

# Ethics in Education Policy

## Potentia Academy

4784 Melaleuca Lane  
Greenacres, FL 33463-5357

P.O. Box 21223  
West Palm Beach, FL 33416-1223

(Effective Date: June 1, 2009)

## **Code of Ethics for Potentia Academy**

**The Board of Directors of Potentia Academy has adopted the following Code of Ethics and Principles of Professional Conduct for the Education Profession in Florida in accordance with the State Board of Education's Rules 6B-1.001 and 6B-1.006. Further, the Board of Directors of Potentia Academy directs all school administrators, teachers, staff, and volunteers to strictly abide by the principles articulated herein.**

### **Principles of Professional Conduct for the Education Profession in Florida**

---

#### **6B-1.001 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 judgment and integrity.
3. Aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community, the educator strives to achieve and sustain the highest degree of ethical conduct.

Specific Authority 229.053(1), 231.546(2)(b) FS. Law Implemented 231.546(2)(b) FS. History - New 3-24-65, Amended 8-9-69, Repromulgated 12-5-74, Amended 8-12-81, 7-6-82, Formerly 6B-1.01.

---

#### **6B-1.006 Principles of Professional Conduct for the Education Profession in Florida.**

1. The following disciplinary rule shall constitute the Principles of Professional Conduct for the Education Profession in Florida.
2. Violation of any of these principles shall subject the individual to revocation or suspension of the individual educator's certificate, or the other penalties as provided by law.
3. Obligation to the student requires that the individual:
  - a. Shall make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.
  - b. Shall not unreasonably restrain a student from independent action in pursuit of learning.
  - c. Shall not unreasonably deny a student access to diverse points of view.
  - d. Shall not intentionally suppress or distort subject matter relevant to a student's academic program.

- e. Shall not intentionally expose a student to unnecessary embarrassment or disparagement.
  - f. Shall not intentionally violate or deny a student's legal rights.
  - g. Shall not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.
  - h. Shall not exploit a relationship with a student for personal gain or advantage.
  - i. Shall keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.
4. Obligation to the public requires that the individual:
- a. Shall take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.
  - b. Shall not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.
  - c. Shall not use institutional privileges for personal gain or advantage.
  - d. Shall accept no gratuity, gift, or favor that might influence professional judgment.
  - e. Shall offer no gratuity, gift, or favor to obtain special advantages.
5. Obligation to the profession of education requires that the individual:
- a. Shall maintain honesty in all professional dealings.
  - b. Shall not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.
  - c. Shall not interfere with a colleague's exercise of political or civil rights and responsibilities.
  - d. Shall not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable effort to assure that each individual is protected from such harassment or discrimination.
  - e. Shall not make malicious or intentionally false statements about a colleague.
  - f. Shall not use coercive means or promise special treatment to influence professional judgments of colleagues.
  - g. Shall not misrepresent one's own professional qualifications.
  - h. Shall not submit fraudulent information on any document in connection with professional activities.
  - i. Shall not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.
  - j. Shall not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.

- k. Shall provide upon the request of the certificated individual a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
- l. Shall not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these Principles of Professional Conduct for the Education Profession in Florida and other applicable Florida Statutes and State Board of Education Rules.
- m. Shall self-report within forty-eight (48) hours to appropriate authorities (as determined by 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 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 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.

Specific Authority 229.053(1), 231.546(2)(b) FS. Law Implemented 231.546(2), 231.28 FS. History - New 7-6-82, Amended 12-20-83, Formerly 6B-1.06, Amended 8-10-92, 12-29-98.

### **Additional Ethical Duties, Policies & Procedures**

#### **1. Duty to Report Abuse, Abandonment, or Neglect**

As a condition of employment, all administrators, teachers, and staff of Potentia Academy have a mandatory obligation and duty to report actual or suspected cases of child abuse, abandonment or neglect.

#### **2. Definitions**

In section 39.01(2), Florida Statutes, the term "Abuse" means any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child

includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.

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

In section 39.01(47), Florida Statutes, "Other person responsible for a child's welfare" includes the child's legal guardian or foster parent; an employee of any school, public or private child day care center, residential home, institution, facility, or agency; a law enforcement officer employed in any facility, service, or program for children that is operated or contracted by the Department of Juvenile Justice; or any other person legally responsible for the child's welfare in a residential setting; and also includes an adult sitter or relative entrusted with a child's care.

### **3. Procedures for Reporting Abuse, Abandonment, or Neglect**

***Employees of Potentia Academy must immediately report known or suspected child abuse or neglect to the Florida Department of Children and Families Toll-Free Hotline (1-800-96-ABUSE).*** In accordance with section 39.201, Florida Statutes, any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care shall report such knowledge or suspicion to the Department of Children and Families (DCF) Central Abuse Hotline at 1-800-96-ABUSE. Instructional personnel and school administrators may report such information to DCF in unison, but reporting to another school employee does not fulfill the legal obligation to report to DCF.

### **4. Failure to Report Abuse, Abandonment, or Neglect**

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

### **5. Employee Liability Protections for Reports of Abuse, Abandonment, Neglect**

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

### **6. Duty to Report Educator Misconduct**

As a condition of employment, all administrators, teachers, and staff of Potentia Academy have a mandatory obligation and duty to report any misconduct by an employee of Potentia Academy that affects the health, safety, or welfare of a student.

### **7. Procedures for Reporting Educator Misconduct**

Employees of Potentia Academy must immediately report any allegations or suspicions of misconduct by instructional personnel or staff members to the Staff Director, Mrs. Janice Meeks at 561-512-5243. Misconduct includes violation of any of the policies contained herein this Code of Ethics. Employees must immediately report any allegations or suspicions of misconduct by the Staff Director to the Principal, Dr. Duane Meeks at 561-512-5243.

It is important to document the activities or details of the event that gives rise to your report and, if applicable, secure any pertinent evidence.

### **8. Failure to Report Educator Misconduct**

Possible penalties for instructional personnel or administrators who fail to report misconduct may include a written reprimand, suspension with or without pay, termination of employment, and/or discipline/sanctions on an educator's certificate.

### **9. Employee Liability Protections for Reports of Educator Misconduct**

In accordance with section 768.095, Florida Statutes, an employer who discloses information about a former or current employee to a prospective employer of the former or current employee upon request of the prospective employer or 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, Florida Statutes.

### **10. Confidentiality Agreements**

**Potentia Academy prohibits confidentiality agreements, written or verbal, with instructional personnel or school administrators who are dismissed, terminated, or resign in lieu of termination due to allegations, in whole or in part, of misconduct related to the health, safety, or welfare of a student.** Any reference provided to a potential employer in an educational setting must disclose the misconduct.

In accordance with section 1001.42(6), Florida Statutes, neither the school board nor any employee of the school board may enter into a confidentiality agreement, written or verbal, with an instructional personnel or school administrator who resigns, is terminated, or resigns in lieu of termination due to allegations, in whole or in part, of misconduct related to the health safety or welfare of a student. Any part of an agreement that has the purpose or effect of concealing misconduct which affects the health, safety or welfare of a student is void and contrary to public policy and shall not be enforced.

### **11. Annual Training**

All instructional personnel and school administrators at Potentia Academy must engage in annual training on the standards of ethical conduct and the policy for reporting misconduct. Training will be provided or conducted as determined appropriate by the school's Board of Directors, but at a minimum will include examples of violations of the Code of Ethics and Principles of Professional Conduct and potential penalties, information on how to properly identify and report

## Potentia Academy Ethics in Education Policy

---

child abuse or neglect, procedures on how to report misconduct of other instructional personnel and school administrators, requirements of self-reporting criminal charges, the nature and consequences of disqualifying offenses, the importance of being a role model, and the fiduciary responsibility of being an educator. The Staff Director of Potentia Academy shall maintain documentation that each employee of Potentia Academy has completed this annual training.