



# **Ethical Standards for school Employees**

## **Nicaea Academy of Southwest Florida**

### **Employee Relations Department**

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## **Employee Packet**

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

Reporting brochure: “Identifying and Reporting Educator Misconduct”

Florida Statute 1012.315 Nicaea Academy Ethical Standards Overview

Acknowledgement Form

## **Websites Referenced in the Presentation**

[www.myfloridateacher.com](http://www.myfloridateacher.com)

(for State statutes and State Board Rules)

[www.myfloridateacher.com/discipline/summary.aspx](http://www.myfloridateacher.com/discipline/summary.aspx)

(Florida Educator Misconduct Search Tool)

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

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

**Purpose:**

To comply with the requirements established by the Florida Ethics in Education Act, Florida Statute §1002.421, through the adoption, implementation, and enforcement of a policy that regulates and creates ethical standards in employment and notifies all staff of their obligations to report child abuse.

**Definitions:**

1. “Staff with direct student contact” means any employee, volunteer, or contracted personnel, who has unsupervised access to a scholarship student for whom the private school is responsible.
2. “Teachers” means staff members assigned the professional activity of instructing students in courses in classroom situations, including basic instruction, exceptional student education, career education, and adult education, including substitute teachers.
3. “School administrator” includes:
  - a. School principals or school directors who are staff members performing the assigned activities as the administrative head of a school and to whom have been delegated responsibility for the coordination and administrative direction of the instructional and non-instructional activities of the school. This classification also includes career center directors.
  - b. Assistant principals who are staff members assisting the administrative head of the school. This classification also includes assistant principals for curriculum and administration.

**Compliance for Ethical Standards:**

Nicaea Academy mandates all of its staff members with direct student contact to:

1. Have instructional training on the Ethical Standards and Procedures of Reporting of Misconduct;
2. Sign the below attached Acknowledgment Form and submit it to school administration within 5 days of employment.

**Principles of Professional and Spiritual Conduct for Staff Members:**

The following disciplinary rules shall constitute Nicaea Academy’s ethical standards for all staff members. Violation of any of these standards shall subject the individual to discipline and/or dismissal.

1. Obligation to the student requires that the individual:

- a. Shall manifest by precept and example the highest Christian virtue and personal decorum, serving as a Christian Role Model both at and away from Nicaea Academy, and as an example to all in judgment, dignity, respect, and Christian living;
- b. 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;
- c. Shall not engage in personal relationships with students outside of the classroom that are inappropriate, familiar or of an immature manner;
- d. Shall not invite student to overnight outings, whether in teacher's home or otherwise;
- e. Shall not unreasonably restrain a student from independent action in pursuit of learning;
- f. Shall not intentionally expose a student to unnecessary embarrassment or disparagement;
- g. Shall not intentionally violate or deny a student's legal rights;
- h. Shall not harass any student;
- i. Shall not exploit a relationship with a student for personal gain or advantage;
- j. Shall keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.

2. Obligation to the public requires that the individual;

- a. Shall subscribe without reservation to the Articles of Faith and the Standards of Conduct of Nicaea Academy and agree to abide by these doctrines and standards in all aspects of my life, both at and away from ministry functions;
- b. Shall understand that the bona fide occupational qualification of being a Christian Role Model;
- d. Shall not use institutional privileges for personal gain or advantage;
- e. Shall accept no gratuity, gift, or favor that might influence professional judgment;
- f. Shall offer no gratuity, gift, or favor to obtain special advantages.

3. Obligation to the profession of education requires that the individual:

- a. Shall maintain honesty in all professional dealings;
- b. Shall remain loyal to the Nicaea Academy leadership and its programs in word and in action;

- c. Shall not engage in harassment or discriminatory conduct, which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable effort to assure that each individual is protected from such harassment or discrimination;
- h. Shall not make malicious or intentionally false statements about a colleague;
- i. Shall not use coercive means or promise special treatment to influence professional judgments of colleagues;
- j. Shall not misrepresent one's own professional qualifications;
- k. Shall not submit fraudulent information on any document in connection with professional activities;
- l. Shall not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position;
- m. Shall not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment;
- n. Shall not assist entry into or continuance in the profession of any person known to be unqualified in accordance with this Code of Ethics;
- o. Shall self-report within forty-eight (48) hours to appropriate authorities (as determined by the administration) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school shall comply with the confidentiality provisions of Sections 943.0585(4)(c) and 943.059(4)(c), Florida Statutes;
- p. Shall report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1), Florida Statutes;
- q. Shall seek no reprisal against any individual who has reported any allegation of a violation against me;

### **Mandatory Reporting Requirements:**

Nicaea Academy seeks to express God's love of children and provide for their personal wholeness. This caring community seeks to prevent child abuse of any form to our children and youth and to minister to victims of abuse and their families. The Bible is foundational to our understanding upon which all policies, procedures, and ministries must stand.

*And they brought young children to him, that he should touch them: and his disciples rebuked those that brought them. But when Jesus saw it, he was much displeased, and said unto them, Suffer the little children to come unto me, and forbid them not: for of such is the kingdom of God. Verily I say unto you, Whosoever shall not receive the kingdom of God as a little child, he shall not enter therein. And he took them up in his arms, put his hands upon them, and blessed them. (Mark 10:13-16)*

*And whoso shall receive one such little child in my name receiveth me. But whoso shall offend one of these little ones which believe in me, it were better for him that a millstone were hanged about his neck, and that he were drowned in the depth of the sea. Woe unto the world because of offences! For it must needs be that offences come; but woe to that man by whom the offence cometh! (Matthew 18:5-7)*

Our goal in response to these Biblical mandates is to maintain a safe, secure, and loving place where children may grow: a place where caregivers, teachers, and leaders (both paid and volunteer) minister appropriately to their needs.

**Nicaea Academy desires to be a safe place for all children and adults who attend any activity.** Individuals they know and trust sometimes victimize children. The ministry is not immune to such abuse, either by its members or by those in leadership positions. Incidents of child abuse or neglect cut across racial, social, economic and religious boundaries. Although no organization or individual can assure complete protection, this section along with Nicaea Academy's Child Abuse Prevention Policies and Procedures Manual reflects Nicaea Academy's commitment to help protect children from harm.

Nicaea Academy will not tolerate child abuse or neglect. Staff cooperation in this commitment not only reflects a concern about children's safety in this

society, but also a willingness to take steps toward halting child abuse and its detrimental effects.

For the safety and protection of our children and workers, all people who participate in Nicaea Academy—sponsored activities with children are required to comply with the guidelines provided in this policy in conjunction with our Child Abuse Prevention Policy.

If Nicaea Academy receives an allegation of child abuse, it will respond with the utmost concern to the victim, parent, or other party making such an allegation. The accused will be treated with dignity and support. Without clear and convincing evidence to the contrary, Nicaea Academy's personnel will assume that such complaints are made in good faith. Persons making such complaints should have no doubt that Nicaea Academy takes them seriously and will take appropriate action.

When it becomes necessary to report suspected child abuse or neglect, the protection of children must be the most important concern. It is the legal responsibility of any person with responsibility for the care of children to report all cases of child abuse they observe, and further, to report visible signs of alleged abuse. Failure to report could lead to liability, both civilly and criminally, on the part of the Nicaea Academy, the observer or both.

Nicaea Academy has determined that it is the responsibility of the program staff to report all cases of suspected child abuse to the proper legal authorities. While the confidentiality of the pastor/parishioner relationship is very important, reporting reasonable suspicion of child abuse has the potential for helping individuals receive help for a previous problem and may prevent further harm to a child, that person or others.

**What is reasonable suspicion?** Reasonable suspicion means that there is credible evidence or a discrepant or inconsistent history in explaining a child's suspected abuse.

A report based on reasonable suspicion does not require proof that abuse or neglect has actually occurred or that the reporter witnessed the incident in question. Reporting is not a determination that child abuse or neglect has actually occurred; rather, it is a request for an assessment of the condition of a child.

Because we believe children are our most important concern, Nicaea Academy has adopted the following guidelines for reporting:

- a. Treat each allegation of child abuse seriously.
- b. Attempt to assure the safety and protection of persons who have been harmed.
- c. Pray for the ministry/school and all persons affected by the allegation.
- d. Immediately begin documenting all procedures observed in handling the allegation.
- e. Immediately notify the school administrator. The school administrator will, along with the reporting staff member, immediately report allegations to the Department of Children and Family Services.
- f. Immediately notify the parents if it is not known that they have previous knowledge of the allegations, and allegations are not currently against them.
- g. Immediately notify Nicaea Academy insurance company. As appropriate, the school administrator shall immediately notify the Nicaea Academy insurance carrier of the possibility of a claim. If the abuse allegation does not implicate a Nicaea Academy staff member or volunteer, this step may be omitted.
- h. If the accused has assigned duties within the life of Nicaea Academy, that person must be immediately relieved of his duties until the investigation is concluded.
- i. The pastor/school authorities should extend whatever care and resources necessary. In providing care to the principals (alleged victim and the accused) and their families, the pastor, ministry leader, and/or school authorities, should under no circumstances be drawn into a discussion of the truth or falsity of the allegation which could contaminate an official investigation. Do not assign blame or take any steps that involve establishing or negating the allegation.
- j. It is appropriate to show care and comfort for the alleged victim. This should be the pastoral objective from the moment the allegation is received or otherwise made know.
- k. Observe confidentiality for both the alleged victim and the accused until advised to the contrary by the pastor.
- l. Do not confront the accused until the safety of the child or student is secured.
- m. Do not prejudge the situation, but take the allegations seriously and reach out to the alleged victim and his or her family. Showing care and support help to prevent further hurt. Extend whatever pastoral resources are needed.



Remember that the care and safety of the alleged victim is the first priority. In some situations, ministries and schools have responded in a negative or non-supportive manner to the alleged victim. This conduct can increase the anger and pain of the alleged victim and his or her family. Further reconciliation can then be more difficult and the possibility of damaging litigation increases.

- n. Treat the accused with dignity and support.
- o. If the media or other parties contact a ministry official or school authorities about a pending allegation of child abuse, they should be referred to the pastor or principal. Only the ministry leader, school authorities, or their designees should make comments about the allegations, using a prepared public statement to answer the press and to convey news to the congregation, staff members and school personnel. The prepared statement shall be made only after consultation with Nicaea Academy's attorney and will include the steps the ministry/school has taken to protect children, such as the development and implementation of this manual, and the care and concern the Nicaea Academy has for all parties involved. The privacy and confidentiality of all involved shall continue to be of primary concern.

**Important Contacts and Their Phone Numbers:**

National Child Abuse Hotline 1-800-4-A-CHILD Florida Child Abuse Hotline (800) 96-ABUSE (800-962-2873) Department of Children and Services web site: <http://www.dcf.state.fl.us/abuse/>

- of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within 48 hours after the final judgement. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of Sections 943.0585(4)(c) and 943.059(4)(c), Florida Statutes.
- (n) Shall report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1), Florida Statutes.
  - (o) Shall seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1), Florida Statutes.
  - (p) Shall comply with the conditions of an order of the Education Practices Commission.
  - (q) Shall, as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

State Board of Education Rule 6B-1.001, FAC

## The Code of Ethics of The Education Profession in Florida

- (1) The educator values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.
- (2) The educator's primary professional concern will always be for the student and for the development of the student's potential. The educator will therefore strive for professional growth and will seek to exercise the best professional judgement and integrity.
- (3) Aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community, the educator strives to achieve and sustain the highest degree of ethical conduct.

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

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

For further information call or write:

**Bureau of Educator Recruitment,  
Development and Retention**  
325 West Gaines Street, Suite 124  
Tallahassee, FL 32399  
(850)245-0441, SUNCOM 205-0441

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

*Professionalism Through Integrity*



Florida Department of Education  
www.fldoe.org

## The Principles of Professional Conduct of The Education Profession in Florida

- (1) The following disciplinary rule shall constitute the Principles of Professional Conduct of the Education Profession in Florida.
- (2) Violation of any of these principles shall subject the individual to revocation or suspension of the individual educator's certificate, or the other penalties as provided by law.
- (3) Obligation to the student requires that the individual:
  - (a) Shall make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.
  - (b) Shall not unreasonably restrain a student from independent action in pursuit of learning.
  - (c) Shall not unreasonably deny a student access to diverse points of view.
  - (d) Shall not intentionally suppress or distort subject matter relevant to a student's academic program.
  - (e) Shall not intentionally expose a student to unnecessary embarrassment or disparagement.
  - (f) Shall not intentionally violate or deny a student's legal rights.
  - (g) Shall not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.
- (4) Obligation to the public requires that the individual:
  - (a) Shall take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.
  - (b) Shall not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.
  - (c) Shall not use institutional privileges for personal gain or advantage.
  - (d) Shall accept no gratuity, gift, or favor that might influence professional judgement.
  - (e) Shall offer no gratuity, gift, or favor to obtain special advantages.
- (5) Obligation to the profession of education requires that the individual:
  - (a) Shall maintain honesty in all professional dealings.
  - (b) Shall not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.
  - (c) Shall not interfere with a colleague's exercise of political or civil rights and responsibilities.
  - (d) Shall not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and further, shall make reasonable effort to assure that each individual is protected from such harassment or discrimination.
- (6) Shall not make malicious or intentionally false statements about a colleague.
- (7) Shall not use coercive means or promise special treatment to influence professional judgement of colleagues.
- (8) Shall not misrepresent one's own professional qualifications.
- (9) Shall not submit fraudulent information on any document in connection with professional activities.
- (10) Shall not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.
- (11) Shall not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.
- (12) Shall provide upon the request of the certificated individual, a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
- (13) Shall not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these Principles of Professional Conduct of the Education Profession in Florida and other applicable Florida Statutes and State Board of Education Rules.
- (14) Shall self-report within 48 hours to appropriate authorities (as determined by district) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission

## FLORIDA STATUTES AND RULES

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

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

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

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

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

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

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

## FOR FURTHER INFORMATION:


### CONTACT:

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

[www.myfloridateacher.com](http://www.myfloridateacher.com)

{DISTRICT CONTACT INFORMATION}

# Identifying & Reporting Professional Misconduct



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

Author Unknown

Florida Department of Education  
Office of Professional Practices Services

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

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

**Apply the Litmus test**

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

Protect the students and yourself and report.

**HOW TO REPORT MISCONDUCT**

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

**WHO SHOULD REPORT MISCONDUCT?**

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

If you are aware of or observe misconduct

**REPORT IT IMMEDIATELY!**

**WHO SHOULD YOU REPORT?**

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

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

- Listen**
- Evaluate**
- Act Immediately**
- Document**
- Encourage**
- Report**

**FAILURE TO REPORT MISCONDUCT**

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

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

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

~Henry B. Adams

Current Statute and State Board Rules

**The 2008 Florida Statutes**

**Title XLVIII K-20 EDUCATION CODE**

**Chapter 1012 PERSONNEL**

View Entire Chapter

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

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

- (n) Section 790.115(1), relating to exhibiting firearms or weapons at a school-sponsored event, on school property, or within 1,000 feet of a school.
- (o) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon at a school-sponsored event or on school property.
- (p) Section 794.011, relating to sexual battery.
- (q) Former s. 794.041, relating to sexual activity with or solicitation of a child by a person in familial or custodial authority.
- (r) Section 794.05, relating to unlawful sexual activity with certain minors.
- (s) Section 794.08, relating to female genital mutilation. (t) Chapter 796, relating to prostitution. (u) Chapter 800, relating to lewdness and indecent exposure.
- (v) Section 806.01, relating to arson.
- (w) Section 810.14, relating to voyeurism.
- (x) Section 810.145, relating to video voyeurism.
- (y) Section 812.014(6), relating to coordinating the commission of theft in excess of \$3,000.
- (z) Section 812.0145, relating to theft from persons 65 years of age or older.
- (aa) Section 812.019, relating to dealing in stolen property.
- (bb) Section 812.13, relating to robbery.
- (cc) Section 812.131, relating to robbery by sudden snatching.
- (dd) Section 812.133, relating to carjacking.
- (ee) Section 812.135, relating to home-invasion robbery.
- (ff) Section 817.563, relating to fraudulent sale of controlled substances.
- (gg) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.
- (hh) Section 825.103, relating to exploitation of an elderly person or disabled adult.
- (ii) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person.
- (jj) Section 826.04, relating to incest. (kk) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child. (ll) Section 827.04, relating to contributing to the delinquency or dependency of a child. (mm) Section 827.071, relating to sexual performance by a child.
- (nn) Section 843.01, relating to resisting arrest with violence.
- (oo) Chapter 847, relating to obscenity.
- (pp) Section 874.05, relating to causing, encouraging, soliciting, or recruiting another to join a criminal street gang.

(qq) Chapter 893, relating to drug abuse prevention and control, if the offense was a felony of the second degree or greater severity.

(rr) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(ss) Section 944.47, relating to introduction, removal, or possession of contraband at a correctional facility. (tt) Section 985.701, relating to sexual misconduct in juvenile justice programs.

(uu) Section 985.711, relating to introduction, removal, or possession of contraband at a juvenile detention facility or commitment program.

(2) Any misdemeanor offense prohibited under any of the following statutes:

(a) Section 784.03, relating to battery, if the victim of the offense was a minor.

(b) Section 787.025, relating to luring or enticing a child.

(3) Any criminal act committed in another state or under federal law which, if committed in this state, constitutes an offense prohibited under any statute listed in subsection (1) or subsection (2).

(4) Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(a)1.d.

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

ER 542 0402

**39.203** Immunity from liability in cases of child abuse, abandonment, or neglect.

(1)(a) Any person, official, or institution participating in good faith in any act authorized or required by this chapter, or reporting in good faith any instance of child abuse, abandonment, or neglect to the department or any law enforcement agency, shall be immune from any civil or criminal liability which might otherwise result by reason of such action.

(b) Except as provided in this chapter, nothing contained in this section shall be deemed to grant immunity, civil or criminal, to any person suspected of having abused, abandoned, or neglected a child, or committed any illegal act upon or against a child.

(2)(a) No resident or employee of a facility serving children may be subjected to reprisal or discharge because of his or her actions in reporting abuse, abandonment, or neglect pursuant to the requirements of this section.

(b) Any person making a report under this section shall have a civil cause of action for appropriate compensatory and punitive damages against any person



who causes detrimental changes in the employment status of such reporting party by reason of his or her making such report. Any detrimental change made in the residency or employment status of such person, including, but not limited to, discharge, termination, demotion, transfer, or reduction in pay or benefits or work privileges, or negative evaluations within a prescribed period of time shall establish a rebuttable presumption that such action was retaliatory.

**768.095** Employer immunity from liability; disclosure of information regarding former or current employees.

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

Worksite \_\_\_\_\_

Employee Name (Please Print) \_\_\_\_\_

Social Security Number \_\_\_\_\_

Personal Telephone Number \_\_\_\_\_

## **Nicaea Academy Ethical Standards Overview Acknowledgement Form**

I acknowledge that I have:

1. Viewed Nicaea Academy's Ethical Standards video presentation, and
2. Received a copy of "The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida."

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

Principal or Worksite Supervisor \_\_\_\_\_

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

*Return completed form to School Board of Nicaea Academy*