblower Investigation Report
Community Colleges of Spokane

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February 11, 2019

Christine Johnson
Community Colleges of Spokane

Report on Whistleblower Investigation

Attached is the official report on Whistleblower Case No. 19-006 at the Community Colleges of Spokane.

The State Auditor's Office received an assertion of improper governmental activity at the College. This assertion was submitted to us under the provisions of Chapter 42.40 of the Revised Code of Washington, the Whistleblower Act. We have investigated the assertion independently and objectively through interviews and by reviewing relevant documents. This report contains the result of our investigation.

If you are a member of the media and have questions about this report, please contact Director of Communications Kathleen Cooper at (360) 902-0470. Otherwise, please contact Assistant Director of State Audit Troy Niemeyer at (360) 725-5363.

Sincerely,

Pat McCarthy
State Auditor
Olympia, WA

cc: Governor Jay Inslee
Lisa Hjaltalin, Chief Financial Officer
Kate Reynolds, Executive Director, Executive Ethics Board
Jacque Hawkins-Jones, Investigator

WHISTLEBLOWER INVESTIGATION REPORT

Assertions and Results

Our Office received a whistleblower complaint that a Community Colleges of Spokane (College) professor (subject) extended a special privilege to her son when she broke an established contract with a vendor and hired her son to complete the work. The vendor was contracted to care for plants on campus.

We found no reasonable cause to believe an improper governmental action occurred.

About the Investigation

Our Office reviewed emails and documentation between September 1, 2017, and September 30, 2018.

The College notified our Office that the vendor went out of business in July 2018. The College also said there was no contract with the vendor; the College used purchase orders to facilitate payment for work.

Email conversations between the subject and her supervisor discussed the need for a student to care for the plants during the summer months. In April 2018, the subject notified her supervisor that the student scheduled to care for the plants during the summer received a job offer out of state and would be unable to care for the plants as expected. The subject said her son was available to assist on a part-time basis for the summer.

During an interview, the subject said her supervisor asked her to “beautify” the building to enhance and promote the College’s life sciences program. This meant bringing in unusual plants to grow and care for in the Science Building. Although the vendor cared for all plants on campus, she said some of the more unusual plants started to die. She recalled speaking with some of the vendor’s employees, who said they did not know how to properly care for those types of plants. With the approval of her supervisor, the subject said she began to care for the plants on her own.

The subject said she had students assisting her with plant care, especially during the summer months when she was gone. She only suggested her son as an option because he has worked at the College before and she needed to find someone to care for the plants quickly.

We spoke with the supervisor, who agreed that he requested the subject beautify and enhance the plants in the greenhouse. He also agreed to her caring for the plants in the greenhouse to avoid losing any of them.

Regarding the son’s employment, the supervisor said the subject does not have the authority to hire at the College. The approval to hire the son came from him. He agreed to hire her son on a part-time basis because they were in need of immediate support. He said he directly supervised the subject’s son and approved his timesheets.

The supervisor said the son's employment would end in November 2018 and that the College was in the process of hiring a full-time student to take over the responsibilities.

Regarding the assertion that the subject broke an established contract, the subject said she never directly dealt with the vendor. She only discussed plant care with some of the workers who handled plants for the life sciences program, which her supervisor agreed to. She said she did not break any contract with the vendor nor does she have that authority.

Because there was no established contract in place for the subject to break, and we found the supervisor hired the subject's son part-time, we found no reasonable cause to believe an improper governmental action occurred.

State Auditor's Office Concluding Remarks

We thank College officials and personnel for their assistance and cooperation during the investigation.

WHISTLEBLOWER INVESTIGATION CRITERIA

We came to our determination in this investigation by evaluating the facts against the criteria below:

RCW 42.52.070 – Special privileges.

Except as required to perform duties within the scope of employment, no state officer or state employee may use his or her position to secure special privileges or exemptions for himself or herself, or his or her spouse, child, parents, or other persons.

RCW 42.52.160(1) – Use of persons, money, or property for private gain.

(1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.