

CHAPTER 6.00 - PERSONNEL

Professional Misconduct Reporting

6.53

1. Mandatory Reporting. District personnel shall report to the Department of Human Resources any complaint against a member of the District instructional or administrative staff alleging one of the grounds for discipline listed in Florida Statute 1012.795. The statute provides that a member of the instructional or administrative staff is subject to discipline if he or she:
 - (a) Has obtained or attempted to obtain an educator certificate by fraudulent means.
 - (b) Has proved to be incompetent to teach or to perform duties as an employee of the public school system or to teach in or to operate a private school.
 - (c) Has been guilty of gross immorality or an act involving moral turpitude.
 - (d) Has engaged in or solicited sexual, romantic or lewd conduct with a student.
 - (e) Has had an educator certificate sanctioned by revocation, suspension, or surrender in another state.
 - (f) Has been convicted of a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation.
 - (g) Upon investigation, has been found guilty of other personal misconduct which seriously reduces that person's effectiveness as an employee of the District.
 - (h) Has breached his or her contract by leaving his or her position without first being released by the District.
 - (i) Has been the subject of a court order directing the Education Practices Commission to suspend the certificate as a result of a delinquent child support obligation.
 - (j) Has violated the Principles of Professional Conduct for the Education Profession prescribed by State Board of Education rules.
 - (k) Has committed any other act or omission listed in Florida Statute 1012.795.

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2. Review. The Department of Human Resources shall promptly review the complaint. If there is reason to believe that a violation has occurred as provided in Florida Statute 1012.795, the Human Resources Department and the Superintendent shall file a written report with the Department of Education Office of Professional Practices, which report shall include all relevant information developed in the investigation.
3. Other Personnel. Adjunct athletic coaches and instructional contractors who are required by contract or law to hold education certification under Florida Statute 1012.795.
4. Superintendent's Responsibility. The Superintendent is responsible for reporting to the appropriate law enforcement agency reports of misconduct against a District employee or contractor that would result in disqualification from educator certification under Florida Statute 1012.795 or employment under Florida Statute 1012.315.
5. Complaints Against Other Employees and Staff. This rule applies only to those employees and staff subject to discipline by the Education Practices Commission.
6. Termination of Employment. Reporting under this rule is still required if an employee or staff member's employment is terminated (by resignation or otherwise) before or during the reporting process. The District shall notify the Office of Professional Practices of any such employee or staff member's termination while the investigation is pending.

STATUTORY AUTHORITY: 1001.41, F.S.

LAWS IMPLEMENTED: 1001.42, 1012.22,
1012.795, 1012.796, F.S.

HISTORY: Formerly Rule 6.512
Adopted: 07/01/08
Revised/Renumbered: 10/08/13
Revision Date(s): 10/08/13; 8/14/18