

## 3139 - EDUCATOR MISCONDUCT

As required by the provisions of State Board of Education ~~Rule F.A.C. 6B-1.006(5) rules~~ and the Principles of Professional Conduct of the Education Profession in Florida, an instructional employee is required to self-report within forty-eight (48) hours to a District authority, as determined by the Superintendent, any arrest for a felony or a misdemeanor offense listed in F.S. 435.04, including any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such ~~notice shall self-report~~ is not to be considered an admission of guilt nor shall such ~~notice self-report~~ be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, self-reporting shall also be required for 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 policy, the District shall comply with the confidentiality provisions in Florida statutes.

The School Board shall temporarily remove instructional personnel from the classroom within twenty-four (24) hours after a notification by law enforcement or a self-reporting employee of their arrest for a felony or misdemeanor offense listed in F.S. 435.04.

~~Furthermore, all~~ All legally sufficient complaints against a member of the instructional staff shall be reported to the Department of Education within thirty (30) days after the date on which the subject matter of the complaint comes to the attention of the ~~School~~ Board or the office of the Superintendent. A complaint is legally sufficient for reporting if the subject matter of the complaint includes any of the grounds for discipline or dismissal set forth in Florida statutes.

The Superintendent shall require that all legally sufficient complaints are timely filed in writing with the Department of Education. The Superintendent shall file with the Department of Education all information relating to the complaint which is known to the Superintendent at the time of filing. Additionally, Policy 8141 sets forth the procedures for mandatory reporting of alleged misconduct by instructional personnel to the Florida Department of Education.

It is the responsibility of all employees of the Board to promptly report to the office of the Superintendent or the office of Human Resources Services any complaint against a member of the instructional staff that comes to the employee's attention and that includes grounds for the revocation or suspension of a teaching certificate. The willful failure by an employee of the Board to promptly report a complaint shall constitute cause for discipline of the employee as provided by law and Board policy.

F.S. 943.0585(4)(c)  
F.S. 943.059(4)(c)  
F.S. 1012.22  
F.S. 1012.795  
F.S. 1012.796  
F.S. 1012.799  
F.A.C. 6B-1.006  
F.A.C. 6A-10.081