

Bond Case Briefs

Municipal Finance Law Since 1971

WHISTLEBLOWER ACT - TEXAS

College of the Mainland v. Meneke

Court of Appeals of Texas, Houston (14th Dist.) - January 23, 2014 - S.W.3d - 2014 WL 257882

Former employee of public junior college, who worked as information security officer, brought retaliatory discharge claim against college under the Texas Whistleblower Act, alleging that he was fired in retaliation for reporting to auditors that another college employee had inappropriate access to college's computer systems. College filed plea to the jurisdiction, asserting governmental immunity. The District Court denied plea. College appealed.

The Court of Appeals held that:

- College's internal policies regarding computer usage were not "law" within meaning of Whistleblower Act, and thus, report of alleged violation of such policies was not a report of a violation of "law" entitled to protection under Act, and
- Complained-of conduct, namely other employee's inappropriate access to college's computer systems, did not constitute violation of law prohibiting tampering with government records, and thus, report of such conduct was not a report of a "violation" of law entitled to protection under Whistleblower Act.