

Office of the General Counsel
Walter J. Harvey, General Counsel

SUBJECT: **FINAL READING: PROPOSED AMENDMENTS TO SCHOOL BOARD BYLAW 0124, STANDARDS OF ETHICAL CONDUCT; POLICY 4210, STANDARDS OF ETHICAL CONDUCT; POLICIES 1210.01/3210.01/4210.01, CODE OF ETHICS; POLICIES 1121.01/3121.01/4121.01, EMPLOYMENT STANDARDS AND FINGERPRINTING; POLICY 6470, PAYMENT OF INVOICES; AND POLICY 8310, PUBLIC RECORDS.**

COMMITTEE: **FISCAL ACCOUNTABILITY AND GOVERNMENT RELATIONS**

LINK TO STRATEGIC PLAN: **EFFECTIVE & SUSTAINABLE OPERATIONAL PRACTICES**

Consistent with the Board's responsibility to review and amend policies to conform to legislative changes and updated District practices, and pursuant to Board action, authorization is requested to amend School Board Bylaw 0124, *Standards of Ethical Conduct*; Policy 4210, *Standards of Ethical Conduct*; Policies 1210.01/3210.01/4210.01, *Code of Ethics*; Policies 1121.01/3121.01/4121.01, *Employment Standards and Fingerprinting*; Policy 6470, *Payment of Invoices*; and Policy 8310, *Public Records*. These policies are proposed for amendment pursuant to February 2026 Item H-12, "State of Florida Auditor General Audit Findings," proffered by Board Chair Maria Teresa Rojas, which directed the Superintendent to submit an update of corrective actions finalized, including a review and/or revision of applicable School Board policies and/or procedures, in response to the audit findings of the State of Florida Auditor General's 2024-2025 Operational Audit (the "Findings"). The policies would be amended to address these findings, clarify requirements and prohibitions under Florida law, and reflect current District practices.

Policy 8310, *Public Records*, is proposed for amendment to address Finding 1, concerning compliance with Florida law requiring the prompt acknowledgements of and good faith responses to public records requests. The revised policy would delineate the process for promptly acknowledging public records requests, routing them to relevant departments, requesting any necessary clarification, conditioning production on a special service charge, and providing periodic updates until the request is fulfilled. The policy would also clarify all employees' responsibilities as records custodians under governing Florida law and court decisions, highlight factors that will not excuse compliance (e.g., that a requested record is in a contractor's possession), and outline the legal penalties associated with violating public records laws. The policy would additionally address each employee's responsibility to either produce a requested record or refer the request to the Office of Communications.

School Board Bylaw 0124, *Standards of Ethical Conduct*, Policy 4210, *Standards of Ethical Conduct*; Policies 1210.01/3210.01/4210.01, *Code of Ethics*, and Policies 1121.01/3121.01/4121.01, *Employment Standards and Fingerprinting*, are proposed for amendment to address Findings 4 and 5, concerning required employee background screening and annual ethical conduct training. The bylaw and policies governing ethical conduct will now specifically require all Board members and employees to complete required annual trainings and electronically certify that they have done so to

maintain a clear record. Policies on background screening requirements will also specify that under the new Care Provider Background Screening Clearinghouse system, each employee's background will undergo level 2 re-screening at least once every five years. For clarity and brevity, these policies will also now contain hyperlinks to the disqualifying offenses set forth in § 435.04, Florida Statutes, and list only those offenses this Board has separately adopted as disqualifying. Provisions on background screening costs are also being clarified to conform to current District practices, and two policy titles would be shortened. Further, in direct response to the audit, Policy 4210 would be revised to require all educational support employees (not only those with direct access to students) to complete the required annual ethics training. Arrest reporting requirements found in Policies 1210 and 3210 would also be added to this policy. The proposed revisions to Policies 3210.01 and 4210.01 will be identical to those made to Policy 1210.01, and the proposed revisions Policies 3121.01 and 4121.01 will be identical to those made to Policy 1121.01.

Policy 6470, *Payment of Invoices*, is proposed for amendment to address Finding 6, concerning District controls over provider services and related payments. The policy would be amended to require that before professional contract payments are made, the District must verify that each contracted service was performed by a qualified individual, and that the appropriate contract rate has been applied based on those qualifications. The policy would additionally add a reference to the Local Government Prompt Payment Act (Ch. 218, Part VII, Florida Statutes).

The Notice of Intended Action was published in the Miami Herald on April 27, 2026, and posted in various places for public information and mailed to various organizations representing persons affected by the adopted and amended Board policies and individuals requesting notification. The time to request a hearing or protest the adoption and amendment of these policies has elapsed.

These policy amendments were drafted in collaboration with and reviewed by the Superintendent, Cabinet, and District staff. The Notice of Intended Action and policies with strikethroughs and underlines are attached.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, amend School Board Bylaw 0124, *Standards of Ethical Conduct*; Policy 4210, *Standards of Ethical Conduct*; Policies 1210.01/3210.01/4210.01, *Code of Ethics*; Policies 1121.01/3121.01/4121.01, *Employment Standards and Fingerprinting*; Policy 6470, *Payment of Invoices*; and Policy 8310, *Public Records*, and authorize the Superintendent to file the policies with The School Board of Miami-Dade County, Florida, to be effective June 17, 2026.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on April 22, 2026, its intention to amend School Board Bylaw 0124, *Standards of Ethical Conduct*; Policy 4210, *Standards of Ethical Conduct*; Policies 1210.01/3210.01/4210.01, *Code of Ethics*; Policies 1121.01/3121.01/4121.01, *Employment Standards and Fingerprinting*; Policy 6470, *Payment of Invoices*; and Policy 8310, *Public Records*, at its meeting of June 17, 2026.

PURPOSE AND EFFECT: School Board Bylaw 0124, *Standards of Ethical Conduct*; Policy 4210, *Standards of Ethical Conduct*; Policies 1210.01/3210.01/4210.01, *Code of Ethics*; Policies 1121.01/3121.01/4121.01, *Employment Standards and Fingerprinting*; Policy 6470, *Payment of Invoices*; and Policy 8310, *Public Records*, are proposed for amendment per Board action and in response to a State Auditor Report. The policies would also be revised to reflect current practices.

SUMMARY: School Board Bylaw 0124, *Standards of Ethical Conduct*; Policy 4210, *Standards of Ethical Conduct*; Policies 1210.01/3210.01/4210.01, *Code of Ethics*; Policies 1121.01/3121.01/4121.01, *Employment Standards and Fingerprinting*; Policy 6470, *Payment of Invoices*; and Policy 8310, *Public Records*, are proposed for amendment in response to a 2024-2025 State Auditor Report and board action. Policy 8310 would delineate the process of receiving public records requests, routing them, requesting clarification, conditioning production on special service charges, and providing periodic updates; and clarify employees' responsibilities, highlighting factors that will not excuse compliance and outlining the legal penalties for violations. Bylaw 0124, Policies 1210.01/3210.01/4210.01, and Policies 1121.01/3121.01/4121.01 would be revised to require all Board members and employees to complete required annual trainings and electronically certify doing so; specify that each employee's background will undergo level 2 re-screening at least once every five years; list only the Board-adopted disqualifying offenses; clarify background screening costs; and shorten two policy titles. Policy 4210 would be revised to require all educational support employees to complete annual ethics training and to add arrest reporting requirements. Policy 6470 would be amended to require pre-payment verification and to add references to prompt payment laws.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: Fla. Stat. ss. 1001.41; 1001.42(5)–(7), (12), (15); 1012.23.

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: Fla. Stat. Ch. 119, Ch. 218, Part VII; Fla. Stat. ss. 112.313, 435.04, 435.12, 668.6076, 1012.27, 1012.315, 1012.32; Fla. Admin. Code r. 6A-10.081.

IF REQUESTED, A HEARING WILL BE HELD DURING SCHOOL BOARD MEETING OF June 17, 2026, 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 May 19, 2026, 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 BYLAW AND POLICIES are available at cost to the public for inspection and copying in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.



Book	Policy Manual
Section	June 17, 2026 - <u>Final</u> Reading
Title	STANDARDS OF ETHICAL CONDUCT
Code	0124
Status	<u>Final</u> Reading

0124 - **STANDARDS OF ETHICAL CONDUCT**

As a member of the School Board, each Board member shall promote the best interest of the District as a whole, and each Board member shall adhere to the following educational and ethical standards.

Board members must have a sincere desire to serve the educational needs of the community. Decisions must be based on the best interests of students and not on political or personal interests.

Board members recognize their individual duty to promote the best interests of the District. In doing so, members of the Board shall be guided by the Principles of Professional Conduct for the Education Profession in Florida, F.A.C. 6A-10.081, which outlines the following general ethical principles:

- A. Board members value 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 to teach, and the guarantee of equal opportunity for all.
- B. Board members share a primary professional concern for the student and for the development of student potential. Board members will, therefore, strive for professional growth and will seek to exercise the best professional judgment and integrity.
- C. Board members will strive to achieve and sustain the highest degree of ethical conduct and will comply with applicable Florida Constitution ethics provisions, statutory provisions of F.S. Chapter 112, *Code of Ethics for Public Officers and Employees*, and Bylaws 0141.1, *Conflict of Interest*, and Bylaw 0141.3, *Conflicting Employment or Contractual Relationship*.

Each Board member must recognize that decisions must be made by the Board as a whole and that when made, these decisions must be supported by the entire Board.

Pursuant to F.S. 1001.42(7), a Board member may not knowingly sign and transmit to any State official a report of alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student, including misconduct that involves engaging or soliciting sexual, romantic, or lewd contact with a student, which the Board member knows to be false or incorrect. Violation of this provision will result in the forfeit of the Board member's salary for one (1) year.

Board members shall participate in training annually on the standards of ethical conduct established in this bylaw which may be included in the four hours of ethics training required under Bylaw 0141.1 and F.S. 112.3145. Board members must electronically acknowledge and certify having received this annual training.

Appointment or Employment of Relative

Pursuant to F.S. 1012.23(2), Board members may not appoint or employ a relative, as defined in F.S. 112.3135, to work under their direct supervision. This limitation does not apply to employees appointed or employed before the election or appointment of the Board member. The Commission on Ethics shall accept and investigate any alleged violations of this section pursuant to the procedures contained in F.S. 112.322-112.3241.

Effective 07.01.2011
Revised 10.21.2020

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Legal References: F.S. 112.313
 F.S. 112.3145
 F.S. 112.322-3241
 F.S. 112.3135
 F.S. 1001.42(6), (7)
 F.S. 1012.23
 F.S. 1012.23(2)
 F.A.C. 6A-10.081
 F.A.C. 6B-1.001
 F.A.C. 6B-1.006

Adoption Date: 05.11.2011



Book	Policy Manual
Section	June 17, 2026 – <u>Final</u> Reading
Title	STANDARDS OF ETHICAL CONDUCT
Code	4210
Status	<u>Final</u> Reading

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. ~~A~~sSupport staff memberss shall:

1. 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;
2. not unreasonably restrain a student from independent action in pursuit of learning;
3. not intentionally expose a student to unnecessary embarrassment or disparagement;
4. not intentionally violate or deny a student's legal rights;
5. 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);
6. not intentionally provide classroom instruction to students in prekindergarten through grade 8 on sexual orientation or gender

- identity, except when required by F.S. 1003.42(2)(n)3. and 1003.46;
7. not intentionally provide classroom instruction to students in grades 9 through 12 on sexual orientation or gender identity unless such instruction is required by State academic standards as adopted in F.A.C. 6A-1.09401, or is part of a reproductive health course or health lesson for which a student's parent has the option to have their student not attend;
 8. not exploit a relationship with a student for personal gain or advantage (see Board Policy 4213, *Student Supervision and Welfare*);
 9. not violate F.S. 553.865(9)(b), which relates to entering restrooms and changing facilities designated for the opposite sex on the premises of an educational institution;
 10. not violate F.S. 1000.071, which relates to the use of personal titles and pronouns in educational institutions;
 11. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;
 12. not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression;
 13. not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being unless the individual reasonably believes that disclosure would result in abuse, abandonment, or neglect as defined in F.S. 39.01 (see also Policy 4213, *Student Supervision and Welfare*);
 14. not use institutional privileges for personal gain or advantage (see also Policy 4129, *Conflict of Interest*);
 15. accept no gratuity, gift, or favor that might influence judgment (see also Policy 4129, *Conflict of Interest*);
 16. offer no gratuity, gift, or favor to obtain special advantages (see also Policy 4129, *Conflict of Interest*);
 17. maintain honesty in all dealings;
 18. not interfere with another District employee's exercise of political or civil rights and responsibilities;

19. 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 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);

Discrimination on the basis of race, color, national origin, or sex includes subjecting any student to training or instruction that espouses, promotes, advances, inculcates, or compels such students to believe any of the concepts listed in F.S. 1000.05(4)(a).

20. not make malicious or intentionally false statements about another District employee;

21. not misrepresent one's qualifications;

22. not submit fraudulent information on any document in connection with employment;

23. not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for employment;

23-24. 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);

Support 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.

24-25. not use abusive and/or profane language or display unseemly conduct in the workplace;

25-26. 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.

- B. 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.
- C. 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*)
- D. Support staff members must follow the campus access control and classroom safest area requirements of F.S. 1006.07 and F.A.C. 6A-1.0018 and report known violations of these requirements to the school principal (or, if the principal is alleged to have violated these requirements, to the Superintendent or designee).

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

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Revised 08.16.2023
Revised 11.15.2023
Revised 09.11.2024

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Legal References:

F.S. 112.312
F.S. 112.313
F.S. 553.865(9)(b)
F.S. 1000.05(4)(a)
F.S. 1000.071
F.S. 1001.42(6), (8)
F.S. 1006.07
F.S. 1012.23
F.S. 1012.795(1)
F.A.C. 6A-1.0018

F.A.C. 6A-10.081
F.A.C. 6A-10.086
F.A.C. 6A-19.008
34 C.F.R. Part 106

Adoption Date: 05.11.2011



Book	Policy Manual
Section	June 17, 2026 - <u>Final</u> Reading
Title	CODE OF ETHICS
Code	1210.01
Status	<u>Final</u> Reading

1210.01 - **CODE OF ETHICS**

I. **Introduction**

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.

II. **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.

III. **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.

IV. **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.

V. **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).
- 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.

VI. 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,~~ acknowledge and 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, and that the employee has completed required annual training on these authorities. The certification shall be submitted according to a process determined by the Office of Human Capital Management. A failure to ~~sign the certificate~~abide by these requirements 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~~Capital Management, who may refer the matter to and the Office of the Inspector General.

EXHIBIT A

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CERTIFICATE

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~~I, the undersigned,~~

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(Print your name)

-

~~hereby certifies as follows:~~

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~~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.~~

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~~Date:~~

-

Online Signature

Effective 7/1/11
Technical Change 3/17/17
Revised 10/21/20

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Legal References: F.A.C. 6A-10.081
 F.A.C. 6A-19.008
 34 C.F.R. Part 106



Book	Policy Manual
Section	June 17, 2026 - <u>Final</u> Reading
Title	CODE OF ETHICS
Code	3210.01
Status	<u>Final</u> Reading

3210.01 - **CODE OF ETHICS**

I. **Introduction**

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.

II. **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.

III. **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.

IV. **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 General Counsel 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.

V. **Conduct Regarding Students**

Each employee shall:

- A. 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. not unreasonably restrain a student from independent action in pursuit of learning;
- C. not unreasonably deny a student access to diverse points of view;

- D. not intentionally suppress or distort subject matter relevant to a student's academic program;
- 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 or law and shall make reasonable effort 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);
- H. not exploit a relationship with a student for personal gain or advantage; and
- I. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.

VI. **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,~~ acknowledge and 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, and that the employee has completed required annual training on these authorities. The certification shall be submitted according to a process determined by the Office of Human Capital Management. A failure to ~~sign the Certificate~~abide by these requirements 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~~Capital Management, who may refer the matter to ~~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 07.01.2011
Technical Change 03.17.2017
Revised 10.21.2020
Technical Correction 11.16.2022

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Legal References:

F.A.C. 6A-10.081

F.A.C. 6A-19.008

34 C.F.R. Part 106

Adoption Date: 05.11.2011



Book	Policy Manual
Section	June 17, 2026 - <u>Final</u> Reading
Title	CODE OF ETHICS
Code	4210.01
Status	<u>Final</u> Reading

4210.01 - **CODE OF ETHICS**

I. **Introduction**

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.

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- 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;
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II. **Application**

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- B. Cooperation – Working together toward goals as basic as human survival in an increasingly interdependent world;
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- D. Honesty – Dealing truthfully with people, being sincere, not deceiving them nor stealing from them, not cheating nor lying;
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- D. To treat all persons with respect and to strive to be fair in all matters;
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IV. **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.
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- 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.
- 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.

V. **Conduct Regarding Students**

Each employee shall:

- A. 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. not unreasonably restrain a student from independent action in pursuit of learning;
- C. not unreasonably deny a student access to diverse points of view;

- D. not intentionally suppress or distort subject matter relevant to a student's academic program;
- 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 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.

VI. **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,~~ acknowledge and 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, and that the employee has completed required annual training on these authorities. The certification shall be submitted according to a process determined by the Office of Human Capital Management. A failure to ~~sign the Certificate~~ abide by these requirements 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~~Capital Management, who may refer the matter to 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 4210.01 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 4129 (collectively referred to as the "policy"). I have read and understand the policy.~~

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Date:

-

Online Signature

Effective 07.01.2011
Technical Change 03.17.2017
Revised 10.21.2020
Technical Correction 11.16.2022

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Legal References:
F.A.C. 6A-10.081
F.A.C. 6A-19.008
34 C.F.R. Part 106

Adoption Date: 05.11.2011



Book	Policy Manual
Section	June 17, 2026 - <u>Final</u> Reading
Title	EMPLOYMENT STANDARDS AND FINGERPRINTING
Code	1121.01
Status	<u>Final</u> Reading

1121.01 - **EMPLOYMENT STANDARDS AND FINGERPRINTING**

The School Board shall employ only individuals of good moral character. Employees not found to be of good moral character will not be eligible for continued employment. This policy applies to all employees whether full-time, part-time, or temporary.

Good moral character means exemplifying the acts and conduct that would cause a reasonable person to have confidence in an individual's honesty, fairness and respect for the rights of others and for State and Federal laws.

A. Fingerprinting

1. Fingerprints of candidates for employment (or re-employment if there has been a break in service) shall be submitted to the Florida Department of Law Enforcement (FDLE) and the Agency for Health Care Administration (AHCA) to review and determine the candidate's initial eligibility for employment using the Care Provider Background Screening Clearinghouse (the "Clearinghouse") pursuant to F.S. 435.12. A photograph of the candidate must also be submitted as part of this process. The District will then determine the candidate's eligibility for employment under its hiring standards.

~~1.2.~~ Pursuant to F.S. 435.12, active employees' fingerprints will be retained in the Clearinghouse. This retention will be renewed, and each employee's background will undergo level 2 re-screening, at least once every five (5) years. A resubmission of fingerprints will be required only if there is a break in service of more than ninety (90) days or if the employee's fingerprint retention has lapsed.

~~2.3. _____ Periodic re-fingerprinting of employees is required to remain employed. Personnel who have had a break in service shall also be required to be re-fingerprinted in order to be re-employed. Upon re-fingerprinting the re-submission of an active employee's fingerprints,~~ any new criminal history that was not previously reported and appropriately addressed may result in non-reemployment, or disciplinary action up to and including dismissal.

3.4. _____ Current employees who are seeking instructional positions and who are required to be re-fingerprinted as part of the certification process may be subject to disciplinary action up to and including dismissal for any new criminal history that was not previously disclosed/discovered and appropriately addressed. Any records of criminal offenses that were properly disclosed and previously cleared by the Office of Professional Standards will not be a cause for disciplinary action upon subsequent review of the employee's history.

4.5. _____ Employees found through the re-fingerprinting process to have been convicted of a crime (regardless of adjudication or guilty plea, no contest plea and Pretrial Intervention) may be subject to disciplinary action up to, and including dismissal. However, if the prior criminal offense or conviction was related to or involved child abuse or child neglect, including sexual assault/sexual battery, the prior criminal offense or conviction shall be considered for the purpose of taking appropriate employment or disciplinary action, regardless of whether it was previously disclosed by the employee or previously cleared by the Office of Professional Standards.

5.6. _____ Once an employee has previously disclosed his/her criminal history record and is cleared for employment with the District, the criminal history may not be used as an impediment to promotion if the employee applied, fulfilled all the requirements, and is otherwise qualified for promotion.

6.7. _____ The District shall not be precluded from considering a current employee's criminal history background when making future employment/placement decisions, such as whether an employee with a prior conviction may be prohibited from holding a position of trust. Accordingly, the Superintendent has the discretion to review an employee applicant's prior criminal history when making placement decisions.

7.8. _____ The cost of ~~the initial~~ fingerprinting and ~~the~~ fingerprint processing shall be borne by the ~~candidate for employment~~ District.

8.9. _____ Individuals whose fingerprints have not been reviewed by the AHCA must be re-fingerprinted and re-screened upon re-employment

or re-engagement to provide services in order to comply with the law.

B. Disqualifying Criminal Offenses

A conviction, finding of guilt, withholding of adjudication, or plea of guilty or nolo contendere to any of the offenses listed in F.S. 435.04, or 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 F.S. 943.0435(1)(h)1.d., is disqualifying as a matter of law. The disqualifying offenses listed in F.S. 435.04 can be accessed through the link below.

The following criminal offenses are additionally deemed disqualifying and, within the District's discretion, are subject to disciplinary action up to and including dismissal:

1. any crime involving moral turpitude (F.S. 1012.32, 1012.33)
2. counterfeiting (F.S. 831.28)
3. currently having a pending case for driving under the influence of alcohol (DUI) (F.S. 316.193)
4. currently on probation or community control (Ch. 948)
5. driving under the influence/driving while intoxicated (F.S. 316.193)
6. drug and/or paraphernalia (misdemeanor) (F.S. 893.13)
7. extortion (F.S. 836.05)
8. false statement to obtain property or credit or to detain real property (F.S. 817.03)
9. forgery (F.S. 831.01)
10. fraud (misdemeanor) (F.S. 414.39)
11. loitering (F.S. 856.021)
12. other criminal traffic offenses (various statutes)
13. petty theft/larceny/theft to deprive/retail theft/shoplifting (F.S. 812.014, 812.015)
14. possession of a concealed weapon (felony or misdemeanor) (F.S. 790.01)

15.resisting arrest without violence (F.S. 843.02)

16.sale of alcohol to a minor (F.S. 562.11)

17.trespassing (F.S. 810.08)

18.violent and disorderly conduct (F.S. 870.01)

19.welfare/unemployment/workers' compensation fraud (F.S. 443.071, 440.105)

20.worthless checks (F.S. 831.09, 831.02)

~~Criminal offenses that may result in disqualification or disciplinary action up to and including dismissal include, but are not limited to:~~

~~1. adult abuse, neglect or exploitation of aged persons or disabled adults (F.S. 825.102, 825.103)~~

~~-~~

~~2. aggravated assault (F.S. 784.021)~~

~~-~~

~~3. aggravated battery (F.S. 784.045)~~

- ~~4. aiding in an escape or escaping (F.S. 843.12, 843.13, 944.40, 944.46)~~
-
- ~~5. arson (F.S. 806.01)~~
- ~~6. attempt, solicitation, and conspiracy to commit a criminal offense (F.S. 777.04)~~
- ~~7. battery on staff of a detention or commitment facility or on a juvenile probation office (F.S. 784.075)~~
-
- ~~8. child abuse or child neglect (F.S. 827.03)~~
-
- ~~9. contributing to the delinquency or dependency of a child (F.S. 827.04)~~
-
- ~~10. currently having a pending case for Driving Under the Influence of alcohol (DUI) (F.S. 316.193)~~
- ~~11. depriving officers of means of protection or communication (F.S. 843.025)~~
-
- ~~12. domestic violence (felony) (F.S. 741.28)~~
- ~~13. encouraging or recruiting another to join a criminal gang (F.S. 874.05)~~
- ~~14. exhibiting a firearm or weapon within 1,000 feet of a school or possessing an electric weapon or device, destructive device, or other weapon on school property (F.S. 790.115)~~
-
- ~~15. extortion (F.S. 836.05)~~
- ~~16. failing to report adult abuse, neglect or exploitation of aged persons or disabled adults (F.S. 415.111)~~
- ~~17. failing to report child abuse, abandonment, or neglect (F.S. 39.205)~~
-
- ~~18. felony battery/assault (F.S. 784.041)~~
-
- ~~19. felony drug possession, sale, or distribution (F.S. 893.13)~~
- ~~20. human smuggling or trafficking (F.S. 787.06, 787.07)~~
-
- ~~21. incest (F.S. 826.04)~~
-
- ~~22. indecent exposure (F.S. 800.03)~~
-

- ~~23. inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm (F.S. 944.35)~~
- ~~24. introducing contraband into a correctional facility (F.S. 944.47, 985.711)~~
- ~~25. kidnapping/false imprisonment (F.S. 787.01, 787.02)~~
-
- ~~26. killing of an unborn child by injury to the mother (F.S. 782.09)~~
-
- ~~27. lewd and lascivious behavior (F.S. 798.02, 800.04, 825.1025)~~
- ~~28. luring or enticing a child for unlawful purposes (F.S. 787.025)~~
-
- ~~29. manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child (F.S. 782.07)~~
-
- ~~30. murder (F.S. 782.04)~~
-
- ~~31. distribute or possess to sell obscene material (F.S. 847.011)~~
- ~~32. poisoning food or water (F.S. 859.01)~~
-
- ~~33. prostitution/solicitation of prostitution (F.S. 796.07)~~
- ~~34. purchasing or selling human organs and tissue (F.S. 873.01)~~
-
- ~~35. removing children from the State or concealing children contrary to court order (F.S. 787.04)~~
-
- ~~36. robbery (F.S. 812.13)~~
-
- ~~37. sexual assault/sexual battery (F.S. 794.011)~~
-
- ~~38. sexual performance by a child (F.S. 827.071)~~
- ~~39. specific sexual misconduct (F.S. 916.1075, 985.701)~~
-
- ~~40. vehicular homicide (F.S. 782.071)~~
-
- ~~41. burglary (F.S. 810.02)~~
-
- ~~42. counterfeiting (F.S. 831.28)~~

- ~~43.false statement to obtain property or credit or to detain real property (F.S. 817.03)~~
- ~~44.female genital mutilation (F.S. 794.08)~~
-
- ~~45.forgery (F.S. 831.01)~~
- ~~46.fraud (F.S. 414.39)~~
- ~~47.fraudulent or unlawful sale of controlled substances (felony) (F.S. 817.563, 831.311)~~
-
- ~~48.grand larceny (F.S. 812.014)~~
-
- ~~49.grand theft (F.S. 812.014)~~
-
- ~~50.possession of a concealed weapon (felony) (F.S. 790.01)~~
-
- ~~51.sale of alcohol to a minor (F.S. 562.11)~~
-
- ~~52.welfare/unemployment/worker's compensation fraud (F.S. 443.071, 440.105)~~
-
- ~~53.battery/assault (F.S. 784.03, 784.011)~~
-
- ~~54.drug and/or paraphernalia (misdemeanor) (F.S. 893.13)~~
-
- ~~55.possession of a concealed weapon (misdemeanor) (F.S. 790.01)~~
-
- ~~56.resisting arrest with violence (F.S. 843.01)~~
-
- ~~57.currently on probation or community control (F.S. 948)~~
-
- ~~58.disorderly conduct (F.S. 870.01)~~
-
- ~~59.domestic violence (misdemeanor) (F.S. 741.28)~~
-
- ~~60.driving under the influence/driving while intoxicated (F.S. 316.193)~~
-
- ~~61.loitering (F.S. 856.021)~~
-
- ~~62.other criminal traffic offenses (various statutes)~~
-

~~63.petty theft/larceny/theft to deprive/retail theft/shoplifting (F.S. 812.014, 812.015)~~

-

~~64.resisting arrest without violence (F.S. 843.02) or with violence (F.S. 843.01)~~

~~65.voyeurism and digital voyeurism (felony) (F.S. 810.14, 810.145)~~

~~66.sexual misconduct with certain developmentally disabled clients and reporting of such misconduct (F.S. 393.135)~~

~~67.sexual misconduct with certain mental health patients and reporting of such sexual misconduct (F.S. 394.4593)~~

-

~~68.trespassing (F.S. 810.08)~~

~~69.unlawful sexual activity with certain minors (F.S. 794.05)~~

-

~~70.worthless checks (F.S. 831.09, 831.02)~~

~~71.written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism (F.S. 836.10)~~

-

~~any crime involving moral turpitude (F.S. 1012.32, 1012.33)~~

Any omissions, changes, or typographical errors in the statutory citations shall not be a defense for the employee.

Persons who apply for certification or employment are governed by the law and rules in effect at the time of application for issuance of the initial certificate or employment, provided that continuity of certificates or employment is maintained.

The District will not retain employees within the School Police Department who have received a dishonorable discharge from any of the Armed Forces of the United States, or with a conviction of a misdemeanor involving perjury or a false statement.

C. Appeal Process

Employees who are disqualified from employment because of criminal history will receive written notification by regular and certified mail. Disqualified employees may request an appeal conference. A written request for an appeal conference must be submitted to the Office of Professional Standards no later than fifteen (15) calendar days from receipt of notification by U.S. Mail or return receipt post office notification, whichever occurs first. An appeal conference will be conducted by the Office of Professional Standards within thirty (30) workdays of the receipt of a timely request from the

applicant/employee. The period of time for holding an appeal conference may be extended upon agreement of the employee and the Office of Professional Standards.

The District administrator conducting the appeal may consider the specific facts which led to the criminal incident and may consider mitigating factors. It is the employee's burden to present clear and convincing evidence to support a reasonable belief that s/he has been rehabilitated and does not present a danger to student's health, safety, and welfare. Appeals may be granted only to the extent allowed by law.

D. Employment History Check & Educator Screening Tool

Before employing a person in any position that requires direct contact with students, the Superintendent shall conduct employment history checks of each of the candidate's previous employer(s), review each affidavit of separation from previous employers pursuant to F.S. 1012.31, screen instructional personnel and school administrators, as defined in F.S. 1012.01, through use of the educator screening tools described in F.S. 1001.10(5), and document the findings. If unable to contact a previous employer, the Superintendent shall document efforts to contact the employer (F.S. 1012.27(6)).

A person is ineligible for educator certification or employment in any position that requires direct contact with students if s/he:

1. is on the disqualification list maintained by the Florida Department of Education (FLDOE) under F.S. 1001.10(4)(b);
2. is registered as a sex offender as described in 42 U.S.C. 9858f(c)(1)(C);
3. is ineligible based on a security background investigation under F.S. 435.04;
4. would be ineligible for an exemption under F.S. 435.07(4)(c);
5. has been convicted or found guilty of, has had adjudication withheld for, or had pled guilty or nolo contendere to: (a) any criminal act in another state or under Federal law which, if committed in Florida, constitutes a disqualifying offense under F.S. 435.04(2); or (b) any delinquent act committed in Florida or any delinquent or criminal act committed in another state or under Federal law which, if committed in Florida, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under F.S. 943.0435.

[To view the mandatorily disqualifying offenses under State law, please click here.](#)

Effective 07.01.2011
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Revised 06.18.2025

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Legal References:

F.S. 1012.27(6)

F.S. 1012.56

F.S. 1012.32

F.S. 943.059(4)(a)

F.S. 943.0585(4)(a)

F.S. 435.09

Adoption Date: 05.11.2011



Book	Policy Manual
Section	June 17, 2026 - <u>Final</u> Reading
Title	EMPLOYMENT STANDARDS AND FINGERPRINTING OF ALL EMPLOYEES
Code	3121.01
Status	<u>Final</u> Reading

3121.01 - EMPLOYMENT STANDARDS AND FINGERPRINTING ~~OF ALL~~ EMPLOYEES

The School Board shall employ only individuals of good moral character. Employees not found to be of good moral character will not be eligible for continued employment. This policy applies to all employees whether full-time, part-time, or temporary.

Good moral character means exemplifying the acts and conduct that would cause a reasonable person to have confidence in an individual's honesty, fairness and respect for the rights of others and for the laws of the State and Federal laws.

A. Fingerprinting

1. Fingerprints of candidates for employment (or re-employment if there has been a break in service) shall be submitted to the Florida Department of Law Enforcement (FDLE) and the Agency for Health Care Administration (AHCA) to review and determine the candidate's initial eligibility for employment using the Care Provider Background Screening Clearinghouse (the "Clearinghouse") pursuant to F.S. 435.12. A photograph of the candidate must also be submitted as part of this process. The District will then determine the candidate's eligibility for employment under its hiring standards.
- 4.2. Pursuant to F.S. 435.12, active employees' fingerprints will be retained in the Clearinghouse. This retention will be renewed, and each employee's background will undergo level 2 re-screening, at least once every five (5) years. A resubmission of fingerprints will be required only if there is a break in service of more than ninety (90) days or if

the employee's fingerprint retention has lapsed.

~~2.3. _____ Periodic re-fingerprinting of employees is required to remain employed. Personnel who have had a break in service shall also be required to be re-fingerprinted in order to be re-employed. Upon re-fingerprinting the re-submission of an active employee's fingerprints,~~ any new criminal history that was not previously reported and appropriately addressed may result in non-reemployment, or disciplinary action up to and including dismissal.

~~3.~~ Current employees who are seeking instructional positions and who are required to be re-fingerprinted as part of the certification process may be subject to disciplinary action, up to and including dismissal, for any new criminal history that was not previously disclosed/discovered and appropriately addressed. Any records of criminal offenses that were properly disclosed and previously cleared by the Office of Professional Standards will not be a cause for disciplinary action upon subsequent review of the employee's history.

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4.

4.5. Employees found through the re-fingerprinting process to have been convicted of a crime (regardless of adjudication or guilty plea, no contest plea and Pretrial Intervention) may be subject to disciplinary action up to and including dismissal. However, if the prior criminal offense or conviction was related to or involved child abuse or child neglect, including sexual assault/sexual battery, the prior criminal offense or conviction shall be considered for the purpose of taking appropriate employment or disciplinary action, regardless of whether it was previously disclosed by the employee or previously cleared by the Office of Professional Standards.

5.6. Once an employee has previously disclosed his/her criminal history record and is cleared for employment with the District, the criminal history may not be used as an impediment to promotion if the employee applied, fulfilled all the requirements, and is otherwise qualified for promotion.

6.7. The District shall not be precluded from considering a current employee's criminal history background when making future employment/placement decisions, such as whether an employee with a prior conviction may be prohibited from holding a position of trust. Accordingly, the Superintendent has the discretion to review an employee applicant's prior criminal history when making placement decisions.

7.8. The cost of ~~the initial~~ fingerprinting and ~~the~~ fingerprint processing shall be borne by the candidate for employment-District.

8.9. Individuals whose fingerprints have not been reviewed by the AHCA must be re-fingerprinted and re-screened upon re-employment or re-engagement to provide services in order to comply with the law.

B. Disqualifying Criminal Offenses

~~Criminal offenses that may result in disqualification or disciplinary action up to, and including dismissal include, but are not limited to,:~~
A conviction, finding of guilt, withholding of adjudication, or plea of guilty or nolo contendere to any of the offenses listed in F.S. 435.04, or 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 F.S. 943.0435(1)(h)1.d., is disqualifying as a matter of law. The disqualifying offenses listed in F.S. 435.04 can be accessed through the link below.

The following criminal offenses are additionally deemed disqualifying and, within the District's discretion, are subject to disciplinary action up to and including dismissal:

1. any crime involving moral turpitude (F.S. 1012.32, 1012.33)
2. counterfeiting (F.S. 831.28)
3. currently having a pending case for driving under the influence of alcohol (DUI) (F.S. 316.193)
4. currently on probation or community control (Ch. 948)
5. driving under the influence/driving while intoxicated (F.S. 316.193)
6. drug and/or paraphernalia (misdemeanor) (F.S. 893.13)
7. extortion (F.S. 836.05)
8. false statement to obtain property or credit or to detain real property (F.S. 817.03)
9. forgery (F.S. 831.01)
10. fraud (misdemeanor) (F.S. 414.39)
11. loitering (F.S. 856.021)
12. other criminal traffic offenses (various statutes)
13. petty theft/larceny/theft to deprive/retail theft/shoplifting (F.S. 812.014, 812.015)
14. possession of a concealed weapon (felony or misdemeanor) (F.S. 790.01)
15. resisting arrest without violence (F.S. 843.02)
16. sale of alcohol to a minor (F.S. 562.11)
17. trespassing (F.S. 810.08)
18. violent and disorderly conduct (F.S. 870.01)
19. welfare/unemployment/workers' compensation fraud (F.S. 443.071, 440.105)
20. worthless checks (F.S. 831.09, 831.02)

-
1. ~~adult abuse, neglect or exploitation of aged persons or disabled adults~~
(~~F.S. 825.102, 825.103~~)

-
2. ~~aggravated assault (F.S. 784.021)~~

-
~~aggravated battery (F.S. 784.045)~~

~~3.~~

~~4. aiding in an escape or escaping (F.S. 843.12, 843.13, 944.40, 944.46)~~

~~-~~

~~arson (F.S. 806.01)~~

~~attempt, solicitation, and conspiracy to commit a criminal offense (F.S. 777.04)~~

~~battery on staff of a detention or commitment facility or on a juvenile probation office (F.S. 784.075)~~

~~-~~

~~child abuse or child neglect (F.S. 827.03)~~

~~-~~

~~contributing to the delinquency or dependency of a child (F.S. 827.04)~~

~~-~~

~~currently having a pending case for driving under the influence of alcohol (DUI) (F.S. 316.193)~~

~~depriving officers of means of protection or communication (F.S. 843.025)~~

~~-~~

~~encouraging or recruiting another to join a criminal gang (F.S. 874.05)~~

~~-~~

~~exhibiting a firearm or weapon within 1,000 feet of a school or possessing an electric weapon or device, destructive device, or other weapon on school property (F.S. 790.115)~~

~~failing to report adult abuse, neglect, or exploitation of aged persons or disabled adults (F.S. 415.111)~~

~~failing to report child abuse, abandonment, or neglect (F.S. 39.205)~~

~~felony battery/assault (F.S. 784.041)~~

~~-~~

~~felony drug possession, sale or distribution (F.S. 893.13)~~

~~human smuggling or trafficking (F.S. 787.06, 787.07)~~

~~-~~

~~incest (F.S. 826.04)~~

~~indecent exposure (F.S. 800.03)~~

~~inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm (F.S. 944.35)~~

~~introducing contraband into a correctional facility (F.S. 944.47, 985.711)~~

~~- kidnapping/false imprisonment (F.S. 787.01, 787.02)~~

~~- killing of an unborn child by injury to the mother (F.S. 782.09)~~

~~- lewd and lascivious behavior (F.S. 798.02, 800.04, 825.1025)~~

~~luring or enticing a child for unlawful purposes (F.S. 787.025)~~

~~- manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child (F.S. 782.07)~~

~~- murder (F.S. 782.04)~~

~~- distribute or possess to sell obscene material (F.S. 847.011)~~

~~poisoning food or water (F.S. 859.01)~~

~~- prostitution/solicitation of prostitution (F.S. 796.07)~~

~~purchase or selling human organs and tissue (F.S. 873.01)~~

~~- removing children from the State or concealing children contrary to court order (F.S. 787.04)~~

~~- robbery (F.S. 812.13)~~

~~- sexual assault/sexual battery (F.S. 794.011)~~

~~- sexual performance by a child (F.S. 827.071)~~

~~specific sexual misconduct (F.S. 916.1075, 985.701)~~

~~- vehicular homicide (F.S. 782.071)~~

~~- burglary (F.S. 810.02)~~

~~counterfeiting (F.S. 831.28)~~

~~false statement to obtain property or credit or to detain real property (F.S. 817.03)~~

~~female genital mutilation (F.S. 794.08)~~

-

~~forgery (F.S. 831.01)~~

-

~~fraud (F.S. 414.39)~~

~~fraudulent or unlawful sale of controlled substances (felony) (F.S. 817.563, 831.311)~~

-

~~grand larceny (F.S. 812.014)~~

-

~~grand theft (F.S. 812.014)~~

~~possession of a concealed weapon (felony) (F.S. 790.01)~~

-

~~sale of alcohol to a minor (F.S. 562.11)~~

-

~~welfare/unemployment/workers' compensation fraud (F.S. 443.071, 440.105)~~

-

~~battery/assault (F.S. 784.03, 784.011)~~

-

~~drug and/or paraphernalia (misdemeanor) (F.S. 893.13)~~

-

~~possession of a concealed weapon (misdemeanor) (F.S. 790.01)~~

-

~~resisting arrest with violence (F.S. 843.01)~~

-

~~currently on probation or community control (F.S. 948)~~

-

~~disorderly conduct (F.S. 870.01)~~

-

~~domestic violence (misdemeanor) (F.S. 741.28)~~

-

~~driving under the influence/driving while intoxicated (F.S. 316.193)~~

-

~~loitering (F.S. 856.021)~~

~~other criminal traffic offenses (various statutes)~~

-

~~petty theft/larceny/theft to deprive/retail theft/shoplifting (F.S. 812.014, 812.015)~~

-

~~resisting arrest without violence (F.S. 843.02); with violence (F.S. 843.01)~~

~~voyeurism and digital voyeurism (felony) (F.S. 8/10.14, 810.145)~~

~~sexual misconduct with certain developmentally disabled clients and reporting of such misconduct (F.S. 393.135)~~

~~sexual misconduct with certain mental health patients and reporting of such sexual misconduct (F.S. 394.4593)~~

-

~~trespassing (F.S. 810.08)~~

~~unlawful sexual activity with certain minors (F.S. 794.05)~~

-

~~worthless checks (F.S. 831.09, 831.02)~~

~~5. written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism (F.S. 836.10)~~

-

~~6. any crime involving moral turpitude (F.S. 1012.32, 1012.33)~~

~~domestic violence (felony) (F.S. 741.28)~~

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Any omissions, changes, or typographical errors in the statutory citations shall not be a defense for the employee.

Persons who apply for certification or employment are governed by the law and rules in effect at the time of application for issuance of the initial certificate or employment, provided that continuity of certificates or employment is maintained.

The District will not retain employees within the School Police Department who have received a dishonorable discharge from any of the Armed Forces of the United States, or with a conviction of a misdemeanor involving perjury, or a false statement.

C. Appeal Process

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D. Employment History Check & Educator Screening Tool

Before employing a person in any position that requires direct contact with students, the Superintendent shall conduct employment history checks of each of the candidate's previous employer(s), review each affidavit of separation from previous employer(s), review each affidavit of separation from previous employers pursuant to F.S. 1012.31, screen instructional personnel and school administrators, as defined in F.S. 1012.01, through use of the educator screening tools described in F.S. 1001.10(5), and document the findings. If unable to contact a previous employer, the Superintendent shall document efforts to contact the employer (F.S. 1012.27(6)).

A person is ineligible for educator certification or employment in any position that requires direct contact with students if s/he:

1. is on the disqualification list maintained by the Florida Department of Education (FLDOE) under F.S. 1001.10(4)(b);
2. is registered as a sex offender as described in 42 U.S.C. 9858f(c)(1)(C);
3. is ineligible based on a security background investigation under F.S. 435.04;
4. would be ineligible for an exemption under F.S. 435.07(4)(c); or

5. has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to: (a) any criminal act in another state or under Federal law which, if committed in Florida, constitutes a disqualifying offense under F.S. 435.04(2); or (b) any delinquent act committed in Florida or any delinquent or criminal act committed in another state or under Federal law which, if committed in Florida, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under F.S. 943.0435.

[To view the mandatorily disqualifying offenses under State law, please click here.](#)

Effective 07.01.2011

Revised 12.15.2021

Revised 10.11.2023

Revised 06.18.2025

Legal References:

F.S. 435.04, 435.07, 435.09, 943.0585(4)(a), 943.059(4)(a), 1001.10(5),
1012.27(6), 1012.315

F.S. 1012.32, 1012.56

Adoption Date: 05.11.2011



Book	Policy Manual
Section	June 17, 2026 - <u>Final</u> Reading
Title	EMPLOYMENT STANDARDS AND FINGERPRINTING OF ALL EMPLOYEES
Code	4121.01
Status	<u>Final</u> Reading

4121.01 - **EMPLOYMENT STANDARDS AND FINGERPRINTING ~~OF ALL~~ EMPLOYEES**

The School Board shall employ only individuals of good moral character. Employees not found to be of good moral character will not be eligible for continued employment. This policy applies to all employees whether full-time, part-time, or temporary.

Good moral character means exemplifying the acts and conduct that would cause a reasonable person to have confidence in an individual's honesty, fairness and respect for the rights of others and for the laws of the State and Federal law.

A. Fingerprinting

1. Fingerprints of candidates for employment (or re-employment if there has been a break in service) shall be submitted to the Florida Department of Law Enforcement (FDLE) and the Agency for Health Care Administration (AHCA) to review and determine the candidate's initial eligibility for employment using the Care Provider Background Screening Clearinghouse (the "Clearinghouse") pursuant to F.S. 435.12. A photograph of the candidate must also be submitted as part of this process. The District will then determine the candidate's eligibility for employment under its hiring standards.
- 1-2. Pursuant to F.S. 435.12, active employees' fingerprints will be retained in the Clearinghouse. This retention will be renewed, and each employee's background will undergo level 2 re-screening, at least once every five (5) years. A resubmission of fingerprints will be required only if there is a break in service of more than ninety (90) days or if

the employee's fingerprint retention has lapsed.

- ~~2.3.~~ Periodic re-fingerprinting of employees is required to remain employed. Personnel who have had a break in service shall also be required to be re-fingerprinted in order to be re-employed. Upon re-fingerprinting the re-submission of an active employee's fingerprints, any new criminal history that was not previously reported and appropriately addressed may result in non-reemployment, or disciplinary action up to and including dismissal.
- ~~3.4.~~ Current employees who are seeking instructional positions and who are required to be re-fingerprinted as part of the certification process may be subject to disciplinary action up to and including dismissal for any new criminal history that was not previously disclosed/discovered and appropriately addressed. Any records of criminal offenses that were properly disclosed and previously cleared by the Office of Professional Standards will not be a cause for disciplinary action upon subsequent review of the employee's history.
- ~~4.5.~~ Employees found through the re-fingerprinting process to have been convicted of a crime (regardless of adjudication or guilty plea, no contest plea and Pretrial Intervention) may be subject to disciplinary action up to and including dismissal. However, if the prior criminal offense or conviction was related to or involved child abuse or child neglect, including sexual assault/sexual battery, the prior criminal offense or conviction shall be considered for the purpose of taking appropriate employment or disciplinary action, regardless of whether it was previously disclosed by the employee or previously cleared by the Office of Professional Standards.
- ~~5.6.~~ Once an employee has previously disclosed his/her criminal history record and is cleared for employment with the District, the criminal history may not be used as an impediment to promotion if the employee applied, fulfilled all the requirements, and is otherwise qualified for promotion.
- ~~6.7.~~ The District shall not be precluded from considering a current employee's criminal history background when making future employment/placement decisions, such as whether an employee with a prior conviction may be prohibited from holding a position of trust. Accordingly, the Superintendent has the discretion to review an employee applicant's prior criminal history when making placement decisions.
- ~~7.8.~~ The cost of ~~the initial~~ fingerprinting and ~~the~~ fingerprint processing shall be borne by the candidate for employment District.

8-9. Individuals whose fingerprints have not been reviewed by the AHCA must be re-fingerprinted and re-screened upon re-employment or re-engagement to provide services in order to comply with the law.

B. Disqualifying Criminal Offenses

A conviction, finding of guilt, withholding of adjudication, or plea of guilty or nolo contendere to any of the offenses listed in F.S. 435.04, or 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 F.S. 943.0435(1)(h)1.d., is disqualifying as a matter of law. The disqualifying offenses listed in F.S. 435.04 can be accessed through the link below.

The following criminal offenses are additionally deemed disqualifying and, within the District's discretion, are subject to disciplinary action up to and including dismissal:

1. any crime involving moral turpitude (F.S. 1012.32, 1012.33)
2. counterfeiting (F.S. 831.28)
3. currently having a pending case for driving under the influence of alcohol (DUI) (F.S. 316.193)
4. currently on probation or community control (Ch. 948)
5. driving under the influence/driving while intoxicated (F.S. 316.193)
6. drug and/or paraphernalia (misdemeanor) (F.S. 893.13)
7. extortion (F.S. 836.05)
8. false statement to obtain property or credit or to detain real property (F.S. 817.03)
9. forgery (F.S. 831.01)
10. fraud (misdemeanor) (F.S. 414.39)
11. loitering (F.S. 856.021)
12. other criminal traffic offenses (various statutes)
13. petty theft/larceny/theft to deprive/retail theft/shoplifting (F.S. 812.014, 812.015)

14. possession of a concealed weapon (felony or misdemeanor) (F.S. 790.01)

15. resisting arrest without violence (F.S. 843.02)

16. sale of alcohol to a minor (F.S. 562.11)

17. trespassing (F.S. 810.08)

18. violent and disorderly conduct (F.S. 870.01)

19. welfare/unemployment/workers' compensation fraud (F.S. 443.071, 440.105)

20. worthless checks (F.S. 831.09, 831.02)

~~Criminal offenses that may result in disqualification or disciplinary action up to, and including dismissal include, but are not limited to:~~

~~1. adult abuse, neglect or exploitation of aged persons or disabled adults (F.S. 825.102, 825.103)~~

~~-~~

~~2. aggravated assault (F.S. 784.021)~~

~~-~~

~~3. aggravated battery (F.S. 784.045)~~

- ~~4. aiding in an escape or escaping (F.S. 843.12, 843.13, 944.40, 944.46)~~
-
- ~~5. arson (F.S. 806.01)~~
- ~~6. attempt, solicitation and conspiracy to commit a criminal offense (F.S. 777.04)~~
- ~~7. battery on staff of a detention or commitment facility or on a juvenile probation office (F.S. 784.075)~~
-
- ~~8. child abuse or child neglect (F.S. 827.03)~~
-
- ~~9. contributing to the delinquency or dependency of a child (F.S. 827.04)~~
-
- ~~10. currently having a pending case for driving under the influence of alcohol (DUI) (F.S. 316.193)~~
- ~~11. depriving officers of means of protection or communication (F.S. 843.025)~~
-
- ~~12. domestic violence (felony) (F.S. 741.28)~~
- ~~13. encouraging or recruiting another to join a criminal gang (F.S. 874.05)~~
- ~~14. exhibiting a firearm or weapon within 1,000 feet of a school or possessing an electric weapon or device, destructive device, or other weapon on school property (F.S. 790.115)~~
-
- ~~15. extortion (F.S. 836.05)~~
- ~~16. failing to report adult abuse, neglect, or exploitation of aged persons or disabled adults (F.S. 415.111)~~
- ~~17. failing to report child abuse, abandonment, or neglect (F.S. 39.205)~~
-
- ~~18. felony battery/assault (F.S. 784.041)~~
-
- ~~19. felony drug possession, sale or distribution (F.S. 893.13)~~
- ~~20. human smuggling or trafficking (F.S. 787.06, 787.07)~~
-
- ~~21. incest (F.S. 826.04)~~

- ~~22. indecent exposure (F.S. 800.03)~~
- ~~23. inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm (F.S. 944.35)~~
- ~~24. introducing contraband into a correctional facility (F.S. 944.47, 985.711)~~
 -
- ~~25. kidnapping/false imprisonment (F.S. 787.01, 787.02)~~
 -
- ~~26. killing of an unborn child by injury to the mother (F.S. 782.09)~~
 -
- ~~27. lewd and lascivious behavior (F.S. 798.02, 800.04, 825.1025)~~
- ~~28. luring or enticing a child for unlawful purposes (F.S. 787.025)~~
 -
- ~~29. manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child (F.S. 782.07)~~
 -
- ~~30. murder (F.S. 782.04)~~
 -
- ~~31. distribute or possess to sell obscene material (F.S. 847.011)~~
- ~~32. poisoning food or water (F.S. 859.01)~~
 -
- ~~33. prostitution/solicitation of prostitution (F.S. 796.07)~~
- ~~34. purchasing or selling human organs and tissues (F.S. 873.01)~~
 -
- ~~35. removing children from the State or concealing children contrary to court order (F.S. 787.04)~~
 -
- ~~36. robbery (F.S. 812.13)~~
 -
- ~~37. sexual assault/sexual battery (F.S. 794.011)~~
 -
- ~~38. sexual performance by a child (F.S. 827.071)~~
- ~~39. specific sexual misconduct (F.S. 916.1075, 985.701)~~
 -
- ~~40. vehicular homicide (F.S. 782.071)~~
 -
- ~~41. burglary (F.S. 810.02)~~
 -

- ~~42.counterfeiting (F.S. 831.28)~~
- ~~43.false statement to obtain property or credit or to detain real property (F.S. 817.03)~~
- ~~44.female genital mutilation (F.S. 794.08)~~
-
- ~~45.forgery (F.S. 831.01)~~
- ~~46.fraud (F.S. 414.39)~~
- ~~47.fraudulent or unlawful sale of controlled substances (felony) (F.S. 817.563, 831.311)~~
-
- ~~48.grand larceny (F.S. 812.014)~~
-
- ~~49.grand theft (F.S. 812.014)~~
-
- ~~50.possession of a concealed weapon (felony) (F.S. 790.01)~~
-
- ~~51.sale of alcohol to a minor (F.S. 562.11)~~
-
- ~~52.welfare/unemployment/workers' compensation fraud (F.S. 443.071, 440.105)~~
-
- ~~53.battery/assault (F.S. 784.03, 784.011)~~
-
- ~~54.drug and/or paraphernalia (misdemeanor) (F.S. 893.13)~~
-
- ~~55.possession of a concealed weapon (misdemeanor) (F.S. 790.01)~~
-
- ~~56.resisting arrest with violence (F.S. 843.01)~~
-
- ~~57.currently on probation or community control (F.S. 948)~~
-
- ~~58.disorderly conduct (F.S. 870.01)~~
-
- ~~59.domestic violence (misdemeanor) (F.S. 741.28)~~
-
- ~~60.driving under the influence/driving while intoxicated (F.S. 316.193)~~
-
- ~~61.loitering (F.S. 856.021)~~

- ~~62. other criminal traffic offenses (various statutes)~~
- ~~-~~
- ~~63. petty theft/larceny/theft to deprive/retail theft/shoplifting (F.S. 812.014, 812.015)~~
- ~~-~~
- ~~64. resisting arrest without violence (F.S. 843.02); with violence (F.S. 843.01)~~
- ~~65. voyeurism and digital voyeurism (felony) (F.S. 810.14, 810.145)~~
- ~~66. sexual misconduct with certain developmentally disabled clients and reporting of such misconduct (F.S. 393.135)~~
- ~~67. sexual misconduct with certain mental health patients and reporting of such sexual misconduct (F.S. 394.4593)~~
- ~~-~~
- ~~68. trespassing (F.S. 810.08)~~
- ~~69. unlawful sexual activity with certain minors (F.S. 794.05)~~
- ~~-~~
- ~~70. worthless checks (F.S. 831.09, 831.02)~~
- ~~71. written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism (F.S. 836.10)~~
- ~~-~~
- ~~72. any crime involving moral turpitude (F.S. 1012.32, 1012.33)~~

Any omissions, changes, or typographical errors in the statutory citations shall not be a defense for the employee.

Persons who apply for certification or employment are governed by the law and rules in effect at the time of application for issuance of the initial certificate or employment, provided that continuity of certificates or employment is maintained.

The District will not retain employees within the School Police Department who have received a dishonorable discharge from any of the Armed Forces of the United States, or with a conviction of a misdemeanor involving perjury, or a false statement.

C. Appeal Process

Employees who are disqualified from employment because of criminal history will receive written notification by regular and certified mail. Disqualified employees may request an appeal conference. A written request for an appeal conference must be submitted to the Office of Professional Standards

no later than fifteen (15) calendar days from receipt of notification by U.S. Mail or return receipt post office notification, whichever occurs first. An appeal conference will be conducted by the Office of Professional Standards within thirty (30) workdays of the receipt of a timely request from the applicant/employee. The period of time for holding an appeal conference may be extended upon agreement of the employee and the Office of Professional Standards.

The District administrator conducting the appeal may consider the specific facts which led to the criminal incident and may consider mitigating factors. It is the employee's burden to present clear and convincing evidence to support a reasonable belief that s/he has been rehabilitated and does not present a danger to students' health, safety, and welfare. Appeals may be granted only to the extent allowed by law.

D. Employment History Check & Educator Screening Tool

Before employing a person in any position that requires direct contact with students, the Superintendent shall conduct employment history checks of each of the candidate's previous employer(s), review each affidavit of separation from previous employers pursuant to F.S. 1012.31, screen instructional personnel and school administrators, as defined in 1012.01, through use of the educator screening tools described in F.S. 1001.10(5), and document the findings. If unable to contact a previous employer, the Superintendent shall document efforts to contact the employer (F.S. 1012.27(6)).

A person is ineligible for educator certification or employment in any position that requires direct contact with students if s/he:

1. is on the disqualification list maintained by the Florida Department of Education (FLDOE) under F.S. 1001.10(4)(b);
2. is registered as a sex offenders as described in 42 U.S.C. 9858f(c)(1)(C);
3. is ineligible based on a security background investigation under F.S. 435.04;
4. would be ineligible for an exemption under F.S. 435.07(4)(c); or
5. has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to: (a) any criminal act in another state or under Federal law which, if committed in Florida, constitutes a disqualifying offense under F.S. 435.04(2); or (b) any delinquent act committed in Florida or any delinquent or criminal act committed in another state or under Federal law which, if committed in

Florida, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under F.S. 943.0435.

[To view the mandatorily disqualifying offenses under State law, please click here.](#)

Effective 07.01.2011

Revised 12.15.2021

Revised 10.11.2023

Revised 06.18.2025

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Legal References:

F.S. 435.07

F.S. 435.09

F.S. 943.0585(4)(a)

F.S. 943.059(4)(a)

F.S. 1001.10(5)

F.S. 1012.27(6)

F.S. 1012.315

F.S. 1012.32

F.S. 1012.56

Adoption Date: 05.11.2011



Book Policy Manual
Section June 17, 2026 - Final Reading
Title PAYMENT OF INVOICES
Code 6470
Status Final Reading

6470 - **PAYMENT OF INVOICES**

Payment of invoices shall be made by warrants, electronic funds transfer (ACH) or wire transfers. Authorization for such payments shall be deemed approved by the School Board if within amounts approved in the Board-adopted District budget or amendment. Specific Board approval is required for expenditures exceeding approved purchasing limits and shall be reflected in Board minutes. Board approval of individual warrants shall not be required.

Payments for supplies, equipment, and services will be made on invoices submitted by the vendors. Invoices will be checked and compared with receiving as indicated in the Financial System for supplies and equipment or electronic signature approval for services rendered. The originator of the purchase order shall verify that acceptable goods were received or satisfactory services were rendered and the corresponding date.

All invoices for supplies, equipment, and services will be approved for payment by a designated member of the Accounts Payable Department responsible for issuing settlements, before settlement is made.

The Accounts Payable Department shall pay promptly all properly authorized accounts payable which are ready for payment. All warrants are to be signed by the Chair of the Board and the Superintendent. Facsimile signatures may be used.

Payments ~~to construction contractors~~ for any contract for construction services will comply with State law as well as the Board approved contract. (See Ch. 218, Part VII, Florida Statutes, the "Local Government Prompt Payment Act.")

All other professional contract payments shall be governed by the respective contract. Before making any payments, the District must verify and document

that each contracted service was performed by a qualified individual, and that the appropriate contract rate has been applied based on those qualifications.

Effective 07.01.2011

Legal References:

F.S. 217.735~~7~~

F.S. 218.755

F.S. 1001.43

F.S.~~7~~1011.10

Adoption Date: 05.11.2011



Book Policy Manual
Section June 17, 2026 - Final Reading
Title PUBLIC RECORDS
Code 8310
Status Final Reading

8310 - **PUBLIC RECORDS**

I. **Introduction**

- A. Public records shall be maintained and made available for inspection and reproduction copying as required by law.
- B. "Public Records" are defined in State law as all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency. ~~but~~
- ~~B.~~ Public records do not include student records, medical records, documents containing genetic information, trial preparation records, confidential law enforcement investigatory records, certain financial information, records ~~of release of which is~~ prohibited from being released by under State or Federal law, and any other exceptions set forth in Florida State Law. Confidential law enforcement investigatory records, medication records, and trial preparation records are as defined in Florida State law.
- ~~C.~~
- ~~D.~~ C. Access to personnel records and records containing exempt or confidential information may be restricted according to F.S. 1012.31, and other applicable laws. To the extent a record no longer maintains confidential or exempt status, it must be produced in accordance with State law and this policy.

I. **II. Access to Public Records**

A. The Superintendent has designated the Office of Communications to be responsible for handling public records requests and the department shall designate a person or persons to coordinate requests. An individual may request to inspect and request receive copies of public records during regular business hours at any time, and the District will acknowledge such requests promptly and respond to such requests in good faith.

B. Procedures for acknowledging and responding to public records requests must, at a minimum, provide as follows:

1. Requestors must have their public records requests promptly acknowledged upon receipt from either the records custodian or the Office of Communications.
2. Reasonable efforts must be made to determine whether the requested record exists and, if so, the location at which the record can be accessed. Any claimed confidentiality or exemption preventing production must be presented to the Office of Communications to communicate to the requestor.
3. If a request requires clarification, a written request for clarification must be promptly sent to the requestor. Requests for clarification must be made in good faith and not for purposes of delay. The requestor must be notified that if clarification is not received by a date-certain, the request may be closed.
4. If production is conditioned on a special service charge in accordance with State law and this policy, a written cost estimate must be produced to the requestor. Requestors must also be notified that if the special service charge is not received by a date-certain, the request may be closed.
5. Once a request is accepted and processed (including, as applicable, when a special service charge is paid in full), the requestor must receive written periodic status updates until the request is fulfilled.

A.C. Public records requests may be made verbally or in writing. Persons requesting public records shall be encouraged to submit requests in writing to expedite accurate processing of their requests. Verbal requests shall be documented in writing by the person receiving the request and verified by the person making the verbal request in order to expedite accurate processing of requests. Requests should be sufficiently detailed to identify the documents sought to be examined.

D. A custodian of public records and/or designee must acknowledge requests to inspect or copy records promptly and respond to such requests in good faith. A good faith response includes making reasonable efforts to

determine from other officers or employees of the ~~School~~-District whether such a record exists, and, if so, the location at which the record can be accessed. Upon ~~determination-determining~~ that the requested record exists, it must be reviewed to determine whether it contains any information that would be statutorily exempt from public inspection or copying as provided by law. See Policy 8350. If a record is produced by an individual employee or department, the production must be notated in the District's online system. If the requested record is maintained by another District employee or department, the request must be forwarded to the Office of Communications to be routed accordingly.

~~B.E.~~ Public records that are not confidential or exempt must be produced for inspection and copying within a reasonable time, regardless of whether the records: (a) are maintained on a non-District issued device (e.g., personal cellphone); (b) can alternatively be produced by a third party, including another government entity; or (c) are in the possession of a District contractor (in which case, the contractor must be requested to transmit the record to the District for production).

~~C.F.~~ Duplicated copies or certified copies of the District's public records shall be provided upon payment of the fee provided in ~~Florida State~~ law. If the nature or volume of the public records requested to be copied or inspected will require extensive use of information technology resources or more than fifteen (15) minutes of clerical or supervisory assistance by District personnel, a special service charge attributable to the extensive use of the information technology resources and/or the labor cost of the personnel providing the service will be collected as permitted by State law.

~~D.G.~~ The actual cost of duplication will also be charged for copies of the District's public records in a form other than a duplicated copy.

~~E.H.~~ If the request for copies or inspection of a public record in any form could result in a special service charge, an estimate of the fee that will be due and payable shall be provided to the requestor. The production/duplication of the requested records will commence upon payment of the estimated fee by the requestor.

~~F.I.~~ Whenever possible, the public should be directed to the ~~School~~ District's free website and informed of the availability of public records that may be accessed without charge.

~~G.J.~~ Pursuant to F.S. 119.07(4), charges for copies are as follows:

1. Up to \$0.15 per one (1) one-sided copy for duplicated copies of not more than 14 inches by 8 ½ inches;
2. No more than an additional \$0.05 for each two-sided copy; and

3. For all other copies, the actual cost of duplication of the public record.
4. A charge of \$1.00 per copy for a certified copy of a public record, if certification is possible.

These charges shall change automatically if the state statutory charges are revised.

H.III. Inspector General

- A. The Board's Inspector General shall be entitled to request and receive public records without charge when the Inspector General states that such records are needed for an audit, examination, or investigation. The Inspector General shall maintain the exempt or confidential status of public records. (~~S~~see also Policy 0157)
- B. No public record may be removed from the office in which it is maintained, except by a Board employee in the course of the performance of his/her duties.
- C. All District records will be maintained according to general records schedules GS1-SL and GS7, as established by the Department of State.

IV. Penalties

Violations of public records laws — including unlawful refusals or unreasonable, unjustified delays in producing public records — can result in the District incurring civil penalties and fines. Under F.S. 119.10, any public officer who violates these laws commits a noncriminal infraction, punishable by fine not exceeding \$500. Additionally, knowing violations of these laws can subject public officers to suspension and removal or impeachment. Further, knowing and willful violations of these laws constitute misdemeanors of the first degree or, when in violation of F.S. 119.105, felonies of the third degree. Employees who knowingly violate these laws may be subject to legal action.

V. Online Notice

Pursuant to State law, the District must post the following statement in a conspicuous location on its website: "Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

Effective 07.01.2011
Technical Change 06.18.2024

Legal References:

F.S. 119.07

F.S. 119.011(12±)

[F.S. 119.10](#)

[F.S. 119.12](#)

F.S. 257

F.S. 257.36(5)(a)

[F.S. 668.6076](#)

20 U.S.C. 1232g

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

29 C.F.R. Part 1635

Article I, Section 24, State Constitution

F.A.C. 1B-24.001

F.C.A. 1B-24.003

F.A.C. 1B-26.0021

F.A.C. 1B-26.003

FL Atty. Gen. Opinion 00-11

579 So.2d 267 (1st DCA 1991)

Board of County Commissions of Highlands County v. Colby (Fla. 2d DCA 2008)

[O'Boyle v. Town of Gulf Stream \(Fla. 4th DCA 2022\)](#)

Adoption Date: 05.11.2011