BLOSSOM

MONTESSORI SCHOOL FOR THE DEAF

2021-2022
Ethics of Education
Policies & Procedures

Ethics in Education Policy & Procedures

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WORKPLACE STANDARDS AND POLICIES

Ethical Conduct of Instructional Personnel & School Administrators

As a representative of Blossom Montessori School for the Deaf and school district, instructional personnel and school administrators must demonstrate and uphold standards of ethical conduct both in and outside of the classroom. As a Blossom employee and a role model to students, instructional personnel and school administrators have a duty, at all times, to:

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

1. Our school, educators and administration values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nature 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. Our school, educators and administration's primary professional concern will always be for the student and for the development of the student's potential. Our school, educators and administration 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 of confidence of one's colleagues, of students, of parents, and of other members of the community, our school, educators and administration strives to achieve and sustain the highest degree of ethical conduct.

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

1. **Concern & obligation for the student requires that our employees:**
    a. Shall make reasonable effort to protect the student from conditions harmful to learning and/or to the students' mental 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 course of professional service, unless disclosure serves professional purposes or is required by law.
2. **Concern and obligation for the public requires that our employees:**
    a. Shall take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated with.
    b. Shall not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.

c. Shall not use institutional privileges for personal gain or advantage.
d. Shall accept no gratuity, gift, or favor that might influence professional judgment.
e. Shall offer no gratuity, gift, or favor to obtain special advantages.

3. **Aware of the importance of maintaining the respect and confidence of colleagues, of students, of parents, and of the community, employees of our school must display the highest degree of ethical conduct. This commitment and obligation to the profession of education requires that our employees:**
    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 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 statements or fail to disclose a material fact in one's own or another's application for a professional position.
    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 certified individual a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
    l. Shall not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these Principles of Professional Conduct for the Education Profession in Florida and other applicable Florida Statutes and State Board of Education Rules.
    m. Shall self-report within forty-eight (48) hours to appropriate authorities (as determined by the Director) 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 a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, the Director, Advisory Board and 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, cooperates with the Education Practices Commission in monitoring the probation of a subordinate.

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

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

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

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

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

In section 39.01(2), Florida Statutes, the terms "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 personal legally responsible for the child's welfare in a residential setting; and also including an adult sitter or relative entrusted with a child's care.

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

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

In accordance with section 1012.795(1)(b) Florida Statutes, any instructional personnel or school administrator must report alleged misconduct that affects the health, safety or welfare of a student by instructional personnel or school administrators. If instructional personnel or school administrators have knowledge of a violation of section 1012.795 or the Principles of Professional Conduct or the district code of conduct, designated employees shall immediately report the nature of the misconduct to the Director or Advisory Board.

The Director of Blossom Montessori School for the Deaf is Julie Rutenberg.

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

Prohibition of Bullying and Harassment

All students and school employees have the right to an educational setting that is safe, secure, and free from harassment and bullying of any kind. Blossom school, the Director, the Advisory Board and the district will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and/or harassment, as defined by Blossom policy, district policy and section 1006.147, Florida Statutes, are prohibited.

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

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

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

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

Bullying and Harassment also include:

Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an Act of bullying or harassment that is not made in good faith is considered retaliation.

Perpetuation of conduct listed in paragraph (a) or paragraph (b) by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a student or school employee by:

a. Incitement or coercion;
b. Accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of Blossom's system or the district school system; or
c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

Discrimination Prohibited

All employees shall abide by Blossom's policy and the school district's policy on prohibiting discrimination. No person shall, on the basis of race, color, religion, gender, age, marital status, disability, political or religious beliefs, national or ethnic origin, or sexual orientation, be excluded from participation in, be denied of the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by Blossom or this school district, except as provided by law.

Confidentiality Agreement Prohibited

In accordance with section 1001.42(6), Florida Statutes, neither the school board, Advisory Board, Director, nor any employee of Blossom or the school board may enter into a confidentiality agreement, written or verbal, with any 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.

Reference Checks

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

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

Alcohol and Drug Free Workplace

No employee shall possess, consume, sell, distribute, dispense, use or be under the influence of any alcoholic beverage in the workplace, including all school sponsored events that may be on or off school grounds. No employee shall possess, consume, inject or ingest, sell, manufacture, distribute, dispense, use or be under the influence of, on or off the job, or in the workplace, including all school sponsored events that may be on or off school grounds, any narcotic drugs, amphetamine, barbiturate, marijuana, or any other controlled substance, as defined in the Controlled Substances Act and as further defined by regulations at 21 CFR 12001.11 through

1300.15 or Florida Statutes Chapter 893, without a lawful prescription. As a condition of employment, each employee will abide by the terms of this policy and notify the Director of any arrest for a criminal drug offense within 48 hours.

Reasonable Suspicion Tests

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

Perform duties in a competent manner

Continuing evaluation of instructional and administrative staff is necessary to enable the Director to monitor the effectiveness and competence of instructional and administrative staff members and to assist them in the improvement of their professional performance. In accordance with section 1012.34, Florida Statutes, the performance and procedures established by the Director.

Physical Examinations and Medical Evaluations

The Director or Advisory Board may require a physical, psychological, and/or psychiatric examination by a physician licensed in the state of Florida when in the Director's judgment such an examination is relevant to the teaching performance or employment status of a Blossom employee. The Director or Advisory Board shall select the physician(s), psychologist(s), or psychiatrist(s) and shall pay all cost incurred in the examination(s). The employee shall allow the report of the physician, psychologist or psychiatrist to be submitted to the Director or Advisory Board with a copy being forwarded to the employee.

Conflicts of Interest

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

Corporal Punishment

Pursuant to section 1002.20(4)(c), Florida Statutes, corporal punishment of a Blossom student may only be administered by a teacher or Director within guidelines of the Director, Blossom policy and according to the district school board policy. If corporal punishment is used, it must be administered in accordance with section 1003.32(1) (k), Florida Statutes. Blossom does not administer corporal punishment.

Reasonable Force

In accordance with sections 1003.32, 1006.11 and 1012.75, Florida Statutes, reasonable force, as defined by the State Board of Education Rule, may be used by school personnel in order to maintain a safe and orderly learning environment.

Acceptable Use of School Property and Resources

All employees shall use Blossom or district resources, electronic and otherwise, only for duties and activities in support of the educational goals and policies of Blossom or the school board can result in adverse action

against the employee, up to and including termination and, when appropriate, certification action and/or criminal charges.

Weapons

Except as provided in sections 790.115, 790.06, and 1006.12, Florida Statutes, the Director, Advisory Board, and school board prohibits all staff from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the Director, Advisory Board or school board including, but not limited to, property leased, owned, or contracted by the Director, Advisory Board, or school board, or school-sponsored event. (A weapon and examples thereof are as defined school policy).

Security of Tests

All mandatory tests administered by Blossom or through the State Board of Education and/or School District administered national norm-referenced achievement tests shall be secured pursuant to Florida Statutes and State Board of Education Rules. The loss of testing materials, cheating or any other breach of test security procedures and laws shall be reported immediately to the Director or testing coordinator.

Dress Code

All instructional staff and school administrators shall be physically clean, neat and well groomed and shall dress in a manner consistent with being a professional. (Dress code and examples thereof are as defined by school policy).

Tobacco Use in District Facilities

All use of tobacco products in any form are prohibited in or on any Blossom or district-owned building, facility or property.

Electronic Communications and Social Networking Sites

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

Training Required

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

Reports to the Office of Professional Practice Services (DOE)

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

EMPLOYMENT OF INSTRUCTIONAL STAFF (Extended)

The Director recognizes that it is vital to the successful operation of Blossom Montessori School for the Deaf that positions created by the Director be filled with highly qualified and competent personnel. Any person employed in an instructional position requiring certification shall possess a valid certificate issued pursuant to Florida law.

The Director shall require an applicant for employment with a certificate from a district whose employment and/or certification requirements are not comparable to the District's to complete all requirements for initial employment and certification.

For purposes of this policy, instructional staff includes classroom teachers, teacher assistants, consultants, and other instructional staff whose positions are included in the Blossom's instructional salary schedule.

The Director shall also conduct employment history checks of all applicants for instructional staff positions. The employment history check shall include, but not necessarily be limited to, contacting any previous employer and screening the applicant through the use of the screening tools described in State law. If contact with a previous employer cannot be made, the Director shall document the efforts made to do so.

For any person newly employed as a member of the instructional staff after June 30, 1997, the initial annual contract shall include a 97-day probationary period during which time the employee's contract may be terminated without cause or the employee may resign without breach of contract (F.S. 1012.33). Any instructional staff member's misstatement of fact material to qualifications for employment or the determination of salary shall be considered to constitute grounds for dismissal.

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

QUALIFICATIONS FOR INSTRUCTIONAL PERSONNEL

To be eligible for employment in an instructional staff position, an individual must be of good moral character, and, if required, hold a valid certificate issued pursuant to Florida law and the rules of the State Board of Education or the Department of Children and Family Services, except when employed pursuant to F.S. 1012.55 or under the emergency provisions of F.S. 1012.24. Previous residence in this State shall not be required in any school of the state as a prerequisite for any person holding a valid Florida certificate or license to serve in an instructional capacity. A person who is found through background screening, pursuant to Board Policy, to have been adjudicated guilty of a crime specified in F.S. 1012.315, or convicted of any crime involving moral turpitude as defined by rule of the State Board of Education, shall not be employed, engaged to provide services, or serve in any position that requires direct contact with students.

Additionally, the following guidelines shall apply:

Category One
Felony sexual related crimes, lewd and lascivious crimes, and felony child abuse crimes.

The Director will not hire applicants who have been convicted of Category One offenses.

Category Two:
Felony crimes of violence and felony sale of controlled substances.

The Director will not hire the applicant if the conviction for a Category Two Offense was within the last 25 years. The Director will consider the applicant and carefully review the conviction for a Category Two offense if it was beyond 25 years.

Category Three:
Other felony crimes (except those designated under Category Five), any other misdemeanor crimes of a sexual nature, and misdemeanor crimes related to children.

The Director will not hire the applicant if the conviction for a Category Three, no exceptions.

Category Four:
Misdemeanor drugs, misdemeanor crimes of violence, and misdemeanor crimes involving weapons.

The Director will not hire the applicant if the conviction was within the last 5 years. The Director will consider the applicant and carefully review if the conviction was committed beyond 5 years.

Category Five:
Other misdemeanors, and felony crimes involving worthless checks.

The Director will consider the preceding convictions in Category Five on a case by case basis.

The term conviction means a conviction by a jury or by a court and shall also include the forfeiture of any bail, bond or other security deposited to secure appearance by a person charged with having committed a felony or misdemeanor, the payment of a fine, a plea of nolo contendere (no contest), the imposition of a deferred or suspended sentence by the court, adjudication withheld, finding of guilt or the date of entry into a pre-trial intervention, pre-trial diversion, or similar program, so long as such PTI/PTD program is completed by the end of the relevant waiting period.

A candidate whose employment application has been rejected due to conviction of a disqualifying criminal offense may appeal to the Advisory Board. Applicants appealing to the Advisory Board shall have the burden of setting forth sufficient evidence of rehabilitation, including, but not limited to, the circumstances surrounding the criminal incident for which an exemption is sought, the time period that has elapsed since the incident, the nature of the harm caused to the victim, and the history of the applicant since the incident, or any other evidence or circumstances indicating that the applicant will not present a danger if employment is allowed. In the case of rejection due to an adjudication of guilt for an offense listed in Section 1012.315, F.S., the only basis for appeal to the Advisory Board shall be mistaken identity. The decision of the Advisory Board is final. The Director shall establish procedures governing the appeal process.

Statutory Authority: Chapter 2008-108, Laws of Florida / History: New 10/14/08

STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL STAFF (Extended)

An effective educational program requires the services of men and women of integrity, high ideals, and human understanding.

All instructional staff members shall adhere to the Code of Ethics for Public Officers and Employees as set forth in F.S. 112.311, et seq.

The Director hereby establishes the following as additional standards of ethical conduct for all instructional staff members at Blossom Montessori School for the Deaf:

A. An instructional staff member 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 unreasonably deny a student access to diverse points of view.

4. Not intentionally suppress or distort subject matter relevant to a student's academic program.

5. Not intentionally expose a student to unnecessary embarrassment or disparagement.

6. Not intentionally violate or deny a student's legal rights.

7. 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 make reasonable efforts to assure that each student is protected from harassment or discrimination.

8. Not exploit a relationship with a student for personal gain or advantage.

9. Keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.

10. Take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.

11. Not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.

12. Not use institutional privileges for personal gain or advantage.

13. Accept no gratuity, gift, or favor that might influence professional judgment.

14. Offer no gratuity, gift, or favor to obtain special advantages.

15. Maintain honesty in all professional dealings.

16. Not on the basis of race, color, religion, sex, sexual orientation 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.

17. Not interfere with a colleague's exercise of political or civil rights and responsibilities.

18. 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, make reasonable efforts to assure that each individual is protected from such harassment or discrimination.

19. Not make malicious or intentionally false statements about a colleague.

20. Not use coercive means or promise special treatment to influence professional judgments of colleagues.

21. Not misrepresent one's own professional qualifications.

22. Not submit fraudulent information on any document in connection with professional activities.

23. Not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.

24. Not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.

25. Provide upon the request of an individual a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.

26. 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.

27. Self-report within forty-eight (48) hours to appropriate authorities (as designated by the Director) 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, instructional staff members shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of F.S. 943.0585(4)(c) and 943.059(4)(c).

28. Report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795.

29. Seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795.

30. Comply with the conditions of an order of the Education Practices Commission imposing probation, imposing a fine, or restricting the authorized scope of practice.

31. Cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

32. Not engage in conduct unbecoming of an employee of the School Board that brings the District into disrepute or that disrupts the orderly processes of the District.

B. All instructional staff members shall adhere to the principles enumerated above.

All instructional staff members shall be required to complete training on the standards established herein.

Statutory Authority: Chapter 2008-108, Laws of Florida / History: New 10/14/08

EMPLOYMENT OF SUPPORT STAFF (Extended)

Support staff includes educational support employees, professional/technical employees, and non-administrative employees employed in confidential or management positions. Educational support employees include any person employed as a teacher assistant, an education paraprofessional, consultants, a secretary, or a clerical employee, or any other person who by virtue of his or her position of employment is not required to be certified by the Department of Education pursuant to F.S. 1012.39.

The Director shall also conduct employment history checks of all applicants for support staff positions. The employment history check shall include, but not necessarily be limited to, contacting any previous employer and screening the applicant through the use of the screening tools described in State law. If contact with a

previous employer cannot be made, the Director shall document the efforts made to do so. Support staff shall be employed on a probationary period of 90 days, during which employment may be terminated without cause. Extensions to the probationary period may be granted by mutual advance written consent of the employee and the Director.

Any support staff member's misstatement of fact material to qualifications for employment or the determination of salary shall be considered to constitute grounds for dismissal.

All support staff shall become familiar with the school policies and other such policies, regulations, memoranda, bulletins, and handbooks that pertain to their duties. Any support staff member employed by the Director who shall be guilty of any willful violation of the policies of the school policies shall be guilty of gross insubordination and shall be subject to dismissal or such other lesser penalty as the Director may prescribe.

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

QUALIFICATIONS FOR SUPPORT STAFF

To be eligible for employment in a support staff position, an individual must be of good moral character, and, if required, hold a valid certificate issued pursuant to Florida law and the rules of the State Board of Education or the Department of Children and Family Services, except when employed pursuant to F.S. 1012.55 or under the emergency provisions of F.S. 1012.24. Previous residence in this State shall not be required in any school of the state as a prerequisite for any person holding a valid Florida certificate or license to serve in an instructional capacity. A person who is found through background screening, pursuant to Board Policy, to have been adjudicated guilty of a crime specified in F.S. 1012.315, or convicted of any crime involving moral turpitude as defined by rule of the State Board of Education, shall not be employed, engaged to provide services, or serve in any position that requires direct contact with students.

Additionally, the following guidelines shall apply:

Category One:
Felony sexual related crimes, lewd and lascivious crimes, and felony child abuse crimes.

The Director will not hire applicants who have been convicted of Category One offenses.

Category Two:
Felony crimes of violence and felony sale of controlled substances.

The Director will not hire the applicant if the conviction for a Category Two Offense was within the last 25 years. The District will consider the applicant and carefully review the conviction for a Category Two offense if it was beyond 25 years.

Category Three:
Other felony crimes (except those designated under Category Five), any other misdemeanor crimes of a sexual nature, and misdemeanor crimes related to children.

The Director will not hire the applicant if the conviction for a Category Three Offense.

Category Four:
Misdemeanor drugs, misdemeanor crimes of violence, and misdemeanor crimes involving weapons.

The Director will not hire the applicant if the conviction was within the last 5 years. The District will consider the applicant and carefully review if the conviction was committed beyond 5 years.

Category Five:
Other misdemeanors, and felony crimes involving worthless checks.

The Director will consider the preceding convictions in Category Five on a case by case basis.

The term conviction means a conviction by a jury or by a court and shall also include the forfeiture of any bail, bond or other security deposited to secure appearance by a person charged with having committed a felony or misdemeanor, the payment of a fine, a plea of nolo contendere (no contest), the imposition of a deferred or suspended sentence by the court, adjudication withheld, finding of guilt or the date of entry into a pre-trial intervention, pre-trial diversion, or similar program, so long as such PTI/PTD program is completed by the end of the relevant waiting period.

A candidate whose employment application has been rejected due to conviction of a disqualifying criminal offense may appeal to the Advisory Board. Applicants appealing to the Advisory Board shall have the burden of setting forth sufficient evidence of rehabilitation, including, but not limited to, the circumstances surrounding the criminal incident for which an exemption is sought, the time period that has elapsed since the incident, the nature of the harm caused to the victim, and the history of the applicant since the incident, or any other evidence or circumstances indicating that the applicant will not present a danger if employment is allowed. In the case of rejection due to an adjudication of guilt for an offense listed in Section 1012.315, F.S., the only basis for appeal to the Advisory Board shall be mistaken identity. The decision of the Advisory Board is final. The Director shall establish procedures governing the appeal process.

Statutory Authority: Chapter 2008-108, Laws of Florida / History: New 10/14/08

STANDARDS OF ETHICAL CONDUCT FOR ADMINISTRATIVE STAFF (Extended)

An effective educational program requires the services of men and women of integrity, high ideals, and human understanding.

All administrators shall adhere to the Code of Ethics for Public Officers and Employees as set forth.

The Blossom Director hereby establishes the following as additional standards of ethical conduct for all administrators at Blossom Montessori School for the Deaf:

A. An administrator 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 unreasonably deny a student access to diverse points of view.

4. Not intentionally suppress or distort subject matter relevant to a student's academic program.

5. Not intentionally expose a student to unnecessary embarrassment or disparagement.

6. Not intentionally violate or deny a student's legal rights.

7. 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 make reasonable efforts to assure that each student is protected from harassment or discrimination.

8. Not exploit a relationship with a student for personal gain or advantage.

9. Keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.

10. Take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.

11. Not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.

12. Not use institutional privileges for personal gain or advantage.

13. Accept no gratuity, gift, or favor that might influence professional judgment.

14. Offer no gratuity, gift, or favor to obtain special advantages.

15. Maintain honesty in all professional dealings.

16. Not on the basis of race, color, religion, sex, sexual orientation, 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.

17. Not interfere with a colleague's exercise of political or civil rights and responsibilities.

18. 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, make reasonable efforts to assure that each individual is protected from such harassment or discrimination.

19. Not make malicious or intentionally false statements about a colleague.

20. Not use coercive means or promise special treatment to influence professional judgments of colleagues.

21. Not misrepresent one's own professional qualifications.

22. Not submit fraudulent information on any document in connection with professional activities.

23. Not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.

24. Not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.

25. Provide upon the request of an individual a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.

26. 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.

27. Self-report within forty-eight (48) hours to appropriate authorities (as designated by the Director) 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, administrators 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 F.S. 943.0585(4)(c) and 943.059(4)(c).

28. Report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795.

29. Seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012. 795.

30. Comply with the conditions of an order of the Education Practices Commission imposing probation, imposing a fine, or restricting the authorized scope of practice.

31. Cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

32. Not use school technology for personal gain, to promote business, or advertisement of a personal nature.

B. All administrators shall adhere to the principles enumerated above.

All administrators shall be required to complete training on the standards established herein upon.

Statutory Authority: Chapter 2008-108, Laws of Florida / History: New 10/14/08

MANDATORY REPORTING OF EMPLOYEE MISCONDUCT (Extended)

The Director recognizes their responsibilities to effectively address employee misconduct and, where appropriate, to provide a measured disciplinary response consistent with due process. In addition, with respect to professional staff members, matters of misconduct, including conviction of certain crimes enumerated by law and/or conduct which is unbecoming to the teaching profession, will be reported by the Director to the Florida Department of Education.

Reporting Professional Misconduct

All Blossom Staff and Consultants are required to report to the Director alleged misconduct by Blossom employees which affects the health, safety, or welfare of a student. If the alleged misconduct to be reported is regarding the Director, the Blossom employee shall report the alleged misconduct to the Advisory Board and/or Business Manager who shall cause any legally sufficient complaint to be independently investigated and report the results thereof to the Board of Trustees. Failure to report such alleged misconduct shall result in appropriate disciplinary action.

The Director shall investigate any allegation of misconduct by Blossom employees which affects the health, safety, or welfare of a student, and shall report the alleged misconduct to the Department of Education as required in F.S. 1012.796, 1001.51(12)(b), 1001.42(7)(b).

Staff alleged to have committed such misconduct shall at the discretion of the Director, be placed on administrative leave with pay, or reassigned to a position that does not require direct contact with students, pending the outcome of a misconduct investigation.

Filing a Complaint with the Department of Education

The Director shall file with the Department of Education in writing all legally sufficient complaints within thirty (30) days after the date on which the subject matter of the complaint comes to the attention of the District. A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in F.S. 1012.795 and defined by rule of the State Board of Education. The Director shall include all known information relating to the complaint with the filing of the complaint.

Report of Resignation or Termination

If the Director determines that misconduct by an instructional staff member affects the health, safety, or welfare of a student and the misconduct warrants termination, the staff member may resign or be terminated and the Director shall report the misconduct to the Department of Education in the format prescribed by the Department.

Transmittal of False or Incorrect Report

The Director shall not knowingly sign and transmit to any State official a report that the Director knows to be false or incorrect.

Pursuant to F.S. 1001.42(7), a Board member shall 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 which the Board member knows to be false or incorrect.

Requirement of Disclosure of Employee Misconduct

The Board, Director, or any of its employees, shall not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional personnel with employment references or discuss the personnel's performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. (F.S. 1001.42(6)).

Reporting Procedures and Posting Requirements

The procedure for reporting misconduct shall be as follows:

1) The employee responsible for reporting the complaint of misconduct shall make the report to the Director.
2) The report shall be made promptly upon the employee becoming aware of the misconduct.
3) The employee shall furnish such information as may be requested by the Director.
4) The Director shall determine the legal sufficiency of the complaint.
5) If the complaint of misconduct is legally sufficient, the Director will then prepare correspondence for transmitting the complaint and any required material to the Advisory board and/or Department of Education if necessary within the required thirty-day (30) period.

Employees who fail to report suspected or actual child abuse or neglect or alleged misconduct by other employees shall be subject to discipline up to and including termination of employment, pursuant to the school Advisory Board.

A copy of this policy shall be posted in a prominent place at each school site and on each school's internet website. (F.S. 1006.061(2))

Statutory Authority: Chapter 2008-108, Laws of Florida / History: New 10/14/08

MANDATORY REPORTING MISCONDUCT BY INSTRUCTIONAL PERSONNEL AND ADMINISTRATORS (Condensed)

All employees and administrators have an obligation to report misconduct by instructional personnel and school administrators which affects the health, safety, or welfare of a student. Examples of misconduct include obscene language, drug and alcohol use, disparaging comments, prejudice or bigotry, sexual innuendo, cheating or testing violations, physical aggression, and accepting or offering favors.

Reports of misconduct of employees should be made to:

Julie Rutenberg, Director
Telephone: (727) 539-7879
Video Phone: (727) 223-6238
Email: jrutenberg@blossomschool.org

If the Director / Head of School is unavailable or out of the office, reports of misconduct of employees should be made to:

Tara Bonano, Business Manager
Telephone: (727) 539-7879
Video Phone: (727) 223-6238
Email: tbonano@blossomschool.org

Reports of misconduct of administrators should be made to:

Tom O'Neil, Advisory Board
Telephone: (813) 763-1540

Legally sufficient allegations of misconduct by Florida certified educators will be reported to the Office of Professional Practices Services.

Policies and procedures for reporting misconduct by instruction personnel or school administrators which affects the health, safety, or welfare of a student are posted in the:

- Blossom Employee Handbook (see 2020-2021 Staff Binder)
- Blossom WorkRoom Bulletin Wall
- Blossom Google Drive Shared Files: 2020-2021 Ethics of Education
- Blossom Website at www.blossomschool.org/employment/job-opportunities/

MANDATORY REPORTING CHILD ABUSE, ABANDONMENT OR NEGLECT (Condensed)

All employees and agents have an affirmation duty to report all actual or suspected cases of child abuse, abandonment, or neglect.

Call 1-800-96-ABUSE OR Report Online at http://www.dcf.state.fl.us/abuse/report/

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

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

Signs of Neglect

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

Patterns of Abuse

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

LIABILITY PROTECTIONS (Condensed)

Any person, official, or institution participating in good faith in any act authorized or required by law, 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. (F.S. 39.203)

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 F.S. Chapter 760. (F.S. 768.095)

Blossom Montessori
School for the Deaf

2021-2022
Ethics of Education
Policies & Procedures

My signature below confirms that I have read, understood and agree to comply with all items of the Ethics of Education Policies & Procedures manual and training. I have been given the opportunity to ask questions about, and discuss all said items with the Director and I, on this day, do agree with these conditions.

_____ _____

Employee Signature ***Date***

_____

Employee Name – (please print)

_____ _____

Director Signature ***Date***

Julie Rutenberg, Director