

Noble School Code of Ethics

Introduction

The Noble School Code of Ethics defines the professional behavior of educators at The Noble School and serves as a guide to ethical conduct. We have adopted standards that represent the conduct generally accepted by the education profession. The code protects the health, safety and general welfare of students and educators, ensures the citizens of Florida a degree of accountability within the education profession, and defines unethical conduct justifying disciplinary sanction. All instructional personnel and school administrators are required to complete training on the standards and provide signatures stating such.

Definitions

- (a) "Certificate" refers to any teaching, service, or leadership certificate, license, or permit issued by authority of the State of Florida.
- (b) "Educator" is a teacher, school or school system administrator, or other education personnel who holds a certificate issued by the State of Florida and persons who have applied for but have not yet received a certificate. For the purposes of the Noble School Code of Ethics, "educator" also refers to paraprofessionals, aides, and substitute teachers.
- (c) "Student" is any individual enrolled in Noble School from preschool through grade 12 or any individual between and including the ages of 3 and 17.
- (d) "Complaint" is any written and signed statement from a local board, the state board, or one or more individual residents of this state filed with the Florida State Board of Education alleging that an educator has breached one or more of the standards in the Noble School Code of Ethics. A "complaint" will be deemed a request to investigate.
- (e) "Revocation" is the invalidation of any certificate held by the educator.
- (f) "Denial" is the refusal to grant initial certification to an applicant for a certificate.
- (g) "Suspension" is the temporary invalidation of any certificate for a period of time specified by the State of Florida.
- (h) "Reprimand" admonishes the certificate holder for his or her conduct. The reprimand cautions that further unethical conduct will lead to a more severe action.
- (i) "Warning" warns the certificate holder that his or her conduct is unethical. The warning cautions that further unethical conduct will lead to a more severe action.
- (j) "Monitoring" is the appraisal of the educator's conduct by the State of Florida through contact with the educator and his or her employer. As a condition of monitoring, an educator may be required to submit a criminal background check.

Standards

(a) Standard 1: Criminal Acts - An educator should abide by federal, state, and local laws and statutes. Unethical conduct includes but is not limited to the commission or conviction of a felony or of any crime involving moral turpitude. As used herein, conviction includes a finding or verdict of guilty, or a plea of nolo contendere, regardless of whether an appeal of the conviction has been sought; a situation where first offender treatment without adjudication of guilt pursuant to the charge was granted; and a situation where an adjudication of guilt or sentence was otherwise withheld or not entered on the charge or the charge was otherwise disposed of in a similar manner in any jurisdiction.

(b) Standard 2: Abuse of Students - An educator should always maintain a professional relationship with all students, both in and outside the classroom.

Unethical conduct includes but is not limited to:

1. committing any act of child abuse, including physical and verbal abuse;
2. committing any act of cruelty to children or any act of child endangerment;
3. committing or soliciting any unlawful sexual act;
4. engaging in harassing behavior on the basis of race, gender, sex, national origin, religion or disability;
5. soliciting, encouraging, or consummating an inappropriate written, verbal, or physical relationship with a student; and
6. furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student or allowing a student to consume alcohol, or illegal/unauthorized drugs.

(c) Standard 3: Alcohol or Drugs - An educator should refrain from the use of alcohol or illegal or unauthorized drugs during the course of professional practice. Unethical conduct includes but is not limited to:

1. being on school premises or at a school-related activity involving students while under the influence of, possessing, using, or consuming illegal or unauthorized drugs; and
2. being on school premises or at a school-related activity involving students while documented as being under the influence of, possessing, or consuming alcoholic beverages. A school-related activity includes, but is not limited to, any activity sponsored by the school or school system (booster clubs, parent-teacher organizations, or any activity designed to enhance the school curriculum i.e. Foreign Language trips, etc).

(d) Standard 4: Misrepresentation or Falsification - An educator should exemplify honesty and integrity in the course of professional practice. Unethical conduct includes but is not limited to:

1. falsifying, misrepresenting, omitting or erroneously reporting professional qualifications, criminal history, college or staff development credit and/or degrees, academic award, and employment history when applying for employment and/or certification or when recommending an individual for employment, promotion, or certification;
2. falsifying, misrepresenting, omitting or erroneously reporting information submitted to federal, state, and other governmental agencies;
3. falsifying, misrepresenting, omitting or erroneously reporting information regarding the evaluation of students and/or personnel;

4. falsifying, misrepresenting, omitting or erroneously reporting reasons for absences or leaves; and
5. falsifying, misrepresenting, omitting or erroneously reporting information submitted in the course of an official inquiry/investigation.

(e) Standard 5: Public Funds and Property - An educator entrusted with public funds and property should honor that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes but is not limited to:

1. misusing public or school-related funds;
2. failing to account for funds collected from students or parents;
3. submitting fraudulent requests for reimbursement of expenses or for pay;
4. co-mingling public or school-related funds with personal funds or checking accounts; and
5. using school property without the approval of the local board of education/governing board.

(f) Standard 6: Improper Remunerative Conduct - An educator should maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes but is not limited to:

1. soliciting students or parents of students to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by the local board of education/governing board;
2. accepting gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest;
3. tutoring students assigned to the educator for remuneration unless approved by the local board of education/governing board or superintendent; and
4. coaching, instructing, promoting athletic camps, summer leagues, etc. that involves students in an educator's school system and from whom the educator receives remuneration unless approved by the local board of education/governing board or the superintendent. These types of activities must be in compliance with all rules and regulations of the Florida State Board of Education.

(g) Standard 7: Confidential Information - An educator should comply with state and federal laws and local school board/governing board policies relating to the confidentiality of student and personnel records, standardized test material and other information covered by confidentiality agreements. Unethical conduct includes but is not limited to:

1. sharing of confidential information concerning student academic and disciplinary records, personal confidences, health and medical information, family status and/or income, and assessment/testing results- unless disclosure is required or permitted by law;
2. sharing of confidential information restricted by state or federal law;
3. violation of confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or

- distributing test items or answers, discussing test items, violating local school system or state directions for the use of tests or test items, etc.;
4. violation of other confidentiality agreements required by state or local policy.

(h) Standard 8: Failure to Make a Required Report - An educator should file reports of a breach of one or more of the standards in the Code of Ethics, child abuse, or any other required report. Unethical conduct includes but is not limited to:

1. failure to report all requested information on documents required by the State of Florida when applying for or renewing any certificate with the state.
2. failure to make a required report of a violation of one or more standards of the Code of Ethics of which they have personal knowledge as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner.
3. failure to make a required report of any violation of state or federal law soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. These reports include but are not limited to: murder, voluntary manslaughter, aggravated assault, aggravated battery, kidnapping, any sexual offense, any sexual exploitation of a minor, any offense involving a controlled substance and any abuse of a child if an educator has reasonable cause to believe that a child has been abused.

(i) Standard 9: Professional Conduct - An educator should demonstrate conduct that follows generally recognized professional standards. Unethical conduct is any conduct that impairs the certificate holder's ability to function professionally in his or her employment position or a pattern of behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students.

Reporting

(a) Educators shall self-report within forty-eight (48) hours to appropriate authorities (as determined by district) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of 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 rule, school districts shall comply with the confidentiality provisions of Sections 43.0585(4)(c) and 943.059(4)(c), Florida Statutes.

(b) The State of Florida notifies local and state officials of all disciplinary actions. In addition, suspensions and revocations are reported to national officials, including the NASDTEC Clearinghouse.

(c) Noble School staff have the duty to report alleged employee or administrator misconduct that affects the health, safety, or welfare of a student.

1. The school points of contact are Lisa Kamm and/or Martina Grondin.
2. Reporting shall be in confidence except as prescribed by law.
3. Reporting personnel are encouraged to submit in writing applicable details of the alleged misconduct.
4. Reporting personnel have certain liability protections as prescribed in Florida Statutes 39.203 and 768.095 (included below)

(d). Noble School staff have the duty to report actual or suspected cases of child abuse, abandonment or neglect.

1. The school points of contact are Lisa Kamm and/or Martina Grondin.
2. The State of Florida points of contact are 1-800-96-ABUSE or www.dcf.state.fl.us/abuse/report/

(e). Reporting personnel have certain liability protections as prescribed in Florida Statutes 39.203 and 768.095 (included below)

Disciplinary Action

(a) The State of Florida is authorized to suspend, revoke, or deny certificates, to issue a reprimand or warning, or to monitor the educator's conduct and performance after an investigation is held and notice and opportunity for a hearing are provided to the certificate holder. Any of the following grounds shall be considered cause for disciplinary action against the holder of a certificate:

1. unethical conduct as outlined in The Noble School Code of Ethics;
2. disciplinary action against a certificate in another state on grounds consistent with those specified in the Noble School Code of Ethics;
3. order from a court of competent jurisdiction or a request from the State of Florida that the certificate should be suspended or the application for certification should be denied for non-payment of child support
4. notification from the State of Florida Board of Education that the educator is in default and not in satisfactory repayment status on a student loan;
5. suspension or revocation of any professional license or certificate
6. violation of any other laws and rules applicable to the profession; and
7. any other good and sufficient cause that renders an educator unfit for employment as an educator.

(b) An individual whose certificate has been revoked, denied, or suspended may not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher or in any other position during the period of his or her revocation, suspension or denial for a violation of The Noble School Code of Ethics.

Florida Statutes

39.203 Immunity from liability in cases of child abuse, abandonment, or neglect

(1)(a) Any person, official, or institution participating in good faith in any act authorized or required by this chapter, 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.

(b) Except as provided in this chapter, nothing contained in this section shall be deemed to grant immunity, civil or criminal, to any person suspected of having abused, abandoned, or neglected a child, or committed any illegal act upon or against a child.

(2)(a) No resident or employee of a facility serving children may be subjected to reprisal or discharge because of his or her actions in reporting abuse, abandonment, or neglect pursuant to the requirements of this section.

(b) Any person making a report under this section shall have a civil cause of action for appropriate compensatory and punitive damages against any person who causes detrimental changes in the employment status of such reporting party by reason of his or her making such report. 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 of time shall establish a rebuttable presumption that such action was retaliatory.

768.095 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.