



Heather Fiorentino
Superintendent

School Board Members

Allen Altman
District 1

Joanne Hurley
District 2

Cathi Martin
District 3

Kathryn Starkey
District 4

Frank Parker
District 5

Ethical Standards for School Board Employees

District School Board of Pasco County Employee Relations Department

Kevin Shibley, Esq., Director	(813) 794-2503
Bryan Jack, Supervisor	(813) 794-2385
Elizabeth Kuhn, Esq., Supervisor	(813) 794-2321

Employee Packet

Ethics brochure: “The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida”

Reporting brochure: “Identifying and Reporting Educator Misconduct”

Florida Statute 1012.315

Pasco’s Ethical Standards Overview Acknowledgement Form

Websites Referenced in the Presentation

www.myfloridateacher.com

(for State statutes and State Board Rules)

www.myfloridateacher.com/discipline/summary.aspx

(Florida Educator Misconduct Search Tool)

The Ethical Standards presentation is available on the Employee Relations Website.

*For confidential questions, talk with your administrator
or call the Employee Relations Department for an appointment.*

Ethics brochure: “The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida”

of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within 48 hours after the final judgement. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of Sections 943.0585(4)(c) and 943.059(4)(c), Florida Statutes.

(n) Shall report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1), Florida Statutes.

(o) Shall seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1), Florida Statutes.

(p) Shall comply with the conditions of an order of the Education Practices Commission.

(q) Shall, as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

State Board of Education Rule 6B-1.001, FAC

The Code of Ethics of The Education Profession in Florida

(1) The educator values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.

(2) The educator's primary professional concern will always be for the student and for the development of the student's potential. The educator will therefore strive for professional growth and will seek to exercise the best professional judgement and integrity.

(3) Aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community, the educator strives to achieve and sustain the highest degree of ethical conduct.


Adams v. State of Florida Professional Practices Council, 406 So 2nd 1170 Fla. 1st DCA 1981

“By virtue of their leadership capacity, teachers are traditionally held to a high moral standard in a community.”

For further information call or write:
Bureau of Educator Recruitment,
Development and Retention
325 West Gaines Street, Suite 124
Tallahassee, FL 32399
(850)245-0441, SUNCOM 205-0441

The Code of Ethics and The Principles of Professional Conduct of The Education Profession in Florida

Professionalism Through Integrity



Florida Department of Education
www.fldoe.org

The Principles of Professional Conduct of The Education Profession in Florida

(1) The following disciplinary rule shall constitute the Principles of Professional Conduct of the Education Profession in Florida.

(2) Violation of any of these principles shall subject the individual to revocation or suspension of the individual educator's certificate, or the other penalties as provided by law.

(3) **Obligation to the student requires that the individual:**

- (a) Shall make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.
- (b) Shall not unreasonably restrain a student from independent action in pursuit of learning.
- (c) Shall not unreasonably deny a student access to diverse points of view.
- (d) Shall not intentionally suppress or distort subject matter relevant to a student's academic program.
- (e) Shall not intentionally expose a student to unnecessary embarrassment or disparagement.
- (f) Shall not intentionally violate or deny a student's legal rights.
- (g) Shall not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.

(h) Shall not exploit a relationship with a student for personal gain or advantage.

(i) Shall keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.

(4) **Obligation to the public requires that the individual:**

- (a) Shall take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.
- (b) Shall not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.
- (c) Shall not use institutional privileges for personal gain or advantage.
- (d) Shall accept no gratuity, gift, or favor that might influence professional judgement.
- (e) Shall offer no gratuity, gift, or favor to obtain special advantages.

(5) **Obligation to the profession of education requires that the individual:**

- (a) Shall maintain honesty in all professional dealings.
- (b) Shall not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.
- (c) Shall not interfere with a colleague's exercise of political or civil rights and responsibilities.
- (d) Shall not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with

the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and further, shall make reasonable effort to assure that each individual is protected from such harassment or discrimination.

(e) Shall not make malicious or intentionally false statements about a colleague.

(f) Shall not use coercive means or promise special treatment to influence professional judgement of colleagues.

(g) Shall not misrepresent one's own professional qualifications.

(h) Shall not submit fraudulent information on any document in connection with professional activities.

(i) Shall not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.

(j) Shall not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.

(k) Shall provide upon the request of the certificated individual, a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.

(l) Shall not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these Principles of Professional Conduct of the Education Profession in Florida and other applicable Florida Statutes and State Board of Education Rules.

(m) Shall self-report within 48 hours to appropriate authorities (as determined by district) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission

Identifying & Reporting Professional Misconduct



"Teaching is the profession that teaches all the other professions."

--Author Unknown

Florida Department of Education
Office of Professional Practices Services

The following behavior may be indicative of misconduct that should be reported:

- being alone with a student in dark or closed room or secluded area
- behaving in an overly friendly or familiar way or failing to maintain an appropriate professional boundary with a student
- using forceful or unnecessary physical contact with a student
- administering discipline not compliant with district policy
- accepting or offering of gifts for return of a favor or privilege from students or colleagues
- badgering or habitually teasing a student
- mocking or belittling a student
- chronically embarrassing a student
- displaying prejudice or bigotry against a student
- suspicion of being under the influence of drugs or alcohol
- failing to properly supervise students or to ensure student safety
- cheating, falsifying information or testing violations
- retaliating against a student or colleague for reporting misconduct
- bantering or engaging in colloquial or slang communications with a student
- directing or using profane, offensive, or explosive language in the presence of students
- making lewd or suggestive comments or overtures toward a student or colleague

Apply the litmus test

1. If you feel uncomfortable
2. If you question the person's motives or actions
3. If you are unsure

Protect the students and yourself and report.

HOW TO REPORT MISCONDUCT

- Report allegations or suspicion of misconduct by an instructional personnel member to your school administrator or district contact
- Report allegations or suspicion of misconduct by your school administrator to your district contact
- Document the activities or details of the event
- Secure evidence (if applicable)

WHO SHOULD REPORT MISCONDUCT?

All employees and agents of a district school board, charter school or private school have a duty to report misconduct

If you are aware of or observe misconduct

REPORT IT IMMEDIATELY!

WHO SHOULD YOU REPORT?

- Classroom teachers
- Paraprofessionals
- Substitute teachers
- Librarians, guidance counselors and social workers
- Career specialists and school psychologists
- Principals, Assistant Principals and Deans

**If someone tells you
about misconduct, be
a LEADER:**

Listen

Evaluate

Act immediately

Document

Encourage

Report

**FAILURE TO REPORT
MISCONDUCT**

Possible penalties for instructional personnel or site administrators who fail to report misconduct may include:

- Written Reprimand
- Suspension with or without pay
- Termination of employment
- Discipline/Sanctions on an educator's certificate

"A teacher affects
eternity...he can never tell
where his influence stops."

~Henry B. Adams

**FLORIDA STATUTES
AND RULES**

Florida Statutes s. 1006.061 states all employees and agents of the district school board, charter schools and private schools that accept scholarship students, have an obligation to report misconduct by an instructional personnel member or school administrator

Florida Statutes s. 1012.33 outlines disciplinary procedures regarding district employment contracts with instructional personnel staff, supervisors and school principals

Florida Statutes s. 1012.795 provides the Education Practices Commission the authority to issue disciplinary action against an individual's Florida Educator certificate

Florida Statutes s. 1012.796 provides authority for the Department of Education to investigate and prosecute allegations of educator misconduct

Florida Statutes s. 1012.01 defines public school instructional personnel, administrative personnel, school volunteers, education support employees and managers

State Board of Education Rule 6B-1.001 defines the Code of Ethics of the Education Profession in Florida

State Board of Education Rule 6B-1.006 defines the Principals of Professional Conduct of the Education Profession in Florida

**FOR FURTHER
INFORMATION:**

CONTACT:

Florida Department of Education
Office of Professional Practices Services
Turlington Building
325 West Gaines Street
(850)245-0438

www.myfloridateacher.com

Brevard Public Schools
2700 Judge Fran Jamieson Way
Viera, FL 32940
Ethics Hotline 321.633.1000 ext.170
www.speakouthotline.org

Current Statute and State Board Rules

The 2008 Florida Statutes

Title XLVIII K-20 EDUCATION CODE

Chapter 1012 PERSONNEL

[View Entire Chapter](#)

1012.315 Disqualification from employment.--A person is ineligible for educator certification, and instructional personnel and school administrators, as defined in s. 1012.01, are ineligible for employment in any position that requires direct contact with students in a district school system, charter school, or private school that accepts scholarship students under s. 220.187 or s. 1002.39, if the person, instructional personnel, or school administrator has been convicted of:

- (1) Any felony offense prohibited under any of the following statutes:
 - (a) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.
 - (b) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.
 - (c) Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.
 - (d) Section 782.04, relating to murder.
 - (e) Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.
 - (f) Section 784.021, relating to aggravated assault.
 - (g) Section 784.045, relating to aggravated battery.
 - (h) Section 784.075, relating to battery on a detention or commitment facility staff member or a juvenile probation officer.
 - (i) Section 787.01, relating to kidnapping.
 - (j) Section 787.02, relating to false imprisonment.
 - (k) Section 787.025, relating to luring or enticing a child.
 - (l) Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.
 - (m) Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

- (n) Section 790.115(1), relating to exhibiting firearms or weapons at a school-sponsored event, on school property, or within 1,000 feet of a school.
- (o) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon at a school-sponsored event or on school property.
- (p) Section 794.011, relating to sexual battery.
- (q) Former s. 794.041, relating to sexual activity with or solicitation of a child by a person in familial or custodial authority.
- (r) Section 794.05, relating to unlawful sexual activity with certain minors.
- (s) Section 794.08, relating to female genital mutilation.
- (t) Chapter 796, relating to prostitution.
- (u) Chapter 800, relating to lewdness and indecent exposure.
- (v) Section 806.01, relating to arson.
- (w) Section 810.14, relating to voyeurism.
- (x) Section 810.145, relating to video voyeurism.
- (y) Section 812.014(6), relating to coordinating the commission of theft in excess of \$3,000.
- (z) Section 812.0145, relating to theft from persons 65 years of age or older.
- (aa) Section 812.019, relating to dealing in stolen property.
- (bb) Section 812.13, relating to robbery.
- (cc) Section 812.131, relating to robbery by sudden snatching.
- (dd) Section 812.133, relating to carjacking.
- (ee) Section 812.135, relating to home-invasion robbery.
- (ff) Section 817.563, relating to fraudulent sale of controlled substances.
- (gg) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.
- (hh) Section 825.103, relating to exploitation of an elderly person or disabled adult.
- (ii) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person.
- (jj) Section 826.04, relating to incest.
- (kk) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.
- (ll) Section 827.04, relating to contributing to the delinquency or dependency of a child.
- (mm) Section 827.071, relating to sexual performance by a child.

- (nn) Section 843.01, relating to resisting arrest with violence.
- (oo) Chapter 847, relating to obscenity.
- (pp) Section 874.05, relating to causing, encouraging, soliciting, or recruiting another to join a criminal street gang.
- (qq) Chapter 893, relating to drug abuse prevention and control, if the offense was a felony of the second degree or greater severity.
- (rr) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.
- (ss) Section 944.47, relating to introduction, removal, or possession of contraband at a correctional facility.
- (tt) Section 985.701, relating to sexual misconduct in juvenile justice programs.
- (uu) Section 985.711, relating to introduction, removal, or possession of contraband at a juvenile detention facility or commitment program.
- (2) Any misdemeanor offense prohibited under any of the following statutes:
 - (a) Section 784.03, relating to battery, if the victim of the offense was a minor.
 - (b) Section 787.025, relating to luring or enticing a child.
- (3) Any criminal act committed in another state or under federal law which, if committed in this state, constitutes an offense prohibited under any statute listed in subsection (1) or subsection (2).
- (4) Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(a)1.d.

History.--s. 26, ch. 2008-108.



Worksite	Employee Name (Please Print)
Social Security Number	Personal Telephone Number

Pasco's Ethical Standards Overview Acknowledgement Form

I acknowledge that I have:

1. viewed Pasco County's Ethical Standards video presentation, and
2. received a copy of "The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida."

In addition, I have been provided the opportunity to ask questions about this information and been informed of resources for additional information.

Principal or Worksite Supervisor

Employee Signature

Date

Completed forms are to be sent to Dr. Renee Sedlack, Human Resources Department by June 12, 2009.

Return completed form to:

Dr. Renee Sedlack

Human Resources Department