



Ethics in Education and Employee Conduct

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Conduct and Ethics Standards Required of All Employees

All employees (when employees are referenced in this document it includes educational support employees and administrators) are required to ensure the health, safety, and welfare of First Presbyterian Preschool students always. As part of our hiring processes, we maintain a screening program for prospective and existing employees, full-time volunteers, and other individuals who may have one-on-one interactions with students. We require an application, personal interview, reference checks (at least one professional), criminal background checks, and national sexual offender registry checks.

The following sets forth some examples of inappropriate and prohibited behavior. Any similar behavior that creates even the appearance of impropriety must be avoided and must be promptly reported as outlined below:

As employees of an educational institution, you are held to a higher standard by parents, students, colleagues, and members of the public. We support and endorse a strict policy of respect toward students and expect employees to always act as adult role models. In addition, students typically respond better to faculty and administrators and evidence greater levels of respect when appropriate expectations are established from the beginning. Therefore, you should ensure that you do not engage in any interaction or communication that may reflect even the appearance of impropriety or make students feel uncomfortable in your presence. If you are not sure whether a particular comment or action may be appropriate, it is far better to avoid the behavior than risk negative consequences.

The following are examples of inappropriate interactions and communications with students. This list is not all-inclusive and other similar activities should also be avoided:

1. Being alone with an individual student in a room,
2. Discussing the personal affairs of other students or your colleagues.
3. Swearing, making inappropriate sexual, racial/or ethnic comments.
4. Yelling or abusive actions toward a student.

In addition, employees must adhere to the following additional guidelines:

Employees should never physically move, grab, touch, or hit a student, or grab something from a student, with aggression or because of frustration. You should never physically threaten a

student with words or objects. You should never treat a student with anything less than respect and dignity. If a student does not follow directions as expected, you should communicate clearly your instructions and, if the student does not listen or respond appropriately, you should take appropriate action, seeking assistance from the administration as necessary. Appropriate physical contact includes high fives and fist bumps.

Prevention Techniques and Guidelines

Employees shall maintain the highest level of honesty, integrity, and professionalism in their dealings with students, parents, co-workers, and the public.

Employees must ensure that all standard safety rules and guidelines are followed, whether in the classroom, on a field trip, or at any school-related event.

Employees must ensure that students are checked in and out following attendance procedures before participating in any program or activity. Two adult rules, a minimum of two unrelated adult workers should always be present when students are being supervised during programs and activities.

The appropriate ratio of students to supervisors is 20:1 for appropriate supervision. Interior doors should remain open unless there is a window in the door or right beside it. Doors should never be locked while people are inside a room.

Employees should circulate when supervising students, especially on the playground. Given play equipment can obscure the view of students.

Employees should avoid one-to-one, unobserved meetings or interactions with students. Another adult should be present.

Employees should use the standard guidelines when taking students to the restroom: Younger students should use a single stall if one is available, escorting a group of children to the restroom instead of taking one child.

Employees shall not share with people who do not have a legitimate need to know information regarding the personal lives of students and their parents. This includes information relating to a student's disability, impairment, medical condition, medications, grades, and disciplinary actions, or a parent's financial condition, marital problems, etc. Employees should note, however, that to the extent any personal information potentially pertains to a concern of abuse, abandonment, or neglect, such information must be promptly reported as discussed in our Child Abuse Reporting Policy.

Employees shall comply with applicable laws, school policies, regulations, and related rules and are prohibited from engaging in any activities that could involve the school in any unlawful practice.

Employees have an obligation to keep children and our campus safe. If you have information reflecting that any person who may regularly or periodically visit the school's campus (student, employee, parent, spouse of an employee, family member, volunteer, or contractor) has been accused, arrested, or convicted of any type of potential abuse or sexual misconduct toward any

other person, you must immediately, no later than 48 hours report such information to the administration.

Employees must promptly report any concerns relating to child abuse, abandonment, or neglect in accordance with the School's Child Abuse Reporting Policy.

Training Requirement

All instructional personnel, educational support employees, and administrators are required as a condition of employment to complete training on these standards of ethical conduct. Employees must participate in yearly training on ethics and standards. Must complete 10 hours of continuing education per year.

Reporting Misconduct by Instructional Personnel and Administrators

All employees, educational support 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.

Reporting Procedure: If you have information that raises the possibility that an employee has engaged in inappropriate behavior or misconduct that might affect the health, safety, or welfare of a student, you must notify one of the following individuals immediately. If you are unsure whether a particular action or comment is inappropriate, you should err on the side of caution and report the concern to the administration.

1. Amy Gustafson, Director
2. Gale Bogue, Rae Harris, or Betty Lipp School Board Members

Do not attempt to resolve the situation yourself. It is vital that one of the individuals above be notified so that the school can handle the situation appropriately. Failure to report inappropriate behavior or misconduct that may affect the health, safety, or welfare of a child may result in discipline, up to and including termination.

If you have information that raises the possibility that an employee has engaged in child abuse, you must report such concerns as set forth in the school's Child Abuse Reporting Policy. Failure to do so may result in discipline, up to and including termination.

You will not be retaliated against or disciplined in any way for making a good-faith report of misconduct. If you believe that any employee has retaliated against you for such a good-faith report, you must immediately report that concern to one of the above individuals. In addition, you should note that Florida's child abuse reporting law (Fla. Stat. 39.203) provides immunity to people who report actual or suspected cases of child abuse in good faith.

Timing of Reports: Reporting of complaints or concerns should be made promptly so that rapid and constructive action can be taken. Therefore, while no fixed reporting period has been established, we expect employees to make reports as soon as they have reason to believe that

an employee's conduct may affect a student's health, safety, or welfare. In addition, even if you are currently hearing about an employee's alleged past misconduct, you must report your concern so that the school can investigate the situation and ensure that appropriate action, if any, has been taken. If the information that you must report involves the potential of child abuse, please refer to the reporting guidelines under the separate Child Abuse Reporting Policy in this handbook.

Investigatory Process and Confidentiality: The school's investigation will be conducted by either the police or a neutral party and will include interviews with all relevant people including the complainant, the accused, and other potential witnesses. The privacy of the complainant and the person accused of Sexual Abuse and Molestation will be kept strictly confidential. If the complaint involves Sexual Abuse and Molestation of a minor and/or vulnerable individual, all child abuse reporting procedures will be followed including an incident report filed at the state level. The alleged offender will be removed from campus until the investigation is complete.

When the investigation reveals that the complaint appears to be valid, immediate and appropriate corrective action will be taken to stop the Sexual Abuse and Molestation and prevent its recurrence. Actions may include disciplinary action or termination of employment when an employee is involved. When the validity of the complaint cannot be determined, immediate and appropriate action will be taken to ensure that all parties are informed about this Sexual Abuse and Molestation policy and advised avoiding perceptions of Sexual Abuse and Molestation in the future.

Response Procedures of Reported Incidents

Disciplinary and Other Related Action: The School will discipline any individual found to have engaged in inappropriate behavior or misconduct that may affect the health, safety, or welfare of students. In addition, the school will discipline any person whom it determines was aware of the circumstances and failed to report it. Moreover, to the extent that the individual who knowingly failed to report such misconduct holds a Florida teaching certificate, the Florida Education Practices Commission may suspend the educator's certificate for such failure.

Upon notification of any allegation of inappropriate behavior by any volunteer, employee, vendor, or program participant will assure the following:

1. Notifying either parents or guardians of students and authorities in compliance with all federal, state, and local statutes.
2. Cooperate with all investigating authorities.
3. Place the individual alleged to have committed the abuse or misconduct immediately on leave from working with children or vulnerable individuals pending an investigation and instruct them to remain away from the premises during the investigation.
4. Notifying the insurance and completing any required reports. Forward all documents received relating to the incident or allegations to the insurer.
5. Designate one person as a spokesperson to respond to media inquiries.
6. Remove from their position any person either who admits to the allegations or is found guilty.

Employer References: Only authorized management personnel of the school are permitted to respond to requests for references from potential employers regarding a current or former

employee. Any person authorized to respond to such references who does so at the request of a prospective employer or the current or former employee will be immune from liability pursuant to Fla. Stat. 768.095, if such response is truthful and not intended to violate the current or former employee's civil rights.

Employer immunity from liability; Disclosure of Information Regarding Former or Current Employees: 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.

Child Abuse Reporting Policy

Senate Bill 1712 requires any school that accepts the McKay or CTC scholarship students to set requirements for employment & certification of educators, disciplinary actions, & reporting of educator misconduct. This act requires the school to review procedures in the employment process and establish policies and procedures for compliance.

Employment Standards

First Presbyterian Preschool is required by law to disqualify personnel and school administrators that are ineligible under Section 1012.315 (Criminal Offenses).

Offenses Include

1. Sexual misconduct, sexual battery, prostitution, lewdness, indecent exposure, sexual anything with minors, obscenity, incest, child abuse, or neglect.
2. Murder, manslaughter, assault, and battery.
3. Kidnapping, luring, or enticing a child.
4. Exhibiting weapons at a school or school event.
5. Arson, theft over \$3000, dealing in stolen property, robbery, carjacking, home-invasion, resisting arrest.
6. Anything related to controlled substances and paraphernalia.
7. Battery on a minor and luring or enticing a minor - Misdemeanor Offense.

Any act that is a federal offense or offense in another state if committed in this state constitutes an offense listed above including having to register as a sex offender. **IF AWARE OF SUCH A CONVICTION, THE EMPLOYER SHOULD REPORT IT TO THE DEPARTMENT OF EDUCATION.**

Prior to employment, the private school is responsible for checking each candidate's previous employer and documenting the findings.

We are required to adopt and communicate policies and procedures, setting forth standards of ethical conduct for instructional personnel and administrators. Policies and procedures for reporting misconduct by instructional personnel, support staff, and school administrators that affect the health, safety, or welfare of a student are posted in the front office and on our website at www.fpcmtdora.org/preschool-2

First Presbyterian Preschool policy is for each employee to read and sign the *Attestation of Good Moral Character and the Code of Conduct* at the time of employment and annually upon renewal of offer letters.

First Presbyterian Preschool is prohibited from entering into a confidentiality agreement with any of its terminated or dismissed instructional personnel, administrators, or employees (including those who resign in lieu of termination), based on unethical conduct that affects the health, safety, or welfare of a student.

Senate Bill 1712 also prohibits First Presbyterian Preschool from the recommendation of a terminated individual to another educational setting without disclosing the misconduct and providing any part of an agreement or contract that has the purpose or effect of concealing misconduct is deemed contrary to public policy and cannot be fulfilled.

Procedures for Reporting Misconduct

All employees and agents of First Presbyterian Preschool have an obligation to report misconduct by an instructional personnel member or school administrator.

Who Should You Report?

- Classroom Teachers
- Teacher Aides
- Substitute Teachers & Volunteers
- Maintenance personnel
- Principal
- Administrative Assistants
- School Board Members

Behaviors Indicative of Misconduct That Should Be Reported

- Being alone with a student in a dark or closed room
- Using forceful or unnecessary physical contact with a student
- Administering discipline not compliant with published school policy
- Mocking or belittling a student
- Bullying, verbal, physical, or emotional bullying
- Chronically embarrassing a student
- Using profane, offensive, or explosive language in the presence of students
- Making lewd or suggestive comments or overtures toward a student or colleague
- Suspicion of being under the influence of alcohol or drugs

Grooming is the process used by an abuser to select a person, win the person's trust, manipulate the person into sexual activity, and keep the person from telling others about the

abuse. There are two specific grooming methods used by offenders to normalize their behavior:

1. Sexual material/conversations. Desensitization to anything sexual is a red flag.
2. Nudity. Employees should never expose themselves. If there is an event that changing clothes is required (ex. Pool party, weekend or overnight event), staff should submit a plan with arrangements for showering or changing clothes.
3. Inappropriate peer-to-peer behavior is harmful to both the perpetrator and the victim. The behavior may be intimate (relationship violence) or non-intimate.
4. Bullying can be direct (bullying that occurs in the presence of a targeted person) or indirect (bullying not directly communicated to a targeted person such as spreading rumors.)
5. Types of bullying can be physical, verbal, relational, or damage to property.

Reports misconduct of employees should be made to:

Report allegations of misconduct by school staff or volunteers to your School Administrator:

- Administrator: Amy Gustafson, Director
Contact Phone: (321)438-4594
Contact Email: amy@fpcmtdora.org

Reports of misconduct committed by administrators should be made to:

Report allegations or suspicion of misconduct by your school administrator /owner/operator to the Board of Directors:

- Rae Harris: raemharris@aol.com
- Gale Bogue: (352)406-2339
- Betty Lipp: (352) 735-7564

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 instructional personnel or school administrators which affects the health, safety, or welfare of a student are posted in the front office bulletin board and our website (<https://www.fpcmtdora.org/preschool-2>).

Possible Penalties for Failing to Report Misconduct.

- Written reprimand
- Suspension with or without pay
- Termination of employment
- Discipline/Sanctions on an educator's certificate if applicable

If someone tells you about or you witness misconduct, BE A LEADER

- Listen
- Evaluate the situation
- Act Immediately
- Document
- Encourage

- Report

Explanation of Liability Protection Under Sections 768.095 & 39.203, Florida Statutes

Immunity from liability; disclosure of information regarding former or current employees. An employee 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.

Reporting Child Abuse, Abandonment, or Neglect Standards

Reporting Child Abuse, Abandonment or Neglect All employees and agents have an affirmative duty to report all actual or suspected cases of child abuse, abandonment, or neglect. Call 1-800-96-ABUSE or report online at: <https://www.myflfamilies.com/services/abuse/abuse-hotline/>.

Can I be Held Liable for Reporting It?

According to Florida Statutes sections 768.095 & 39.203, has immunity from civil or criminal liability because of reporting possible child abuse, abandonment, or neglect. Any detrimental change made in the residency or employment status of such person, including, but not limited

to, discharge, termination, demotion, transfer, or reduction in pay or benefits or work privileges, or negative evaluations within a prescribed period shall establish a rebuttable presumption that such action was retaliatory.

Liability Protections: 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)

Signs of Physical Abuse

- Unexplained: bruises, welts, cuts, or other injuries
- Broken bones
- Burns
- May seem withdrawn or depressed
- Seem afraid to go home or may run away
- Shy away from physical contact
- Be aggressive
- Wear inappropriate clothing to hide injuries

Signs of Sexual Abuse

- Torn, stained, or bloody underwear
- Trouble walking or sitting
- Pain or itching in the genital area
- A Sexually transmitted disease
- Have unusual knowledge of sex or act seductively
- Fear of a particular person
- Seem withdrawn or depressed
- Gain or lose weight suddenly
- Shy away from physical contact
- Running away from home

Signs of Neglect

- Unattended medical needs
- Little or no supervision at home
- Poor hygiene
- Appear Underweight
- Be frequently tired or hungry
- Appear overly needy for adult attention

If a Child Tells YOU About Abuse

- Be a good listener. Show that you understand and believe what the child tells you. Encourage, but don't pressure him/her to talk. Ask open-ended questions.
- Be supportive. Tell the child he/she did the right thing by coming to you. Stress that he/she is not to blame. Let the child know that you want to help.
- Don't overreact. This can frighten the child or prevent him/her from telling you more. Do not talk negatively about the suspected abuser in front of the child.
- Document and report it. Document your conversation as soon as you can. If possible, write down the child's exact words.
- Don't delay. Never assume someone else will report the abuse. The sooner it's reported, the sooner the child and their family can be helped.

Look For Patterns

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.

I have read the Ethics in Education Act Staff Training. I understand my duty and my rights according to Senate Bill 1712.

_____ Initials

I have reviewed the Attestation of Good Moral Character. I understand that I must acknowledge the existence of any applicable criminal record relating to the above lists of offenses including those under any similar statute of another jurisdiction, regardless of whether those records have been sealed or expunged. Further, I understand that, while employed or volunteering at First Presbyterian Preschool in any position that requires background screening as a condition of employment, I must immediately but no later than 48 hours notify my supervisor/employer of any arrest and any changes in my criminal record involving any of the above listed provisions of Florida Statutes or similar statutes of another jurisdiction whether a misdemeanor or felony. This notice must be made within one business day of such arrest or charge. Failure to do so could be grounds for termination.

_____ Initial

Employee Signature:	Date:
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