

Office of the Superintendent
Board Meeting of August 12, 2020

August 7, 2020

Office of School Board Attorney
Walter J. Harvey, School Board Attorney

SUBJECT: **INITIAL READING: TO AMEND POLICIES 1210, 3210, 4210,
STANDARDS OF ETHICAL CONDUCT; 1210.01, 3210.01, 4210.01,
CODE OF ETHICS**

COMMITTEE: **PERSONNEL, STUDENT, SCHOOL, AND COMMUNITY SUPPORT**

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BLUEPRINT:** **INFORMED, ENGAGED & EMPOWERED STAKEHOLDERS**

Consistent with the Board's statutory responsibility to periodically review and update its policies to conform to legislative changes and District practices, authorization is requested for the Superintendent to initiate rulemaking to amend Board policies related to ethical conduct of administrative, instructional and support personnel required when receiving reports or becoming aware of sexual harassment. These amendments were developed after extensive review of regulations that are scheduled to take effect on August 14, 2020 to implement Title IX of the Education Amendments of 1972. The policy amendments were drafted in collaboration with, and reviewed by, the Superintendent, Cabinet, and District staff of departments that will implement them.

The U.S. Department of Education's new Title IX regulations define sexual harassment and prescribe requirements for responding to allegations of sexual harassment. The regulations specify that an allegation of sexual harassment brought to the attention of *any Board employee* will now serve as "notice" under Title IX requiring remedial action. Currently the Board's policies on ethical conduct require employees to protect students from discrimination and harassment and to make reports of child abuse. These amendments to the policies on *Standards of Ethical Conduct* and *Code of Ethics* clarify the expectation for employees to protect students includes making reports of discrimination, harassment, and retaliation, in addition to child abuse.

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The District's *Title IX Sexual Harassment Manual* will be presented with this item for final adoption on October 21, 2020. A draft version of the document will be accessible on the [Office of Civil Rights Compliance Draft Title IX Sexual Harassment Manual's Webpage](#) beginning on September 1, 2020. } Inserted

Attached are the Notice of Intended Action and policy amendments. Changes are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend Board Policies 1210, 3210, 4210, *Standards of Ethical Conduct* and 1210.01, 3210.01, 4210.01, *Code of Ethics*.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend Board Policies 1210, 3210, 4210, *Standards of Ethical Conduct* and 1210.01, 3210.01, 4210.01, *Code of Ethics*.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on August 12, 2020, its intention to amend Board Policies 1210, 3210, 4210, *Standards of Ethical Conduct*, and 1210.01, 3210.01, 4210.01, *Code of Ethics*, at its regular meeting on October 21, 2020.

PURPOSE AND EFFECT: Board Policies 1210, 3210, 4210, *Standards of Ethical Conduct*, and 1210.01, 3210.01, 4210.01, *Code of Ethics*, are proposed to be amended to be in compliance with regulations implementing Title IX of the Education Amendments of 1972, at 34 C.F.R. Part 106, effective August 14, 2020.

The amendments to Board Policies 1210, 3210, 4210, *Standards of Ethical Conduct*, and 1210.01, 3210.01, 4210.01, *Code of Ethics*, clarify that the standard of ethical conduct to make a reasonable effort to assure that each student is protected from discrimination and harassment includes making a report of discrimination, harassment or retaliation to the employee's supervisor and/or the District's Office of Civil Rights Compliance (CRC).

SUMMARY: Board Policies 1210, 3210, 4210, *Standards of Ethical Conduct*, contain the expectation that Board personnel report misconduct which affects the health, safety, or welfare of students, including discrimination, harassment and retaliation against students and incorporate new Title IX implementing regulations related to reporting.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41 (1), (2); 1001.42 (6); 1012.23, 1000.05, F.S.; 6A-19.008 F.A.C.

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: 20 U.S.C. §1681, 34 C.F.R. Part 106; 1012.795(1), F.S.; F.A.C. 6A-10.081.

IF REQUESTED, A HEARING WILL BE HELD DURING SCHOOL BOARD MEETING OF October 21, 2020 which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided in Section 120.54(1), F.S., must do so in writing by September 9, 2020, to the Superintendent, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by the School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

COPIES OF THE PROPOSED AMENDED POLICIES are available at cost to the public for inspection and copying in the Citizen Information Center, Room 102, 1450 N.E. Second Avenue, Miami, Florida 33132.



Book	Policy Manual
Section	August 12, 2020 - <u>Initial</u> Reading
Title	STANDARDS OF ETHICAL CONDUCT
Code	1210
Status	<u>Initial</u> Reading
Adopted	May 11, 2011
Last Revised	March 17, 2017

1210 - STANDARDS OF ETHICAL CONDUCT

All employees are representatives of the District and shall conduct themselves, both in their employment and in the community, in a manner that will reflect credit upon themselves and the school system.

A. An administrator shall:

1. keep current in their subject area through attendance at professional meetings, acquaintance with professional publications, and participation in inservice activities;
2. make a 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;
3. not unreasonably restrain a student from independent action in pursuit of learning;
4. not unreasonably deny a student access to diverse points of view;
5. not intentionally suppress or distort subject matter relevant to a student's academic program;
6. not intentionally expose a student to unnecessary embarrassment or disparagement;
7. not intentionally violate or deny a student's legal rights;
8. not harass or discriminate against any student on any basis prohibited by law or the School Board and shall make reasonable efforts to assure that each student is protected from ~~harassment or~~ discrimination and harassment, including but not limited to, making a report of discrimination, harassment, or retaliation for reporting discrimination and/or harassment, to the administrator or designee to whom the employee is responsible and/or the District's Office of Civil Rights Compliance (CRC);

9. not exploit a relationship with a student for personal gain or advantage (see Board Policy 1213, *Student Supervision and Welfare*);
10. keep confidential personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;
11. take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated;
12. not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression;
13. not use institutional privileges for personal gain or advantage; (see also Policy 1129, *Conflict of Interest*);
14. accept no gratuity, gift, or favor that might influence professional judgment; (see also Policy 1129, *Conflict of Interest*);

Pursuant to F.S. 112.313, no administrator shall solicit or accept anything of value including a gift (see F.S. 112.312), loan, reward, promise of future employment, favor, or service based upon an understanding that the vote, official action, or judgment of the administrator would be influenced thereby.

15. offer no gratuity, gift, or favor to obtain special advantages; (see also Policy 1129, *Conflict of Interest*);
16. maintain honesty in all professional dealings;
17. maintain, prepare, and submit promptly all reports that may be required by State law, State Department of Education rules, Board policies, and administrative directives;
18. not deny a colleague professional benefits, advantages, or participation in any professional organization based on any basis prohibited by law or the Board;
19. not interfere with a colleague's exercise of political or civil rights and responsibilities;
20. 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 efforts to assure that each individual is protected from such ~~harassment or~~ discrimination, and harassment, including but not limited to, making a report of discrimination, harassment, or retaliation for reporting discrimination and/or harassment, to the administrator or designee to whom the employee is responsible and/or the District's Office of Civil Rights Compliance (CRC);
21. not use abusive and/or profane language or display unseemly conduct in the workplace;
22. not make malicious or intentionally false statements about a colleague;

23. not use coercive means or promise special treatment to influence professional judgments of colleagues;
24. not misrepresent one's own professional qualifications;
25. not submit fraudulent information on any document in connection with professional activities;
26. not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position;
27. not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment;
28. provide upon the request of a 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;
29. 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;
30. self-report within forty-eight (48) hours to appropriate authorities any arrest and final dispositions of such arrest other than minor traffic violations. (DUI is not considered a minor traffic violation.);

Administrators shall also 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.

31. report any criminal act, and/or disruptive, and/or inappropriate behavior to the administrator or designee to whom the employee is responsible;

Allegations of child abuse and/or neglect **MUST** also be reported, immediately upon knowledge, to the Florida Department of Children and Families at 1-800-96ABUSE (1-800-962-2873) or online at <https://www.myfamilies.com/service-programs/abuse-hotline/report-online.shtml>, to School Police at 305-995-COPS (305-995-2677), and the site administrator. Failure to immediately report child abuse and/or neglect to the proper authorities will lead to disciplinary action.

32. report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1);
33. 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 F.S. 1012.795(1);
34. comply with the conditions of an order of the Education Practices Commission imposing probation, imposing a fine, or restricting the authorized scope of practice;

35. as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

B. No staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in substantial conflict with the proper discharge of his/her duties in the public interest. (see also Policy 1129, *Conflict of Interest*).

All administrators shall be required to complete training on these standards upon employment and annually thereafter.

Effective 7/1/11

Revised 4/13/16

Technical Change 3/17/17

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Legal	F.S. 112.312
	F.S. 112.313
	F.S. 1001.42(6)
	F.S. 1012.23
	F.S. 1012.795(1)
	F.A.C. 6A-10.081
Cross References	F.A.C. 6A-19.008
	34 C.F.R. Part 106



Book	Policy Manual
Section	August 12, 2020 - <u>Initial</u> Reading
Title	STANDARDS OF ETHICAL CONDUCT
Code	3210
Status	<u>Initial</u> Reading
Adopted	May 11, 2011
Last Revised	March 17, 2017

3210 - STANDARDS OF ETHICAL CONDUCT

All employees are representatives of the District and shall conduct themselves, both in their employment and in the community, in a manner that will reflect credit upon themselves and the school system.

A. An instructional staff member shall:

1. teach efficiently and faithfully, using the books and materials required, following the prescribed courses of study, and employing approved methods of instruction as provided by law and by the rules of the State Department of Education;
2. keep current in their subject area through attendance at professional meetings, acquaintance with professional publications, and participation in inservice activities;
3. make a 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;
4. not unreasonably restrain a student from independent action in pursuit of learning;
5. not unreasonably deny a student access to diverse points of view;
6. not intentionally suppress or distort subject matter relevant to a student's academic program;
7. not intentionally expose a student to unnecessary embarrassment or disparagement;
8. not intentionally violate or deny a student's legal rights;
9. ~~not harass or discriminate against any student on any basis prohibited by law or the School Board and shall make reasonable efforts to assure that each student is~~

~~protected from harassment or discrimination~~ not harass or discriminate against any student on any basis prohibited by law or the School Board and shall make reasonable efforts to assure that each student is protected from discrimination and harassment, including but not limited to, making a report of discrimination, harassment, or retaliation for reporting discrimination and/or harassment, to the administrator or designee to whom the employee is responsible and/or the District's Office of Civil Rights Compliance (CRC);

10. not exploit a relationship with a student for personal gain or advantage; (see Board Policy 3213, *Student Supervision and Welfare*);
11. keep confidential personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;
12. take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated;
13. not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression;
14. not use institutional privileges for personal gain or advantage; (see also Policy 3129, *Conflict of Interest*);
15. accept no gratuity, gift, or favor that might influence professional judgment; (see also Policy 3129, *Conflict of Interest*);

Pursuant to F.S. 112.313, no instructional staff member shall solicit or accept anything of value including a gift (see F.S. 112.312), loan, reward, promise of future employment, favor, or service based upon an understanding that the vote, official action, or judgment of the instructional staff member would be influenced thereby.

16. offer no gratuity, gift, or favor to obtain special advantages; (see also Policy 3129, *Conflict of Interest*);
17. maintain honesty in all professional dealings;
18. maintain, prepare, and submit promptly all reports that may be required by State law, State Department of Education rules, Board rules, and administrative directives;
19. not deny a colleague professional benefits, advantages, or participation in any professional organization on any basis prohibited by law or the Board;
20. not interfere with a colleague's exercise of political or civil rights and responsibilities;
21. not use abusive and/or profane language or display unseemly conduct in the workplace;
22. 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 efforts to assure that each individual is protected from such ~~harassment or~~ discrimination, and harassment, including but not limited to, making a report of discrimination,

harassment, or retaliation for reporting discrimination and/or harassment, to the administrator or designee to whom the employee is responsible and/or the District's Office of Civil Rights Compliance (CRC);

23. not make malicious or intentionally false statements about a colleague;
24. not use coercive means or promise special treatment to influence professional judgments of colleagues;
25. not misrepresent one's own professional qualifications;
26. not submit fraudulent information on any document in connection with professional activities;
27. not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position;
28. not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment;
29. provide upon the request of a 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;
30. 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;
31. self-report within forty-eight (48) hours to appropriate authorities any arrest and final dispositions of such arrest other than minor traffic violations; (DUI is not considered a minor traffic violation.);

Instructional staff members 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.

32. report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1);
33. report any criminal act, and/or disruptive, and/or inappropriate behavior to the administrator or designee to whom the employee is responsible;

Allegations of child abuse and/or neglect **MUST** also be reported, immediately upon knowledge, to the Florida Department of Children and Families at 1-800-96ABUSE (1-800-962-2873) or online at <https://www.myflfamilies.com/service-programs/abuse-hotline/report-online.shtml>, to School Police at 305-995-COPS (305-995-2677), and the site administrator. Failure to immediately report child abuse and/or neglect to the proper authorities will lead to disciplinary action.

34. 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 F.S. 1012.795(1);

- 35. comply with the conditions of an order of the Education Practices Commission imposing probation, imposing a fine, or restricting the authorized scope of practice;
 - 36. as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.
- B. No staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in conflict with the proper discharge of his/her duties in the public interest. (see also Policy 3129, *Conflict of Interest*).
- C. All instructional staff members shall be required to complete training on these standards upon employment and annually thereafter.

Effective 7/1/11
 Revised 4/13/16
 Technical Change 3/17/17

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Legal	F.S. 112.312 F.S. 112.313 F.S. 1001.42(6) F.S. 1012.23 F.S. 1012.795(1) F.A.C. 6A-10.081
Cross References	34 C.F.R. Part 106 F.A.C. 6A-19.008



Book	Policy Manual
Section	August 12, 2020 - <u>Initial</u> Reading
Title	STANDARDS OF ETHICAL CONDUCT
Code	4210
Status	<u>Initial</u> Reading
Adopted	May 11, 2011
Last Revised	March 17, 2017

4210 - STANDARDS OF ETHICAL CONDUCT

All employees are representatives of the District and shall conduct themselves, both in their employment and in the community, in a manner that will reflect credit upon themselves and the school system.

A support staff member shall:

- A. make a 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. not unreasonably restrain a student from independent action in pursuit of learning;-
- C. not intentionally expose a student to unnecessary embarrassment or disparagement;-
- D. not intentionally violate or deny a student's legal rights;-
- E. not harass or discriminate against any student on any basis prohibited by law or the School Board and shall make reasonable efforts to assure that each student is protected from discrimination and harassment, including but not limited to, making a report of discrimination, harassment, or retaliation for reporting discrimination and/or harassment, to the administrator or designee to whom the employee is responsible and/or the District's Office of Civil Rights Compliance (CRC) ~~not harass or discriminate against any student on any basis prohibited by law or the School Board and shall make reasonable efforts to assure that each student is protected from harassment or discrimination;-~~
- F. not exploit a relationship with a student for personal gain or advantage- (see Board Policy 4213, *Student Supervision and Welfare*);
- G. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;-

- H. not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression;-
 - I. not use institutional privileges for personal gain or advantage;- (see also Policy 4129, *Conflict of Interest*);
 - J. accept no gratuity, gift, or favor that might influence judgment;- (see also Policy 4129, *Conflict of Interest*);
- Pursuant to F.S. 112.313, no support staff member shall solicit or accept anything of value including a gift (see F.S. 112.312), loan, reward, promise of future employment, favor, or service based upon an understanding that the vote, official action, or judgment of the support staff member would be influenced thereby;-
- K. offer no gratuity, gift, or favor to obtain special advantages;- (see also Policy 4129, *Conflict of Interest*);
 - L. maintain honesty in all dealings;-
 - M. not interfere with another District employee's exercise of political or civil rights and responsibilities;-
 - N. not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of 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 efforts to assure that each individual is protected from such ~~harassment or~~ discrimination and harassment, including but not limited to, making a report of discrimination, harassment, or retaliation for reporting discrimination and/or harassment, to the administrator or designee to whom the employee is responsible and/or the District's Office of Civil Rights Compliance (CRC);
 - O. not make malicious or intentionally false statements about another District employee;
 - P. not misrepresent one's qualifications;-;
 - Q. not submit fraudulent information on any document in connection with employment;-;
 - R. not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for employment;-;
 - S. not use abusive and/or profane language or display unseemly conduct in the workplace;-;
 - T. report any criminal act, and/or disruptive, and/or inappropriate behavior to the administrator or designee to whom the employee is responsible.

Allegations of child abuse and/or neglect **MUST** also be reported, immediately upon knowledge, to the Florida Department of Children and Families at 1-800-96ABUSE (1-800-962-2873), or online at <https://www.myflfamilies.com/service-programs/abuse-hotline/report-online.shtml> **AND** to the School Police at 305-995-COPS (305-995-2677). Failure to immediately report child abuse and/or neglect to the proper authorities will lead to disciplinary action.

No support staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in

substantial conflict with the proper discharge of his/her duties in the public interest. (see also Policy 4129, *Conflict of Interest*)

All support staff members who have direct access to students shall be required to complete training on these standards upon employment and annually thereafter.

Effective 7/1/11

Revised 4/13/16

Technical Change 3/17/17

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Legal	F.S. 112.312
	F.S. 112.313
	F.S. 1001.42(6)
	F.S. 1012.23
	F.S. 1012.795(1)
	F.A.C. 6A-10.081
Cross References	34 C.F.R. Part 106
	F.A.C. 6A-19.008



Book	Policy Manual
Section	August 12, 2020 - <u>Initial</u> Reading
Title	CODE OF ETHICS
Code	1210.01
Status	<u>Initial</u> Reading
Adopted	May 11, 2011
Last Revised	March 17, 2017

1210.01 - **CODE OF ETHICS**

All members of the School Board, administrators, teachers and all other employees of the District, regardless of their position, because of their dual roles as public servants and educators are to be bound by the following Code of Ethics. Adherence to the Code of Ethics will create an environment of honesty and integrity and will aid in achieving the common mission of providing a safe and high quality education to all District students.

As stated in the Code of Ethics of the Education Profession in Florida (State Board of Education Rule F.A.C. 6A-10.081):

- A. 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;:-
- B. 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;
- C. Aware of the importance of maintaining the respect and confidence of one's colleagues, students, parents, and other members of the community, the educator strives to achieve and sustain the highest degree of ethical conduct.

Further, nonacademic and elected officials are bound to accept these principles since these groups reflect critical policy direction and support services for the essential academic purpose.

Application

This Code of Ethics applies to all members of the Board, administrators, teachers, and all other employees regardless of full or part time status. It also applies to all persons who receive any direct

economic benefit such as membership in Board funded insurance programs.

Employees are subject to various other laws, rules, and regulations including but not limited to The Code of Ethics for the Education Profession in Florida and the Principles of Professional Conduct of the Education Profession in Florida, F.S. Chapter 6A-10.081, the Code of Ethics for Public Officers and Employees, found in F.S. Chapter 112, Part III, and Policy 1129 which are incorporated by reference and this Code of Ethics should be viewed as additive to these laws, rules and regulations. To the extent not in conflict with any laws, Board rules, or governmental regulations, this Code of Ethics shall control with regard to conduct. In the event of any conflict, the law, regulation, or policy shall control.

Fundamental Principles

The fundamental principles upon which this Code of Ethics is predicated are as follows:

- A. Citizenship – Helping to create a society based upon democratic values (e.g., rule of law, equality of opportunity, due process, reasoned argument, representative government, checks and balances, rights and responsibilities, and democratic decision-making);-
- B. Cooperation – Working together toward goals as basic as human survival in an increasingly interdependent world;-
- C. Fairness – Treating people impartially, not playing favorites, being open-minded, and maintaining an objective attitude toward those whose actions and ideas are different from our own;-
- D. Honesty – Dealing truthfully with people, being sincere, not deceiving them nor stealing from them, not cheating nor lying;
- E. Integrity – Standing up for their beliefs about what is right and what is wrong and resisting social pressure to do wrong;
- F. Kindness – Being sympathetic, helpful, compassionate, benevolent, agreeable, and gentle toward people and other living things;
- G. Pursuit of Excellence – Doing the best with the talents present, striving toward a goal, and not giving up;
- H. Respect – Showing regard for the worth and dignity of someone or something, being courteous and polite, and judging all people on their merits. It takes three (3) major forms: respect for oneself, respect for other people, and respect for all forms of life and the environment;
- I. Responsibility – Thinking before acting and being accountable for their actions, paying attention to others and responding to their needs. Responsibility emphasizes the positive obligations to care for each other.

Each employee agrees and pledges:

- A. To abide by this Code of Ethics, making the well-being of the students and the honest performance of professional duties core guiding principles;-
- B. To obey local, State and national laws, codes and regulations;-

- C. To support the principles of due process to protect the civil and human rights of all individuals;-;
- D. To treat all persons with respect and to strive to be fair in all matters;-;
- E. To take responsibility and be accountable for his/her actions;-;
- F. To avoid conflicts of interest or any appearance of impropriety;-;
- G. To cooperate with others to protect and advance the District and its students;- and
- H. To be efficient and effective in the performance of job duties.

Conflicts of Interest

Employees shall employ independent objective judgment in performing their duties, deciding all matters on the merits, free of partiality or prejudice and unimpeded by conflicts of interest or other improper influences. 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. A conflict of interest shall exist upon use by an employee of the authority of his/her office or the use of any confidential information received through his/her employment for the private pecuniary benefit of the employee, or the employee's immediate family or a business with which the employee or a member of the employee's immediate family has employment or ownership worth \$5,000 or more, either directly or indirectly, without disclosure to the appropriate School District official.

- A. Financial Interest. Except as authorized in any collective bargaining agreement, an employee shall not engage, or have any interest, financial or otherwise, direct or indirect, in any business, transaction or professional entity, either as a director, officer, partner, trustee, employee, or manager in that entity, which conflicts with or impairs the proper discharge of official duties or which could bring disfavor or disrespect upon the employee or the District. Any provision of this code which requires disclosure to School District officials will be satisfied by the filing of a financial disclosure statement in the form required of members of the Board.
- B. Contracting Decisions. An employee shall not recommend, vote, or otherwise participate in the decision to make any contract between the School District and any business or entity in which the employee has a personal or financial conflict of interest. This includes contractual relationships with units of government as well as for profit and not for profit organizations such as charter schools.
- C. Financial Conflict. An employee who has a financial conflict of interest because of a relationship with a business, governmental agency or not for profit institution must recuse him/herself from any decision concerning that entity including any decision to contract or not to contract with the entity and the administration of the contract. The reason for such recusal must be stated in writing and filed with the Superintendent and the Board Attorney prior to or at the time of the action requiring the recusal.
- D. Honoraria. An employee will not solicit or accept an honorarium, which is related to the employee's job duties. "Honorarium" shall be defined consistent with F.S. 112.3149, as a payment of money or anything of value paid to the employee or on his/her behalf as consideration for an oral presentation or writing other than a book.
- E. Personal Advertisements. An employee shall not advertise business or professional activities on school property or use schoolwork hours, property or services to perform or promote

personal, not for profit, or commercial enterprises or to campaign or raise money for any candidates for political office.

- F. Employee Publications. An employee shall not participate in the review and approval of publications or materials for School District purchase by the office in which the employee is employed if the employee or a member of the employee's immediate family is the author/editor of or has any financial interest in the sale of such publications or materials.
- G. Referrals. In no situation, shall an employee refer a parent or student to a service, service provider, or product in return for anything of value. Officers or employees making referrals as part of their official duties shall make referrals to more than one provider of the service or product, if available. For example, school counselors shall refer parents or students to more than one counselor or provider of medical services, if available. Additionally, an employee shall not refer a parent or student to any service, service provider, or product in which that employee has a financial interest, without first disclosing that interest to the parent or student.
- H. Outside Income. Employees shall not accept any outside earned income in any situation where a reasonable person in the community could conclude that the receipt of the income would be inconsistent, incompatible or in conflict with the employee's official duties.
- I. General Limitation on Solicitation. An employee shall not solicit, directly or indirectly any payments or other benefits under circumstances that would create in the mind of a reasonable person in the community the belief that such payments or benefits were provided with the intent to improperly influence the employee's actions. This provision does not apply to lawful campaign contributions.
- J. Gifts and Gratuities. The acceptance of gifts, payments or other benefits from those with whom the District does business, regardless of profit or not for profit status, can be improper. A gift is defined as anything of value that an employee receives, or that is paid or given to another on an employee's behalf without any payment or consideration received in return. Examples of gifts are tickets to sporting or cultural events, items of food, meals which cannot be immediately consumed such as a holiday party, use of facilities, forgiveness of debts, interests in real property, investments, or merchandise, or a rebate or discount (unless the rebate or discount is normally given to any member of the public). Employees who are in the position to make or influence a decision to spend school funds shall not solicit or accept any personal gifts, favors, or benefits of more than nominal value during a calendar year from any single person or organization that might benefit from the employee's decision. This provision does not apply to: (a) meals provided at an event at which the employee participates in a seminar or similar activity; (b) travel expenses and meals paid by a local, State, Federal, or foreign government agency; or (c) lawful campaign contributions.

Conduct Regarding Students

As set forth in the Principles of Professional Conduct for the Education Profession in Florida, each employee:

- 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, including but not limited to, making a report of suspected child abuse or neglect in accordance with Policy 8462.
- 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 any basis prohibited by law or the School Board and shall make reasonable efforts to assure that each student is protected from discrimination and harassment, including but not limited to, making a report of discrimination, harassment, or retaliation for reporting discrimination and/or harassment, to the administrator or designee to whom the employee is responsible and/or the District's Office of Civil Rights Compliance (CRC) ~~Shall not harass or discriminate against any student on any basis prohibited by the Board or law and shall make reasonable effort to assure that each student is protected from harassment and 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.

Personnel Matters

- A. Confidentiality. An educator shall comply with State and Federal laws and regulations, and Board policies relating to the confidentiality of student records. Unethical conduct includes, but is not limited to, sharing of confidential information concerning student academic and disciplinary records, personal confidences, health or medical information, family status and/or income, and assessment/testing results.
- B. Enforcement. Enforcement will be pursuant to State law and to Board rules, which may include penalties for violations of the Code of Ethics that will be imposed pursuant to the applicable State law or Board policy.
- C. Certification. Each employee will be required to electronically sign a certificate attached as Exhibit "A", which is incorporated by reference, certifying that the employee has read, understands, and agrees to abide by this Code of Ethics as well as the State laws and Board policies and regulations cited in the Code. A failure to sign the certificate will not excuse a failure to comply with the Code of Ethics. The certification shall be submitted according to a process determined by the Office of Human Resources, Recruiting, and Performance Management. Infractions shall be reported to the Office of Human Resources, Recruiting, and Performance Management and the Office of the Inspector General.

EXHIBIT A

CERTIFICATE

I, the undersigned,

(Print your name)

hereby certifies as follows:

I have received copies of Policy 1210.01 which incorporates by reference The Code of Ethics for Public Officers and Employees, F.S. Chapter 112, Part III, The Code of Ethics and Principles of Professional Conduct of the Education Profession in Florida and Policy 1129 (collectively referred to as the "policy"). I have read and understand the policy.

Date:

Online Signature

Effective 7/1/11

Technical Change 3/17/17

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Legal F.A.C. 6A-10.081

Cross References 34 C.F.R. Part 106

F.A.C. 6A-19.008



Book	Policy Manual
Section	August 12, 2020 - <u>Initial</u> Reading
Title	CODE OF ETHICS
Code	3210.01
Status	<u>Initial</u> Reading
Adopted	May 11, 2011
Last Revised	March 17, 2017

3210.01 - **CODE OF ETHICS**

All members of the School Board, administrators, teachers and all other employees of the District, regardless of their position, because of their dual roles as public servants and educators are to be bound by the following Code of Ethics. Adherence to the Code of Ethics will create an environment of honesty and integrity and will aid in achieving the common mission of providing a safe and high quality education to all District students.

As stated in the Code of Ethics of the Education Profession in Florida (State Board of Education F.A.C. 6A-10.081):

- A. 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;:-
- B. 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;:-
- C. Aware of the importance of maintaining the respect and confidence of one's colleagues, students, parents, and other members of the community, the educator strives to achieve and sustain the highest degree of ethical conduct.

Further, nonacademic and elected officials are bound to accept these principles since these groups reflect critical policy direction and support services for the essential academic purpose.

Application

This Code of Ethics applies to all members of the Board, administrators, teachers, and all other employees regardless of full or part time status. It also applies to all persons who receive any direct

economic benefit such as membership in Board funded insurance programs.

Employees are subject to various other laws, rules, and regulations including but not limited to The Code of Ethics for the Education Profession in Florida and the Principles of Professional Conduct of the Education Profession in Florida, F.A.C. Chapter 6A-10.081, the Code of Ethics for Public Officers and Employees, found in F.S. Chapter 112, Part III, and Policy 3129, which are incorporated by reference and this Code of Ethics should be viewed as additive to these laws, rules and regulations. To the extent not in conflict with any laws, Board policies, or governmental regulations, this Code of Ethics shall control with regard to conduct. In the event of any conflict, the law, regulation, or Board policy shall control.

Fundamental Principles

The fundamental principles upon which this Code of Ethics is predicated are as follows:

- A. Citizenship – Helping to create a society based upon democratic values (e.g., rule of law, equality of opportunity, due process, reasoned argument, representative government, checks and balances, rights and responsibilities, and democratic decision-making);
- B. Cooperation – Working together toward goals as basic as human survival in an increasingly interdependent world;
- C. Fairness – Treating people impartially, not playing favorites, being open-minded, and maintaining an objective attitude toward those whose actions and ideas are different from our own;
- D. Honesty – Dealing truthfully with people, being sincere, not deceiving them nor stealing from them, not cheating nor lying;
- E. Integrity – Standing up for their beliefs about what is right and what is wrong and resisting social pressure to do wrong;
- F. Kindness – Being sympathetic, helpful, compassionate, benevolent, agreeable, and gentle toward people and other living things;
- G. Pursuit of Excellence – Doing their best with their talents, striving toward a goal, and not giving up;
- H. Respect – Showing regard for the worth and dignity of someone or something, being courteous and polite, and judging all people on their merits. It takes three (3) major forms: respect for oneself, respect for other people, and respect for all forms of life and the environment;
- I. Responsibility – Thinking before acting and being accountable for their actions, paying attention to others and responding to their needs. Responsibility emphasizes our positive obligations to care for each other.

Each employee agrees and pledges:

- A. To abide by this Code of Ethics, making the well-being of the students and the honest performance of professional duties core guiding principles;
- B. To obey local, State, and national laws, codes and regulations;

- C. To support the principles of due process to protect the civil and human rights of all individuals-;
- D. To treat all persons with respect and to strive to be fair in all matters-;
- E. To take responsibility and be accountable for his/her actions-;
- F. To avoid conflicts of interest or any appearance of impropriety-;
- G. To cooperate with others to protect and advance the District and its students-;
- H. To be efficient and effective in the performance of job duties.

Conflicts of Interest

Employees shall employ independent objective judgment in performing their duties, deciding all matters on the merits, free of partiality or prejudice and unimpeded by conflicts of interest or other improper influences. 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. A conflict of interest shall exist upon use by an employee of the authority of his/her office or the use of any confidential information received through his/her employment for the private pecuniary benefit of the employee, or the employee's immediate family or a business with which the employee or a member of the employee's immediate family has employment or ownership worth \$5,000 or more, either directly or indirectly, without disclosure to the appropriate District official.

- A. Financial Interest. Except as authorized in any collective bargaining agreement, an employee shall not engage, or have any interest, financial or otherwise, direct or indirect, in any business, transaction or professional entity, either as a director, officer, partner, trustee, employee, or manager in that entity, which conflicts with or impairs the proper discharge of official duties or which could bring disfavor or disrespect upon the employee or the District. Any provision of this code which requires disclosure to District officials will be satisfied by the filing of a financial disclosure statement in the form required of members of the Board.
- B. Contracting Decisions. An employee shall not recommend, vote, or otherwise participate in the decision to make any contract between the District and any business or entity in which the employee has a personal or financial conflict of interest. This includes contractual relationships with units of government as well as for profit and not for profit organizations such as charter schools.
- C. Financial Conflict. An employee who has a financial conflict of interest because of a relationship with a business, governmental agency or not for profit institution must recuse himself/herself from any decision concerning that entity including any decision to contract or not to contract with the entity and the administration of the contract. The reason for such recusal must be stated in writing and filed with the Superintendent and the Board Attorney prior to or at the time of the action requiring the recusal.
- D. Honoraria. An employee will not solicit or accept an honorarium, which is related to the employee's job duties. "Honorarium" shall be defined consistent with F.S. 112.3149, as a payment of money or anything of value paid to the employee or on his/her behalf as consideration for an oral presentation or writing other than a book.
- E. Personal Advertisements. An employee shall not advertise business or professional activities on school property or use schoolwork hours, property or services to perform or promote

personal, not for profit, or commercial enterprises or to campaign or raise money for any candidates for political office.

- F. Employee Publications. An employee shall not participate in the review and approval of publications or materials for School District purchase by the office in which the employee is employed if the employee or a member of the employee's immediate family is the author/editor of or has any financial interest in the sale of such publications or materials.
- G. Referrals. In no situation, shall an employee refer a parent or student to a service, service provider, or product in return for anything of value. Officers or employees making referrals as part of their official duties shall make referrals to more than one provider of the service or product, if available. For example, school counselors shall refer parents or students to more than one counselor or provider of medical services, if available. Additionally, an employee shall not refer a parent or student to any service, service provider, or product in which that employee has a financial interest, without first disclosing that interest to the parent or student.
- H. Outside Income. Employees shall not accept any outside earned income in any situation where a reasonable person in the community could conclude that the receipt of the income would be inconsistent, incompatible or in conflict with the employee's official duties.
- I. General Limitation on Solicitation. An employee shall not solicit, directly or indirectly any payments or other benefits under circumstances that would create in the mind of a reasonable person in the community the belief that such payments or benefits were provided with the intent to improperly influence the employee's actions. This provision does not apply to lawful campaign contributions.
- J. Gifts and Gratuities. The acceptance of gifts, payments or other benefits from those with whom the District does business, regardless of profit or not for profit status, can be improper. A gift is defined as anything of value that an employee receives, or that is paid or given to another on an employee's behalf without any payment or consideration received in return. Examples of gifts are tickets to sporting or cultural events, items of food, meals which cannot be immediately consumed such as a holiday party, use of facilities, forgiveness of debts, interests in real property, investments, or merchandise, or a rebate or discount (unless the rebate or discount is normally given to any member of the public). Employees who are in the position to make or influence a decision to spend school funds shall not solicit or accept any personal gifts, favors, or benefits of more than nominal value during a calendar year from any single person or organization that might benefit from the employee's decision. This provision does not apply to: (a) meals provided at an event at which the employee participates in a seminar or similar activity; (b) travel expenses and meals paid by a local, state, federal or foreign government agency; or (c) lawful campaign contributions.

Conduct Regarding Students

Each employee:

- 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, including but not limited to, making a report of suspected child abuse or neglect in accordance with Policy 8462;
- 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 any basis prohibited by the Board or law and shall make reasonable effort to assure that each student is protected from ~~harassment and~~ discrimination and harassment, including but not limited to, making a report of discrimination, harassment, or retaliation for reporting discrimination and/or harassment, to the administrator or designee to whom the employee is responsible and/or the District's Office of Civil Rights Compliance (CRC);
- H. shall not exploit a relationship with a student for personal gain or advantage; and
- 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.

Personnel Matters

- A. Confidentiality. An educator shall comply with State and Federal laws and regulations, and Board policies relating to the confidentiality of student records. Unethical conduct includes, but is not limited to, sharing of confidential information concerning student academic and disciplinary records, personal confidences, health or medical information, family status and/or income, and assessment/testing results.
- B. Enforcement. Enforcement will be pursuant to State law and to Board policies, which may include penalties for violations of the Code of Ethics that will be imposed pursuant to the applicable State law or Board policy.
- C. Certification. Each employee will be required to electronically sign a Certificate attached as Exhibit "A", which is incorporated by reference, certifying that the employee has read, understands, and agrees to abide by this Code of Ethics as well as the state laws and Board policies and regulations cited in the Code. A failure to sign the Certificate will not excuse a failure to comply with the Code of Ethics. The certification shall be submitted according to a process determined by the Office of Human Resources, Recruiting, and Performance Management. Infractions shall be reported to the Office of Human Resources, Recruiting, and Performance Management and the Office of the Inspector General.

EXHIBIT A

CERTIFICATE

I, the undersigned,

(Print your name)

hereby certifies as follows:

I have received copies of Policy 3210.01, which incorporates by reference The Code of Ethics for Public Officers and Employees, F.S. Chapter 112, Part III, The Code of Ethics and the Principles of

Professional Conduct of the Education Profession in Florida and Policy 3129 collectively referred to as the "policy"). I have read and understand the policy.

Date:

Online Signature

Effective 7/1/11

Technical Change 3/17/17

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Legal F.A.C. 6A-10.081

Cross References 34 C.F.R. Part 106

F.A.C. 6A-19.008



Book	Policy Manual
Section	August 12, 2020 - <u>Initial</u> Reading
Title	CODE OF ETHICS
Code	4210.01
Status	<u>Initial</u> Reading
Adopted	May 11, 2011
Last Revised	March 17, 2017

4210.01 - **CODE OF ETHICS**

All members of the School Board, administrators, teachers and all other employees of the District, regardless of their position, because of their dual roles as public servants and educators are to be bound by the following Code of Ethics. Adherence to the Code of Ethics will create an environment of honesty and integrity and will aid in achieving the common mission of providing a safe and high quality education to all District students.

As stated in the Code of Ethics of the Education Profession in Florida (State Board of Education F.A.C. 6A-10.081):

- A. 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;:-
- B. 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;:-
- C. Aware of the importance of maintaining the respect and confidence of one's colleagues, students, parents, and other members of the community, the educator strives to achieve and sustain the highest degree of ethical conduct.

Further, nonacademic and elected officials are bound to accept these principles since these groups reflect critical policy direction and support services for the essential academic purpose.

Application

This Code of Ethics applies to all members of the Board, administrators, teachers, and all other employees regardless of full or part time status. It also applies to all persons who receive any direct

economic benefit such as membership in Board funded insurance programs.

Employees are subject to various other laws, rules, and regulations including but not limited to The Code of Ethics for the Education Profession in Florida and the Principles of Professional Conduct of the Education Profession in Florida, F.A.C. Chapter 6A-10.081, the Code of Ethics for Public Officers and Employees, found in F.S. Chapter 112, Part III, and Policy 4129, which are incorporated herein by reference and this Code of Ethics should be viewed as additive to these laws, rules and regulations. To the extent not in conflict with any laws, Board policies, or governmental regulations, this Code of Ethics shall control with regard to conduct. In the event of any conflict, the law, regulation, or Board policy shall control.

Fundamental Principles

The fundamental principles upon which this Code of Ethics is predicated are as follows:

- A. Citizenship – Helping to create a society based upon democratic values (e.g., rule of law, equality of opportunity, due process, reasoned argument, representative government, checks and balances, rights and responsibilities, and democratic decision-making);-
- B. Cooperation – Working together toward goals as basic as human survival in an increasingly interdependent world;-
- C. Fairness – Treating people impartially, not playing favorites, being open-minded, and maintaining an objective attitude toward those whose actions and ideas are different from our own;-
- D. Honesty – Dealing truthfully with people, being sincere, not deceiving them nor stealing from them, not cheating nor lying;-
- E. Integrity – Standing up for their beliefs about what is right and what is wrong and resisting social pressure to do wrong;-
- F. Kindness – Being sympathetic, helpful, compassionate, benevolent, agreeable, and gentle toward people and other living things;-
- G. Pursuit of Excellence – Doing their best with their talents, striving toward a goal, and not giving up;-
- H. Respect – Showing regard for the worth and dignity of someone or something, being courteous and polite, and judging all people on their merits. It takes three (3) major forms: respect for oneself, respect for other people, and respect for all forms of life and the environment;-
- I. Responsibility – Thinking before acting and being accountable for their actions, paying attention to others and responding to their needs. Responsibility emphasizes our positive obligations to care for each other.

Each employee agrees and pledges:

- A. To abide by this Code of Ethics, making the well-being of the students and the honest performance of professional duties core guiding principles;-
- B. To obey local, State, and national laws, codes and regulations;-

- C. To support the principles of due process to protect the civil and human rights of all individuals;
- D. To treat all persons with respect and to strive to be fair in all matters;
- E. To take responsibility and be accountable for his/her actions;
- F. To avoid conflicts of interest or any appearance of impropriety;
- G. To cooperate with others to protect and advance the District and its students; and
- H. To be efficient and effective in the performance of job duties.

Conflicts of Interest

Employees shall employ independent objective judgment in performing their duties, deciding all matters on the merits, free of partiality or prejudice and unimpeded by conflicts of interest or other improper influences. 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. A conflict of interest shall exist upon use by an employee of the authority of his/her office or the use of any confidential information received through his/her employment for the private pecuniary benefit of the employee, or the employee's immediate family or a business with which the employee or a member of the employee's immediate family has employment or ownership worth \$5,000 or more, either directly or indirectly, without disclosure to the appropriate District official.

- A. Financial Interest. Except as authorized in any collective bargaining agreement, an employee shall not engage, or have any interest, financial or otherwise, direct or indirect, in any business, transaction or professional entity, either as a director, officer, partner, trustee, employee, or manager in that entity, which conflicts with or impairs the proper discharge of official duties or which could bring disfavor or disrespect upon the employee or the District. Any provision of this code which requires disclosure to District officials will be satisfied by the filing of a financial disclosure statement in the form required of members of the Board.
- B. Contracting Decisions. An employee shall not recommend, vote, or otherwise participate in the decision to make any contract between the District and any business or entity in which the employee has a personal or financial conflict of interest. This includes contractual relationships with units of government as well as for profit and not for profit organizations such as charter schools.
- C. Financial Conflict. An employee who has a financial conflict of interest because of a relationship with a business, governmental agency or not for profit institution must recuse himself/herself from any decision concerning that entity including any decision to contract or not to contract with the entity and the administration of the contract. The reason for such recusal must be stated in writing and filed with the Superintendent and the Board Attorney prior to or at the time of the action requiring the recusal.
- D. Honoraria. An employee will not solicit or accept an honorarium, which is related to the employee's job duties. "Honorarium" shall be defined consistent with F.S. 112.3149, as a payment of money or anything of value paid to the employee or on his/her behalf as consideration for an oral presentation or writing other than a book.
- E. Personal Advertisements. An employee shall not advertise business or professional activities on school property or use schoolwork hours, property or services to perform or promote

personal, not for profit, or commercial enterprises or to campaign or raise money for any candidates for political office.

- F. Employee Publications. An employee shall not participate in the review and approval of publications or materials for District purchase by the office in which the employee is employed if the employee or a member of the employee's immediate family is the author/editor of or has any financial interest in the sale of such publications or materials.
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- H. Outside Income. Employees shall not accept any outside earned income in any situation where a reasonable person in the community could conclude that the receipt of the income would be inconsistent, incompatible or in conflict with the employee's official duties.
- I. General Limitation on Solicitation. An employee shall not solicit, directly or indirectly any payments or other benefits under circumstances that would create in the mind of a reasonable person in the community the belief that such payments or benefits were provided with the intent to improperly influence the employee's actions. This provision does not apply to lawful campaign contributions.
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- E. not intentionally expose a student to unnecessary embarrassment or disparagement;
- F. not intentionally violate or deny a student's legal rights;
- G. not harass or discriminate against any student on any basis prohibited by the Board and shall make reasonable effort to assure that each student is protected from ~~harassment and discrimination~~ and harassment, including but not limited to, making a report of discrimination, harassment, or retaliation for reporting discrimination and/or harassment, to the administrator or designee to whom the employee is responsible and/or the District's Office of Civil Rights Compliance (CRC);
- H. not exploit a relationship with a student for personal gain or advantage;
- I. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.

Personnel Matters

- A. Confidentiality. An educator shall comply with State and Federal laws and regulations, and Board policies relating to the confidentiality of student records. Unethical conduct includes, but is not limited to, sharing of confidential information concerning student academic and disciplinary records, personal confidences, health or medical information, family status and/or income, and assessment/testing results.
- B. Enforcement. Enforcement will be pursuant to State law and to Board rules, which may include penalties for violations of the Code of Ethics that will be imposed pursuant to the applicable State law or Board policy.
- C. Certification. Each employee will be required to electronically sign a Certificate attached as Exhibit "A", which is incorporated herein by reference, certifying that the employee has read, understands, and agrees to abide by this Code of Ethics as well as the state laws and Board policies and regulations cited in the Code. A failure to sign the Certificate will not excuse a failure to comply with the Code of Ethics. The certification shall be submitted according to a process determined by the Office of Human Resources, Recruiting, and Performance Management. Infractions shall be reported to the Office of Human Resources, Recruiting, and Performance Management and the Office of the Inspector General.

EXHIBIT A

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Date:

Online Signature

Effective 7/1/11

Technical Change 3/17/17

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Legal F.A.C. 6A-10.081

Cross References 34 C.F.R. Part 106
F.A.C. 6A-19.008