

Related Entries: School Board Policies 1.05, 1.11 to 1.13, 1.22 and 1.23, 2.02 and 2.03, 4.02 to 4.15, 5.01 to 5.05, 5.26 to 5.37, and 6.01 to 6.13

### Ethics in Education

- 1  
2  
3  
4  
5  
6 (1) **Purpose:** In an effort to establish clearly defined standards of performance for ethical  
7 conduct, which achieve the overall interest of preserving the public trust in elected  
8 officials and appointed officers of the School District of Lee County, the School Board  
9 of Lee County believes it is necessary to adopt a comprehensive policy to assist in  
10 the identification, consolidation, implementation, and oversight of existing policies,  
11 processes, and procedures necessary to secure ethics in education.

12  
13 The Superintendent of Schools is responsible for the direction of staff necessary to  
14 accomplish this objective. Appropriate procedures for the adoption or revision of  
15 relevant policies shall be followed and reports shall be made at School Board  
16 meetings to ensure that the public is aware of these efforts and their results.

17  
18 Guiding documents shall include, but not be limited to the Principles of Professional  
19 Conduct for Education Professionals in Florida, the Code of Ethics for Public Officers  
20 and Employees, and School Board Policy 5.26 (Professional Standards). All covered  
21 individuals shall be reminded of the education professional's duties owed to students,  
22 their profession, and the public.

- 23  
24 (2) **Notice:** To promote widespread awareness of this policy, notice of this policy shall  
25 be given upon first contact with the School District of Lee County and at least once  
26 annually thereafter.
- 27  
28 (a) **Schools and Worksites:** Notice of this policy shall be posted at all school and  
29 worksite locations.
- 30  
31 (b) **Parents and/or Guardians:** Notice of this policy shall be provided to all  
32 parents and/or guardians at the time of a student's initial enrollment and at  
33 least once annually thereafter.
- 34  
35 (c) **Students:** Notice of this policy shall be provided to all students by a reference  
36 to be included in the Student Code of Conduct.
- 37  
38 (d) **Applicants for Employment:** Notice of this policy shall be provided to all  
39 applicants for employment.
- 40  
41 (e) **Employees and Unions:** Notice of this policy shall be provided to all current  
42 employees and their official representative for collective bargaining purposes,  
43 at least once annually.

- 44 (f) **Community Members:** Notice of this policy shall be provided to community  
45 members at one or more School Board meetings annually, and by posting on  
46 the District website.  
47
- 48 (g) **School Board:** Notice of this policy shall be provided to all candidates for  
49 School Board upon completion of proper filings with the Lee County Supervisor  
50 of Elections and to all elected School Board members at least once annually.  
51
- 52 (h) **Outside Contractors and Vendors:** Notice of this policy shall be provided to  
53 all outside contractors and vendors and their employees at the  
54 commencement of their work with the District and at least once annually.  
55
- 56 (i) **Visitors and Volunteers:** Notice of this policy shall be provided to all visitors  
57 and volunteers at the commencement of their status as a volunteer and at least  
58 once annually.  
59

60 (3) **Professional Development**  
61

62 The Superintendent and staff shall develop appropriate training and professional  
63 development for all District employees. Training and professional development shall  
64 be comprehensive in nature and focused on operational deployment of the strategic  
65 purpose of this policy.  
66

67 In order to stay abreast of changes in standards for ethical conduct and to ensure  
68 workforce success through the sharing of best practices related to maintenance of  
69 ethics in education, all District employees shall receive training on this policy and  
70 related laws and regulations at least once annually. Record of training shall be  
71 maintained by the District in accordance with state mandated record retention  
72 schedules, and all employees shall be required to formally acknowledge that they  
73 have received this training and understand the standards of performance for ethical  
74 conduct established by the School Board.  
75

76 Employees with an FLSA status of exempt may be required to complete professional  
77 development either during or outside regularly scheduled work hours. Employees  
78 with an FLSA status of non-exempt must complete professional development during  
79 regularly scheduled work hours or be compensated appropriately.  
80

81 As required by Florida Statute 112.3142, in order to stay abreast of changes in  
82 standards for ethical conduct, and to ensure workforce success through the sharing  
83 of best practices related to maintenance of ethics in education, all School Board  
84 members shall receive training on this policy and related laws and regulations at least  
85 once annually. Training shall be provided to the School Board based on the  
86 recommendations of the School Board Attorney. Training opportunities may include  
87 those offered by the Florida School Board Association or the National School Board  
88 Association. Record of training shall be maintained by the District in accordance with  
89 state mandated record retention schedules.  
90

- 91 (4) **Covered Individuals:** Covered individuals shall include, but not be limited to, parents  
92 and/or guardians, applicants for employment, employees and union representatives,  
93 community members, School Board Members, outside contractors and vendors, and  
94 visitors and volunteers.  
95
- 96 (a) **Ethical Conduct:** Standards for ethical conduct for covered individuals have  
97 been established by the Student Code of Conduct, the Principles of  
98 Professional Conduct for the Education Profession in Florida, the Code of  
99 Ethics for Public Officers and Employees, and School Board Policy to include  
100 the District's vision, mission and goals as well as strategic plan.  
101
- 102 (b) **Self-Reporting:** All covered individuals have an affirmative duty to self-report,  
103 as applicable, Criminal arrests (including non-custodial arrests), criminal  
104 convictions, notice by the Florida Department of Children and Families (FL  
105 DCF) that the employee is the subject of a child protective investigation, the  
106 outcome of FL DCF investigations to which the employee is a subject of  
107 investigation, prior disciplinary action related to employment, and potential  
108 conflicts of interest that may influence professional judgment or present the  
109 appearance of impropriety. Covered individuals maintain their constitutional  
110 rights to due process and rights against self-incrimination  
111
- 112 1. **School Board Members:** School Board members shall abide by the  
113 Florida Commission on Ethics and requisite requirements.  
114
- 115 2. **Employees:** An employee's failure to self-report complaints or their  
116 disposition may result in disciplinary action up to and including termination,  
117 or other applicable disciplinary remedies.  
118
- 119 3. **Outside contractors and vendors:** Failure to self-report complaints or  
120 other violations of this policy may result in contract  
121 termination/cancellation.  
122
- 123 (c) **Rights to due process.** Failure to report suspected violations may result in  
124 disciplinary action up to and including termination or other applicable  
125 disciplinary remedies. Due process protocols will be followed pursuant to  
126 District processes and procedures.  
127
- 128 (5) **Protected Individuals:** Federal and state laws and regulation, along with School  
129 Board Policy and Collective Bargaining Agreements, may identify protected classes  
130 of persons. Legal protections for these individuals are in place to ensure equitable  
131 treatment.  
132
- 133 (6) **Prohibited Acts:** Federal and state laws and regulation, along with School Board  
134 Policy and Collective Bargaining Agreements, identify prohibited acts. Prohibited acts  
135 are those that negatively impact the School District of Lee County's ability to maintain  
136 the respect and confidence of education professionals, students, parents, and other  
137 community members. They also include acts that frustrate the vision, mission and

- 138 goals of the District and its strategic plan. Prohibited acts included, but are not limited  
139 to:  
140
- 141 (a) **Harassment or Discrimination:** Harassment or discrimination on the basis of  
142 race, color, religion or creed, sex, sexual orientation, national or ethnic origin,  
143 marital status, pregnancy, political affiliation, union membership status, age,  
144 gender identity or expression, disability if otherwise qualified, or any other  
145 unlawful factor is strictly prohibited.  
146
- 147 (b) **Misconduct:** Conduct during the course and scope of employment that  
148 negatively impacts the performance of assigned duties is prohibited.  
149
- 150 (c) **Misrepresentation or Falsification:** Knowingly and willfully falsifying or  
151 concealing a material fact; making a false, fictitious, fraudulent statement or  
152 representation; or knowingly making or using any false document is prohibited.  
153
- 154 (d) **Institutional Privilege for Personal Gain:** Covered individuals shall not  
155 knowingly and willfully use institutional privilege for personal gain including, but  
156 not limited to the following:  
157
- 158 1. **Improper Remunerative Conduct:** A covered individual engaging in  
159 improper remunerative conduct.  
160
  - 161 2. **Improper Gifts or Favors:** A covered individual soliciting or accepting gifts  
162 or favors that influence or are intended to influence the performance of  
163 assigned duties or other official action.  
164
  - 165 3. **Improper Disclosures:** A covered individual disclosing confidential  
166 information to an unauthorized individual.  
167
  - 168 4. **Criminal Acts:** A covered individual committing a criminal act, especially  
169 those that disrupt district operations or have a direct nexus to a covered  
170 individual's assigned duties.  
171
  - 172 5. **Conflict of Interest:** A covered individual failing to report potential conflicts  
173 of interest or other relationships that may create an appearance of  
174 impropriety that undermines public confidence in the School District of Lee  
175 County.  
176
  - 177 6. **Financial Disclosures:** A covered individual failing to make appropriate  
178 financial disclosures when engaged in or attempting to engage in a business  
179 relationship with the School District of Lee County.  
180
  - 181 7. **Fraud, Mismanagement, or Waste:** A covered individual engaging in  
182 fraud, mismanagement, or waste, or engaging in the concealment of fraud,  
183 mismanagement, or waste.  
184

- 185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225
8. **Public Funds or Property:** A covered individual failing to take reasonable precautions to protect and care for public funds and property.
9. **Drug, Alcohol, Tobacco-Free Workplace:** A covered individual violating School Board Policy 5.37. Covered individuals with substance abuse issues are encouraged to utilize available counseling services provided by the School District of Lee County, including the Employee Assistance Program (EAP). Maintaining a healthy and productive workforce, safe working conditions free from the effects of drugs, and quality products and services is important. Substance abuse issues create a variety of workplace problems including increased risk of injury on the job, increased absenteeism, increased financial burden on health and benefit programs, increased incidents of workplace theft, decreased employee morale, decreased productivity, and a decline in the quality of products and services.
10. **Maintaining Credentials:** A covered individual is required to maintain the appropriate credentials required for his or her position, as established by Florida Statute or the minimum qualifications for the position. The School Board may approve the appointment of an individual based upon the satisfaction of acceptable alternatives to the minimum qualifications for the position provided the appointment does not conflict with legal requirements for licensure or certification.
11. **Financial Controls:** A covered individual failing to adhere to legal requirements as it relates to the financial controls established by Chapter 6 (Business Services) of School Board Policy.
- (e) **Interference, Influence, or Retaliation:** Covered individuals are strictly prohibited from taking adverse action against a protected individual as a means of retaliation for reporting a suspected violation, participating in an investigation, or other conduct designed to interfere with an investigation, inappropriately influence an investigation, or frustrate the purposes of this policy and Board Policies 5.311 and 5.331.
- (f) **Community Members:** Community members are encouraged to report suspected violations in writing to the appropriate school or site-based administrator before submitting a complaint to the Superintendent. A complaint made during public comment at a School Board meeting shall be reduced to writing by the Secretary to the Board and provided to the Superintendent.

226 **STATUTORY AUTHORITY:** 39.201, 39.301, 112.313, 112.3142, 112.3187, 112.3189,  
227 112.0455, 112.326, 119.021, 119.071, 1001.41, 1001.42,  
228 1001.49, 1001.51, 1012.23, 1012.27, and 1012.28 F.S.

229  
230 Adopted: 10/06/2020