

## ADMINISTRATIVE PROCEDURE

**Type of**

**Procedure:** Personnel

**Title:** Employee Conduct

**Authority:** 1007.41 and 1001.42, F.S.

**Fla. Statute:** 1001.51, 1012.97, 1012.33, and 1012.53, F.S.

**Date Issued:** February 24, 2009

**Superintendent's Signature:**



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**Purpose:**

To provide for a process of reporting and investigating employees' acts or omissions which may be detrimental to their work effectiveness or students.

**Procedures:**

1. All employees are expected to exemplify conduct that is lawful, professional and contributes to a positive learning environment for students. All employees are expected to meet the specific standards described in the Employee Handbook, negotiated contracts, the Principles of Professional Conduct for the Education Profession in Florida as described by State Board of Education Rule, and all local, state and federal laws.
2. Any employee who knows of an action by another employee that is in a serious violation of school board policy, State Board rules, Florida statutes or laws of the United States is obliged to report that action to the appropriate supervisor. This includes, but is not limited to, incompetency, gross immorality or an act involving moral turpitude, misconduct in office, gross insubordination or willful neglect of duty, or conviction of a misdemeanor, felony or other charge other than a minor, noncriminal traffic offense.
3. Any administrator or site manager who receives information, either verbally or in writing, regarding inappropriate conduct on the part of an employee that is seriously improper, illegal or substantially reduces that person's effectiveness as an employee, must immediately log the date and time of the contact and notify the Superintendent or his/her designee within 24 hours.

4. The site manager, under the direction of the Superintendent or his/her designee, shall conduct an investigation into any alleged serious misconduct and reduce the findings of fact to written form.
5. All investigations shall provide for due process and the scope and timeliness will be determined by the nature of the allegations and the discovery of fact.
6. Written findings shall be provided to the Superintendent or his/her designee, the person who was the subject of the complaint, and the person reporting the inappropriate conduct if the report was made in writing. In no case shall the investigation take longer than sixty (60) days without a written summary of facts discovered to that point in time.
7. Any administrative action by the administrator, site manager or Superintendent or his/her designee will be included with the findings of fact. The appropriate opportunities for review and appeal shall be provided to all parties as specified in collective bargaining agreements or School Board policy.
8. The Superintendent or his designee shall report all legally sufficient complaints against teachers and administrators to the Department of Education within thirty (30) days after the date of which the subject matter of the complaint came to the attention of the school district. Possible criminal violations or suspected child abuse shall be reported to the proper authorities within twenty-four (24) hours of the initial report of the complaint.
9. Any complaint and any material relating to the investigation of a complaint against an employee shall be confidential and exempt from the provisions of s. 119.07(1), F.S. until the conclusion of the preliminary investigation or until such times as the preliminary investigation ceases to be active. A preliminary investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future.
10. If the investigation concludes with the finding that there is no probable cause to proceed further or with no disciplinary action taken or charges filed, a statement to that effect signed by the investigating official shall be attached to the complaint and the complaint and all such materials shall be open to inspection pursuant to s. 119.07(1), F.S..
11. If the preliminary investigation is concluded with the finding that there is probable cause to proceed or a complaint is filed with the proper authorities, the complaint and the information shall be open thereafter to inspection pursuant to s. 119.07(1), F.S.
12. The Superintendent shall report to the Department of Education the name of any certified person who has been convicted of, or who has pled nolo contendere to a misdemeanor, felony, or any other criminal charge other than a minor traffic violation, who has been dismissed or severed from employment because of conduct involving any moral, unnatural or lascivious act, or who he or she has reason to believe has committed or is found to have committed any act which would be a ground for revocation or suspension of a certificate in accordance with Florida Statutes.