

## 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 Statute 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 Principals of Professional Conduct of the Education Profession in Florida

## 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*



*“A teacher affects  
eternity...he can  
never tell where  
his influence  
stops.”*

*~Henry B.  
Adams*

### 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*

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

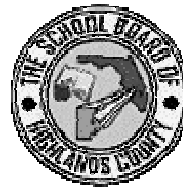
*Protect the students and yourself and report.*

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)

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## IDENTIFYING AND REPORTING PROFESSIONAL MISCONDUCT

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

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



Florida Department of Education  
Office of Professional Practices Services

***“Teaching is the profession that teaches all the other professions.”***

*--Author Unknown*