

## **Gulf Coast Classical Academy**

### **Policy on Ethical Conduct of Instructional Personnel and School Administrators**

#### WORKPLACE STANDARDS AND POLICIES

As a representative of the school, personnel and administrators must demonstrate and uphold standards of ethical conduct both in and outside of the classroom. As a role model to students, instructional personnel, educational support employees, and school administrators have a duty, at all times, to:

#### **Abide by the Code of Ethics of the Education Profession in Florida (Rule 6B – 1.001, F.A. C.)**

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 judgment 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.

## **Uphold the Principles of Professional Conduct for the Education Profession in Florida (Rule 6B – 1.006, F.A.C.)**

### **1. Obligation to the student 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 judgment.
- e. Shall offer no gratuity, gift, or favor to obtain special advantages.
- 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, sex, age, national or ethnic origin, handicapping condition, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.
- h. Shall not direct or use profane, offensive, or explosive language in the presence of students.
- i. Shall not exploit a relationship with a student for personal gain or advantage.
- j. Shall keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.

**2. Obligation to the school community 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 judgment.
- e. Shall offer no gratuity, gift, or favor to obtain special advantages.

**3. 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, sex, age national or ethnic origin, handicapping condition, 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 judgments 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 for the Education Profession in Florida and other applicable Florida Statutes and State Board of Education Rules.
- m. Shall self-report within forty-eight (48) hours to appropriate authorities (as determined by the school) 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 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 forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, the school 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 Education Practices Commission.
- q. Shall, as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

**Abide by all School policies and procedures with steadfast adherence to the following:**

**Immediately report known or suspected child abuse, abandonment or neglect to the Florida Department of Children and Families Toll-Free Hotline (1-800-96-ABUSE) or Report online at <http://www.dcf.state.fl.us/abuse/report>**

In accordance with section 39.201, Florida Statutes, any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care shall report such knowledge or suspicion to the Department of Children and Families (DCF) Central Abuse Hotline at 1-800-96 ABUSE or report online at: <http://www.dcf.state.fl.us/abuse/report/>.

Instructional personnel, education support employees, and school administrators may report such information to DCF in unison, but reporting to another school employee does not fulfill the legal obligation to report to DCF.

A person who is required by statute to report known or suspected abuse, abandonment or neglect and fails to do so, is subject to disciplinary action by the employer, by the State Department of Education and/or through criminal prosecution.

In section 39.01 (2), Florida Statutes, the term “Abuse” means any willful act or threatened act that results in any physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.

In section 39.01 (44), Florida Statutes, an act of “Neglect” occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child’s physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired.

Signs of Neglect – The child may have unattended medical needs, little or no supervision at home, poor hygiene, or appear underweight. A child experiencing neglect may be frequently tired or hungry, steal food, or appear overly needy for adult supervision.

Signs of Physical Abuse – The child may have unexplained bruises, welts, cuts, or other injuries; broken bones; or burns. A child experiencing physical abuse may seem withdrawn or depressed, seem afraid to go home or may run away, shy away from physical contact, be aggressive, or wear inappropriate clothing to hide injuries.

Signs of Sexual Abuse – the child may have torn, stained or bloody underwear, trouble walking, or sitting, pain or itching in genital area, or a sexually transmitted disease. A child experiencing sexual abuse may have unusual knowledge of sex or act seductively, fear a particular person, seem withdrawn or depressed, gain or lose weight suddenly, shy away from physical contact, or run away from home.

Patterns of Abuse – Serious abuse usually involves a combination of factors. While a single sign may not be significant, a pattern of physical or behavioral signs is a serious indicator and should not be reported.

In section 39.01 (47), Florida Statutes, “Other person responsible for a child’s welfare” includes the child’s legal guardian or foster parent; an employee of any school, public or

private child day care center, residential home, institution, facility, or agency; a law enforcement officer employed in any facility, service or program for children that is operated or contracted by the Department of Juvenile Justice; or any other person legally responsible for the child's welfare in a residential setting; and also includes an adult sitter or relative entrusted with a child's care.

In accordance with section 39.203, Florida Statutes, any person who reports in good faith any instance of child abuse, abandonment, or neglect to the Department of Children and Families or any law enforcement agency, shall be immune from any civil or criminal liability which might otherwise result by reason of such action.

**Immediately report to the school designee, as appropriate, any alleged misconduct that affects the health, safety or welfare of a student, by other instructional personnel or school administrators.**

In accordance with section 1012.795(1)(b) Florida Statutes, any instructional personnel, educational support employees, or school administrators have an obligation to report alleged misconduct that affects the health, safety or welfare of a student by instructional personnel or school administrators. Examples of misconduct include obscene language, drug and alcohol use, disparaging comments, prejudice or bigotry, sexual innuendo, cheating or testing violations, physical aggression, and accepting or offering favors. If instructional personnel, education support employees, or school administrators have knowledge of a violation of section 1012.795 or the Principles of Professional Conduct, employees shall immediately report the nature of the misconduct to the school designee, as listed below.

*Alleged misconduct by an instructional personnel member or education support employee must be reported to the school administrator. Alleged misconduct by a school administrator must be reported to the School Board.*

Legally sufficient allegations or misconduct by Florida certified educators will be reported to the Office of Professional Practices Services. Policies and procedures for reporting misconduct by instructional personnel, education support employees, or

school administrators which affects the health, safety, or welfare of a student are posted in school office, staff handbook and on our website at <https://www.gulfcoastclassicalacademy.org/>

### **Failure to Report Misconduct**

Instructional personnel, educational support employees, or school administrators who fail to report misconduct of other instructional personnel, educational support employees, or school administrators that affect the health, safety or welfare of students shall be subject to disciplinary action up to and including termination of employment and revocation of their Florida Educator Certificate.

### **Prohibition of Bullying and Harassment**

All students and school employees have the right to an educational setting that is safe, secure, and free from harassment and bullying of any kind. The school will not tolerate bullying and harassment of any type.

Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more students and may involve but is not limited to:

1. Teasing or belittling
2. Social exclusion
3. Threat
4. Intimidation
5. Stalking
6. Physical violence
7. Theft
8. Sexual, religious, or racial harassment
9. Public humiliation
10. Destruction of property

Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a student or school employee that:

1. Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;
2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
3. Has the effect of substantially disrupting the orderly operation of school.

Bullying and Harassment also include:

1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
2. Perpetuation of conduct listed in paragraph (a) or paragraph (b) by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a student or school employee by:

a. Incitement or coercion;

b. Accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the district school system;

c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

### **Discrimination Prohibited**

All employees shall abide by the school board's policy on prohibiting discrimination. No person shall, on the basis of race, color, sex, age, national or ethnic origin, handicapping condition, or social and family background, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by this school, except as provided by law.

## **Confidentiality Agreement Prohibited**

In accordance with section 1001.42(6), Florida Statutes, neither the school board nor any employee of the school may provide instructional personnel or school administrators with employment references or discuss their performance with prospective employers from another educational setting without disclosing the personnel's or administrator's misconduct.

In accordance with section 768.095, Florida Statutes, an employer who discloses information about a former or current employee to a prospective employer of the former or current employee upon request of the prospective employer or the former or current employee is immune from civil liability for such disclosure or its consequences unless it is shown by clear and convincing evidence that the information disclosed by the former or current employer was knowingly false or violated any civil right of the former or current employee protected under chapter 760, Florida Statutes.

## **Alcohol and Drug Free Workplace**

No employee shall possess, consume, sell, distribute, dispense, use or be under the influence of any alcoholic beverage in the workplace. No employee shall possess, consume, inject or ingest, sell, manufacture, distribute, dispense, use or be under the influence of, on the job, or in the workplace, any narcotic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in the Controlled Substances Act and as further defined by regulations at 21 CFR 12001.11 through 1300.15 or Florida Statutes Chapter 893, without a lawful prescription. As a condition of employment, each employee will abide by the terms of this policy and notify the school administrator of any arrest for a criminal drug offense within 48 hours.

## **Reasonable Suspicion Tests**

As a condition of continued employment, current employees shall submit to drug screening when reasonable suspicion exists to believe that an employee is using a substance that is impairing the employee and/or his or her job performance.

## **Perform Duties in a Competent Manner**

Continuing evaluation of instructional and administrative staff is necessary to enable the school board to monitor the effectiveness and competence of instructional and administrative staff members and to assist them in the improvement of their professional performance. In accordance school board policy, instructional and administrative staff will be evaluated at least once per year.

## **Conflicts of Interest**

No employee shall engage in conduct, which creates a conflict of interest. A conflict of interest shall be defined as a situation in which regard for a private interest tends to lead to disregard of a public duty or interest.

## **Student Discipline**

In accordance with school board policy, corporal punishment is not to be administered by school personnel under any circumstances. Instructional personnel and school administrators are to follow the discipline policies approved by Gulf Coast Classical Academy.

## **Security of Tests**

All national norm-referenced achievement tests administered shall be secured in accordance with school rules. The loss of testing materials, cheating or any other breach of test security procedures and laws shall be reported immediately to the school administrator.

## **Dress Code**

All instructional staff and school administrators shall be physically clean, neat and well-groomed and shall dress in a manner consistent with being professional.

## **Tobacco Use**

All employee use of tobacco products in any form are prohibited on the school campus and at school sponsored events, regardless of physical location of the event.

## **Electronic Communications and Social Networking Sites**

Instructional personnel, educational support employees, and school administrators shall use caution and good judgment when using electronic communications and social networking sites. Any information relayed to students via electronic communications shall be professional in nature and related to a student's academic progress. Any information posted to or communicated through a social networking site shall not bring disfavor, embarrassment or condemnation to the employee, student, or school.

## **Training Required**

All instructional personnel, educational support employees, and school administrators must engage in annual training on standards of ethical conduct and the policy for reporting misconduct. Training may be provided or conducted as determined appropriate by the school, but at a minimum must include examples of violations of the Code of Ethics and Principles of Professional Conduct and potential penalties, information on how to properly identify and report child abuse or neglect, procedures on how to report misconduct of other instructional personnel, educational support employees, and school administrators, requirements of self-reporting criminal charges, the nature and consequences of disqualifying offenses, and the importance of being a role model.

## **Reports to the Office of Professional Practices Services (DOE)**

Any violation of these standards of conduct may result in the information being reported to the Office of Professional Practices Services for investigation to determine if disciplinary action should be taken against an educator's Florida Educator Certificate.

## **Liability Provisions**

Sections 39-203 and 768-095 discuss immunity from liability provided to those acting in good faith pertaining to reporting instances of child abuse, abandonment, or neglect, as well as in disclosure of information regarding former or current employees. These

people shall be immune from civil or criminal liability and shall not be subject to a change in employment status, including discharge, for such reporting.